

"Complaint of the representative of the United Arab Republic in a letter to the President of the Security Council dated 27 May 1967 entitled 'Israel aggressive policy, its repeated aggression threatening peace and security in the Middle East and endangering international peace and security' (S/7907);⁴

"Letter dated 29 May 1967 from the Permanent Representative of the United Kingdom addressed to the President of the Security Council (S/7910);⁴

"Letter dated 9 June 1967 from the Permanent Representative of the Union of Soviet Socialist Republics addressed to the President of the Security Council concerning an item entitled 'Cessation of military action by Israel and withdrawal of the Israel forces from those parts of the territory of the United Arab Republic, Jordan and Syria which they have seized as the result of an aggression' (S/7967)."⁴

Resolution 237 (1967)

of 14 June 1967

The Security Council,

Considering the urgent need to spare the civil populations and the prisoners of the war in the area of conflict in the Middle East additional sufferings,

Considering that essential and inalienable human rights should be respected even during the vicissitudes of war,

Considering that all the obligations of the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949⁵ should be complied with by the parties involved in the conflict,

1. *Calls upon* the Government of Israel to ensure the safety, welfare and security of the inhabitants of the areas where military operations have taken place and to facilitate the return of those inhabitants who have fled the areas since the outbreak of hostilities;

2. *Recommends* to the Governments concerned the scrupulous respect of the humanitarian principles governing the treatment of prisoners of war and the protection of civilian persons in time of war contained in the Geneva Conventions of 12 August 1949;⁶

3. *Requests* the Secretary-General to follow the effective implementation of this resolution and to report to the Security Council.

Adopted unanimously at the 1361st meeting.

"Plainte du représentant de la République arabe unie, contenue dans une lettre adressée au Président du Conseil de sécurité, en date du 27 mai 1967, et intitulée "La politique d'agression d'Israël, ses actes d'agression répétés qui menacent la paix et la sécurité au Moyen-Orient et mettent en danger la paix et la sécurité internationales" (S/7907⁴);

"Lettre, en date du 29 mai 1967, adressée au Président du Conseil de sécurité par le représentant permanent du Royaume-Uni (S/7910⁴);

"Lettre, en date du 9 juin 1967, adressée au Président du Conseil de sécurité par le représentant permanent de l'Union des Républiques socialistes soviétiques, et relative à une question intitulée "Cessation des activités militaires d'Israël et retrait des forces israéliennes des parties du territoire de la République arabe unie, de la Jordanie et de la Syrie dont elles se sont emparées à la suite d'une agression" (S/7967⁴)".

Résolution 237 (1967)

du 14 juin 1967

Le Conseil de sécurité,

Considérant l'urgente nécessité d'épargner aux populations civiles et aux prisonniers de guerre dans la zone du conflit du Moyen-Orient des souffrances supplémentaires,

Considérant que les droits de l'homme essentiels et inaliénables doivent être respectés même dans les vicissitudes de la guerre,

Considérant que les parties impliquées dans le conflit doivent se conformer à toutes les obligations de la Convention de Genève relative au traitement des prisonniers de guerre, du 12 août 1949⁵,

1. *Prie* le Gouvernement israélien d'assurer la sûreté, le bien-être et la sécurité des habitants des zones où des opérations militaires ont eu lieu et de faciliter le retour des habitants qui se sont enfuis de ces zones depuis le déclenchement des hostilités;

2. *Recommande* aux gouvernements intéressés de respecter scrupuleusement les principes humanitaires régissant le traitement des prisonniers de guerre et la protection des civils en temps de guerre, tels qu'ils sont énoncés dans les Conventions de Genève du 12 août 1949⁶;

3. *Prie* le Secrétaire général de suivre l'application effective de la présente résolution et de faire rapport au Conseil de sécurité.

Adoptée à l'unanimité à la 1361^e séance.

⁵ United Nations, *Treaty Series*, vol. 75 (1950), No. 972.

⁶ United Nations, *Treaty Series*, vol. 75 (1950), Nos. 970-973.

⁵ Nations Unies, *Recueil des Traités*, vol. 75, 1950, n° 972.

⁶ Nations Unies, *Recueil des Traités*, vol. 75, 1950, nos 970 à 973.

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REPORT OF THE SECRETARY-GENERAL ON MEASURES TAKEN BY ISRAEL
TO CHANGE THE STATUS OF THE CITY OF JERUSALEM

1. The General Assembly, in operative paragraph 3 of its resolution 2253 (ES-V) adopted on 4 July 1967, requested the Secretary-General "to report to the General Assembly and the Security Council on the situation and on the implementation of the present resolution not later than one week from its adoption".
2. In a letter dated 5 July addressed to the Minister for Foreign Affairs of Israel, the Secretary-General requested the Minister to draw the above-mentioned resolution to the attention of his Government as a matter of urgency.
3. On 10 July the Secretary-General received the following reply from the Minister for Foreign Affairs, transmitted by the Permanent Representative of Israel to the United Nations:

* Also issued under the symbol A/6753.

"I have the honour to transmit to you the following reply from the Minister for Foreign Affairs to your letter of 5 July 1967:

'Dear Mr. Secretary-General,

My Government has given careful consideration to your letter of 5 July 1967, concerning resolution 2253 (ES-V) of the General Assembly. Israel's position on Jerusalem was explained by me at the plenary meetings of the General Assembly on 21 and 29 June 1967. In response to your letter the Government of Israel now takes the opportunity of reviewing recent developments in the City.

As a result of aggression launched by the Arab States against Israel in 1948, the section of Jerusalem in which the Holy Places are concentrated had been governed for nineteen years by a régime which refused to give due acknowledgment to universal religious concerns. The City was divided by a military demarcation line. Houses of worship were destroyed and desecrated in acts of vandalism. Instead of peace and security there was hostility and frequent bloodshed. The principle of freedom of access to the Holy Places of all the three monotheistic religions was violated with regard to Jews, but not to them alone. The Jordan Government informed the Ad Hoc Political Committee at the fourth and fifth sessions of the General Assembly, on 6 December 1949 and 11 December 1950, that it would not agree to any special arrangements for the Holy Places. This policy was the subject of a reference by the President of the Trusteeship Council, M. Roger Garreau, in his report on the mission entrusted to him by virtue of the Trusteeship Council resolution of 4 April 1950 (T/681), in which he stated:

"... I have to state with the deepest regret that up to yesterday, when my term as President of the Trusteeship Council came to an end, the Government of the Hashimite Kingdom of Jordan had not seen fit to break its silence....

... the Government of Israel showed a spirit of conciliation which led it to submit to the Trusteeship Council certain new proposals which... represent a considerable advance towards a settlement of the various aspects of the problem of Jerusalem and the Holy Places...."

On 5 June 1967, the Jordanian forces launched a destructive and unprovoked armed assault on the part of Jerusalem outside the walls. This attack was made despite Israel's appeals to Jordan to abstain from hostilities. Dozens of Jerusalem citizens were killed and hundreds wounded.

Artillery bombardment was directed against synagogues, the Church of Dormition, hospitals, centres of secular and religious learning, the Hebrew University and the Israel Museum. Intensive fire was directed against institutions and residential centres from positions in and near the Holy Places themselves, which were thus converted into military positions for shelling Jerusalem.

Since 7 June, the entire City of Jerusalem has experienced peace and unity. The Holy Places of all faiths have been open to access by those who hold them sacred.

The resolution presented on 4 July by Pakistan and adopted on the same date evidently refers to measures taken by the Government of Israel on 27 June 1967. The term "annexation" used by supporters of the resolution is out of place. The measures adopted relate to the integration of Jerusalem in the administrative and municipal spheres, and furnish a legal basis for the protection of the Holy Places in Jerusalem.

I now come to specify the character and effect of the measures adopted on 27 June:

(1) The Holy Places

"The Protection of Holy Places Law, 5727-1967, provides that the Holy Places shall be protected from desecration and any other violation and from anything likely to violate the freedom of access of the members of the different religions to the places sacred to them or their feelings with regard to those places. Whoever desecrates or otherwise violates a Holy Place shall be liable to imprisonment for a term of seven years...." During the previous nineteen years there had been no such legislation to protect the Holy Places in Jerusalem. Since 27 June, sacred buildings desecrated since 1948 have been restored, and houses of worship destroyed during the Jordanian occupation are being rebuilt.

(2) Civic co-operation

One of the most significant results of the measures taken on 27 June is the new mingling of Arabs and Jews in free and constant association. The Arab residents within the walls had been cut off for nineteen years from all contact with the residents of the newer parts of the City. Today they are free to renew or initiate contacts with their Jewish neighbours in Jerusalem and elsewhere in Israel. The residents of the City outside the walls now visit the Old City. There is a profound human and spiritual significance in the replacement of embattled hostility by normal and good neighbourly relations. It is especially appropriate that ecumenical habits of thought and action should take root in the City from which the enduring message of human brotherhood was proclaimed with undying power in generations past.

(3) Municipal services

In the hills of Judea, where Jerusalem is situated, there is an acute shortage of water. The Old City is now connected with the general water supply system, and all houses are receiving a continuous supply of water, double the quantity available to them in the past.

All hospitals and clinics are already functioning. In the past no health services existed for the young within the framework of the school system, nor were there any health stations for mother and child care. These services are now being established.

There was no social welfare system in the Old City. Today all the inhabitants of Jerusalem now enjoy the same welfare rights. The municipality has already begun extending its welfare services to those for whom none have been available in the past.

School buildings are being prepared for the resumption of studies at the beginning of the new school year. Teachers are being located and arrangements made for them to return to their work. Their salaries are paid by the municipality.

Compulsory education regulations have been extended to all parts of the City. None of those arrangements affect the existing private education network.

If these measures had not been taken, the Holy Places would be without legal protection. The unified public utilities services would not exist. Municipal and administrative facilities would not be extended to some sections of the City, and Jerusalem's residents would still be divided, hermetically confined in separate compartments.

The universal interest

The measures taken by my Government to secure the protection of the Holy Places are only a part of Israel's effort to ensure respect for universal interests in Jerusalem. It is evident from United Nations discussions and documents that the international interest in Jerusalem has always been understood to derive from the presence of the Holy Places. Israel does not doubt her own will and capacity to secure the respect of universal spiritual interests. It has forthwith ensured that the Holy Places of Judaism, Christianity and Islam be administered under the responsibility of the religions which hold them sacred. In addition, in a spirit of concern for historic and spiritual traditions, my Government has taken steps with a view to reaching arrangements to assure the universal character of the Holy Places. In pursuance of this objective, the Government of Israel has now embarked on a constructive and detailed dialogue with representatives of universal religious interests. If these explorations are as fruitful as we hope and expect, the universal character of the Holy Places will for the first time in recent decades find effective expression.

The changes which have affected Jerusalem's life and destiny as a result of the measures recently adopted may therefore be summarised as follows:

Where there was hostile separation, there is now harmonious civic union. Where there was a constant threat of violence, there is now peace. Where there was once an assertion of exclusive and unilateral control over the Holy Places, exercised in sacrilegious discrimination, there is now a willingness to work out arrangements with the world's religious bodies - Christian, Muslim and Jewish - which will ensure the universal religious character of the Holy Places.

The Government of Israel is confident that world opinion will welcome the new prospect of seeing this ancient and historic metropolis thrive in unity, peace and spiritual elevation.

Please accept, Mr. Secretary-General, the assurances of my highest consideration.

Abba Eban
Minister for Foreign Affairs'

"Please accept, Excellency, the assurances of my highest consideration.

"(Signed) Gideon RAFAEL
Permanent Representative of Israel
to the United Nations"

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REPORT OF THE SECRETARY-GENERAL UNDER GENERAL
ASSEMBLY RESOLUTION 2252 (ES-V) AND SECURITY
COUNCIL RESOLUTION 237 (1967)

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INTRODUCTION

1. By its resolution 237 (1967) of 14 June 1967, the Security Council called upon the Government of Israel to ensure the safety, welfare and security of the inhabitants of the areas where military operations had taken place and to facilitate the return of those inhabitants who had fled the areas since the outbreak of hostilities, recommended to the Governments concerned the scrupulous respect of the humanitarian principles governing the treatment of prisoners of war and the protection of civilian persons in time of war contained in the Geneva Convention of 12 August 1949, and requested the Secretary-General to follow the effective implementation of the resolution and to report to the Security Council. This resolution was later welcomed with great satisfaction by the General Assembly in the latter's resolution 2252 (ES-V) of 4 July 1967.
2. On 6 July the Secretary-General appointed Mr. Nils-Göran Gussing as his Special Representative to obtain for him on the spot the information required for the proper discharge of his responsibilities under the above resolution of the Security Council.
3. An interim report on Mr. Gussing's activities was submitted by the Secretary-General to the Security Council and the General Assembly on 18 August (A/6787, S/8124). The annual report which the Commissioner General of UNRWA will submit shortly to the General Assembly on his activities is of course related to some aspects of the work of Mr. Gussing. The present report is based on the information contained in the final report of Mr. Gussing to the Secretary-General.

I. MISSION OF THE SPECIAL REPRESENTATIVE

4. The Special Representative's mission was both complex and difficult. His main task was to report on conditions affecting civilian populations and prisoners of war in the aftermath of the war. The main subjects to be looked into were in themselves delicate and wide in scope. They were: the situation of the population in areas now under Israel control; the measures taken to shelter and to facilitate the return of those who had fled; the treatment of prisoners of war and the protection of civilians.

5. This task involved extensive travel in an area where itineraries are often complicated by the absence of direct communications between the countries concerned. The gathering of accurate information is not easy in a period following active hostilities and when communications and administration are upset and strong tensions and emotions prevail. Some of the information received was contradictory and difficult to verify. Moreover, the time at the disposal of the Special Representative was very limited because of the obligation of the Secretary-General to report to the General Assembly without undue delay. It was not expected therefore that he would or could undertake to investigate the large number of individual complaints submitted either to the Secretary-General or directly to the Special Representative himself.

6. In the light of these considerations, the Special Representative has concentrated on obtaining an over-all view of the situation and of the main problems which face the groups of the population affected by the recent hostilities with which he was particularly concerned.

7. The Special Representative's main activities during his time in the Near East were:

(a) Obtaining through travel and field visits (an itinerary of his travels is attached as annex I) to the maximum extent possible a direct impression of the areas where hostilities had taken place, and of their inhabitants, as well as of the condition of displaced persons elsewhere;

(b) Meeting government officials at the highest level of central government as well as at the level of province, district and local administration;

(c) Meeting spokesmen of the local populations, of refugees, and of detainees;

(d) Meeting representatives of United Nations agencies and offices with direct knowledge of the areas and populations involved, in particular, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the United Nations Children's Fund (UNICEF), the United Nations Truce Supervision Organization in Palestine (UNTSO), the United Nations Development Programme (UNDP) offices, and the United Nations Economic and Social Office in Beirut (UNESOB);

(e) Meeting representatives of other international agencies working in these areas, in particular, the International Committee of the Red Cross (ICRC) and a number of voluntary agencies.

8. During his visits to the Governments in the area, opportunities have arisen to discuss solutions to urgent problems, such as the return of displaced persons. The presence of the Special Representative has also served to remind displaced persons, prisoners of war and the population of occupied areas that their problems are a serious preoccupation to the United Nations and that efforts are being made to alleviate their hardships.

9. The Special Representative received excellent co-operation at all levels in the countries he visited. He was allowed full freedom of movement and given every assistance, such as transportation and the necessary arrangements for visits. Nevertheless, when travelling officially, in all the countries concerned the Special Representative met with spokesmen of the civilian population, displaced persons, prisoners of war and local authorities only in the company of representatives of the Government. Particularly in the occupied areas it would have been of great psychological importance and would have provided for franker exchanges for the Special Representative and for the people to whom he spoke if he had had the opportunity to meet and talk without witnesses to whomever he wished. This view was conveyed to Israel government representatives, but without result.

10. Although the Special Representative visited Jerusalem, he was not able to pay the same attention to this city as he was to other areas, nor was it necessary for him to do so in view of the appointment by the Secretary-General of a Personal Representative to gather information specifically on the situation in Jerusalem (see A/6793, S/8146).

11. The ICRC, in a spirit of full understanding and co-operation, has acquainted the Special Representative with the work of the ICRC representatives in the Near East area in so far as that work related to aspects of Security Council resolution 237 (1967) for which the ICRC traditionally takes direct responsibility. On the basis of the Special Representative's direct observations in the Near East, the Secretary-General wishes to express his great appreciation for the untiring and selfless efforts of these representatives in their difficult and delicate task, aimed at reducing human hardship and suffering wherever possible.

12. The Special Representative has advised the Secretary-General that he received excellent co-operation from the representatives of the United Nations and other international organizations referred to above, particularly from UNRWA. This co-operation greatly assisted him in carrying out his task. The Special Representative has also reported the great efforts being made in all the areas he visited by a large number of international and national voluntary agencies to provide humanitarian assistance to the civilian populations and to refugees uprooted because of the war and living often under miserable conditions in temporary shelters, and not infrequently without any shelter at all. This combined effort of so many different organizations, which has greatly contributed to a reduction of the human suffering in the wake of the war, is much appreciated.

13. The Secretary-General takes this opportunity to express his warm appreciation to Mr. Gussing, who has already served the United Nations with distinction on two previous occasions, and to his two collaborators, Mr. Hubert Morsink and Mr. Robert Prevot, for having gathered under trying circumstances the extensive information which constitutes the basis of this report. The Secretary-General also expresses his sincere thanks to the United Nations High Commissioner for Refugees for making Mr. Gussing's services available.

II. SAFETY, WELFARE AND SECURITY OF THE POPULATION
IN AREAS UNDER ISRAEL CONTROL

A. Syrian area

General situation

14. In south-western Syria an area of some 80 kilometres long and 35 kilometres deep is at present under Israel military control. The original population, assumed to have been some 115,000 according to Syrian sources, and some 90,000 according to Israel sources, included 17,000 Palestinian refugees registered with UNRWA. At the time of the Special Representative's visit, this entire population had left the area, except for some 6,000 Druses living in agricultural villages and for some 250 other civilians living mainly in the town of Kuneitra.

15. In most of this area, villages were empty, without a human being or animal left. For instance, in the village of Kafr-Nafagk, composed of primitive houses built of black basalt stone, sometimes with a complement of concrete, which the mission visited, there was no sign of life. The town of Banias was in ruins and the near by archaeological site was undamaged and was attracting Israel tourists.

16. In the main town of Kuneitra only a handful of local inhabitants were seen in the streets. Of an original population of 20 to 30,000, some 200 civilians, mostly old people and women and children, had remained, some of them carrying on such activities as work for different military services, road repairs and town cleaning. The military authorities had regrouped these remaining inhabitants in the so-called Christian quarter of the city and had appointed from among them a Mukhtar (local government officer). The Israel authorities informed the Special Representative that they provided the civilian population with the necessary day-to-day assistance. The Mukhtar told the Special Representative during a meeting which was also attended by an Israel officer that the civilian population was satisfied with their present treatment.

17. Entirely different was the feeling of active life and peaceful existence in the Druse* villages. During the hostilities the Druse population of the occupied area had assembled in one village, and after the hostilities had ended they returned to their original villages. The Special Representative visited the

* Adherents of a religious sect of Moslem origin, living mainly in agricultural communities in mountaineous areas of Israel, Lebanon and Syria.

prosperous fruit-growing Druse village of Majd-el-Shamsh. The villagers stated that the Druses had not wanted to leave their area because it had not been touched by military operations, because they did not want to lead the life of refugees, and also because in line with their religion and tradition they wished to keep their lands to safeguard their identity and dignity as a community. The Israel authorities had already made efforts to improve their living conditions by fulfilling requests for food and clothing, by setting up a medical clinic in the village, by resuming postal services, by introducing a telephone exchange and by promising assistance in food production and in the marketing of agricultural products.

18. The entire occupied area had been placed under Israel military administration. The military authorities were assisted in their civilian tasks by representatives from various ministries, for instance those dealing with finance, road repairs and transport. The military governor of the area had a budget obtained from different ministries and in line with the specific projects envisaged. These projects were co-ordinated at a higher administrative level.

19. In letters to United Nations bodies and in discussions with the Special Representative, officials of the Syrian Government listed numerous complaints regarding alleged violations of humanitarian principles by the Israel occupying forces: these complaints, which for the most part could not be investigated individually by the Special Representative, have not therefore been verified by him. They may be grouped into the following categories:

(a) Atrocities committed by the Israel forces, such as the torture of civilians, killing of civilians after they had been forced to say that they were members of the Syrian army or because their sons were in the Syrian army, shooting of prisoners, execution of young men, in particular, those carrying the service-to-the-flag booklet;

(b) Capture of nationals suspected of having participated in the 1948 war, of innocent civilians in several villages - in particular, of men under thirty-five years of age in one village and of patients in another;

(c) Rape of women and young girls and assault and insult of religious dignitaries;

(d) Neglect of wounded and of children separated from their parents;

(e) Intimidation and frightening of the population by such acts as indiscriminate shooting, burning of fields and killing of people in front of other people;

(f) Efforts to expel the population from certain villages; deportation of all civilians who had once served in the army and of all able-bodied Syrian young men;

(g) Indiscriminate looting of all houses and shops in Kuneitra; seizure of cattle and flocks of sheep. Looting, through excavation, of the historic site of Banias;

(h) Destruction of several villages with dynamite and bulldozers after the hostilities had ended. (Among the places mentioned are Banias, Jbeita-el-Zeit, Kfar-Harim and Nukheila.) The last such destruction allegedly took place on 13 July;

(i) Starvation of the population.

20. It should be noted that the complaints grouped under categories (a) through (d) above refer essentially to situations which may have prevailed during the period of active hostilities or immediately thereafter, and therefore would have required detailed on-the-spot investigation for each particular case. Some of the complaints grouped under (e) through (i) refer more directly to events and situations which allegedly continue to occur up to the present day. In letters to United Nations bodies and in discussions with the Special Representative, officials of the Israel Government have rejected these allegations.

Civilian population in the occupied area

21. In order to assess the conditions relevant to the safety, security and welfare of the population, the Special Representative heard the views of a wide range of persons in both Syria and Israel, visited the refugees in their temporary shelters in Syria, and made a tour of the occupied area. During this tour, on 7 and 8 August, the Special Representative was able to visit the towns of Kuneitra and Banias, and to observe, on the spot or through field glasses, the present conditions of the Arab villages of Kafr-Nafagh, Nukheila, Kfar-Hareb, Tawfik-el-Foka and Skopia and of the Druse village of Majd-el-Shamsh.

22. These field visits have enabled the Special Representative to gather a general impression of the situation now prevailing, to obtain an over-all perspective in viewing this situation, and to look into a number of selected issues affecting the security and welfare of the population in the area during the period following the cessation of active hostilities. Several aspects of Israel policy in the occupied area were looked into in more detail by the Special Representative during his visit. They are: the alleged systematic efforts to expel its entire original population from the area; the alleged wide-scale looting and the alleged demolition of entire villages after the cessation of hostilities.

Movement of population

23. Israel sources claimed that already around 6 June (at the beginning of the war, but before the Israel forces moved into Syrian territory) wealthy persons and government officials had started leaving the area. Once active hostilities reached the area, the population started moving out en masse. With regard to this population movement, the Israel authorities put forward the view that as a result of the widely publicized Syrian intentions concerning the fate of the civilian population of Israel in the aftermath of an Arab victory, the Syrian civilian population feared a similar fate at the hands of the Israel forces. Israel spokesmen also claimed that the Syrian Government at that time had sent messages warning the local population not to fall under Israel control and to move out of the area. However, no proof of this claim (e.g., records of monitored radio broadcasts) was given. Some persons may have left for practical reasons such as the desire to retain the possibility of receiving pensions or remittances from Syria.

24. While there were strong indications that the majority of the population had left before the end of the hostilities, reports were conflicting (or, least, not entirely mutually supporting) as regards events after that period.

25. The Special Representative found it difficult, in such circumstances, to determine the line between physical and psychological pressure. It is equally difficult to ascertain to what extent an occupying force is responsible for the interpretation which a local population may put upon its actions. This issue has to be viewed in the context of prevalent feelings of hate, apprehension and panic in the area.

26. Reports made available to the Special Representative indicate that the local population felt frightened by incidents such as shooting in the air, or the rounding up of civilians, or in one case by the staged repetition (without prior warning and for the purpose of a film production) of how a city was occupied by the Israel army. As late as 29 August the Special Representative was informed by the Syrian Government that seven or eight persons who wished to remain in Kuneitra had recently been forced to leave that city and been expelled over the border. Allegedly the Israel Government had later agreed that these particular refugees should be allowed to return to Kuneitra.

27. The Special Representative felt that it was likely that many such incidents had taken place and that the Israel forces had not viewed unfavourably the impact of such incidents on the movement of population out of the area. At no point during discussions on this subject was the Special Representative ever informed of any action taken by the Israel authorities to reassure the population.

28. Whatever the policy of the Israel Government may have been as regards the population, it seemed clear to the Special Representative that at the local level certain actions authorized or allowed by local military commanders were an important cause of their flight.

29. There are indications that providing reassurance to the frightened population could have been of great importance. Officers of UNTSO informed the Special Representative that after the creation of United Nations Observation Posts people came back, closely following the movement of United Nations military personnel. (On the Syrian side of the observation line the Syrian military command did not stop civilians from approaching the buffer zone and seems to allow them to return freely.) Furthermore, in spite of the fact that United Nations Observers had advised the population against working in the fields in the buffer zone, some individuals continued to try to do so, most probably feeling reassured by the United Nations presence.

30. At the time of the Special Representative's visit, several persons, Syrian and non-Syrian, were held in detention in Kuneitra, including some Israel soldiers sentenced to imprisonment for looting. During his visit and in his presence, a recently arrived team of the International Committee of the Red Cross obtained confirmation by the military governor of the permission for the ICRC to visit the

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detainees in prison, who had already been visited by their predecessors. Since then Lebanese civilians among those detained in Kuneitra have been returned to their homes in connexion with the exchange of prisoners of war.

Looting

31. Although reports from Israel sources indicate that Kuneitra was taken without fighting, the Special Representative observed all over the city that nearly every shop and every house seemed to have been broken into and looted. A visit to one apartment building confirmed the thoroughness with which the looting had been done, and showed that in some cases dwellings had been set on fire after looting had occurred.
32. Israel spokesmen did not deny the looting but pointed out that looting is often associated with warfare. They also claimed that the Syrian army had announced the capture of Kuneitra twenty-four hours before it was actually taken by the Israel forces and that this would have allowed the Syrian army to loot the town for this period of time.
33. They pointed out that several divisions, both Syrian and Israel, as well as fleeing population from villages closer to the Israel border, had passed through the city of Kuneitra during and after the hostilities. However, on the strength of reports received from different sources, the Special Representative felt reasonably sure that the responsibility for this extensive looting of the town of Kuneitra lay to a great extent with the Israel forces, and he expressed this view to the Israel officials accompanying him during his tour of the city.
34. Syrian authorities in their statements attached special importance to the looting in the occupied area and particularly in the historic site near the town of Banias. These statements, addressed to the United Nations, to UNESCO and to several embassies, persistently alleged "excavations" and "international robbery" of historic treasures. The Special Representative, during his extensive tour of the site, could find no trace of any recent digging in those parts of the site that were shown to him.

Demolition of villages

35. The Special Representative visited several of the villages mentioned in Syrian complaints which alleged destruction by dynamite or bulldozers and implied premeditated demolition for non-military reasons. He visited the heavily damaged town of Banias. Pieces of heavy artillery visible among the ruins, and the detailed description by senior officers of the Israel forces of the route of military advance in the area, left him reasonably sure that the vast destruction had been caused mainly during actual fighting and to some extent after the fighting had ended by the military necessity of blowing up structures on the point of collapsing or which possibly still contained unexploded ammunition or mines.

36. Because of mined roads, the Special Representative observed through field glasses the partly destroyed village of Nukheila, west of Banias. Its destruction could be explained by similar military reasons.

37. In late August demolitions were reported in the village of Kafr El Maa, which lies within the buffer zone east of Lake Tiberias. South of the lake the Special Representative observed through field glasses the entirely destroyed village of Tawfik-el-Foka and the heavily damaged village of Kfar-Hareb. The two villages, which formed part of a chain of military fortifications, were located on a military advance route, and heavy fighting had allegedly taken place in both. It was pointed out to the Special Representative that the near by village of Skopia had not suffered damage, since it was not located on the route of the advance of the Israel military forces.

38. To sum up on the question of the destruction or demolition of villages and towns, the Special Representative felt that the localities he observed, including three of the four persistently mentioned in Syrian complaints, did show vast destruction, but that this destruction could largely be attributed to military operations.

39. In connexion with his tour of the occupied areas of Syria, the Special Representative also paid visits to the Israel frontier kibbutzim of Gadot, Lahavot Habashan and Tel-Katzir and the small locality of Ashmora, all of which were said to have been shelled during the war. He was informed by the Israel authorities that during the war over 1,000 shells fell in the kibbutz of Gadot alone.

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B. Jordanian area

General situation

40. The area of the Hashemite Kingdom of Jordan now under Israel military control, which is bounded by the Israel-Jordan armistice demarcation line and the river Jordan, is commonly known as the West Bank. The population was approximately 600,000 to 700,000, including the Jordanian sector of Jerusalem, plus about 430,000 UNRWA registered refugees, or a total of about 1 million to 1.1 million persons. During and after the fighting an estimated 200,000 persons left for the East Bank. In addition, a substantial number of persons were displaced within the West Bank area.

41. The West Bank area came under Israel military administration after the hostilities, while the Jordanian sector of Jerusalem and some surrounding areas were promptly incorporated in the Israel municipality of Jerusalem.

42. Complaints by the Jordanian authorities relevant to the safety, welfare and security of the population of the West Bank could not all be investigated in detail or verified by the Special Representative. They can be grouped into the following categories:

- (a) Efforts to expel the population from the area;
- (b) Acts of deliberate intimidation, terror and oppression of the population;
- (c) Atrocities against civilian populations;
- (d) Demolition of houses, buildings and entire villages after hostilities had ended;
- (e) Looting;
- (f) Use of napalm and fragmentary bombs during the fighting;
- (g) Limitations and conditions put up by Israel and impeding the free return of all refugees;
- (h) Inhuman treatment of prisoners of war.

43. Israel has either rejected these complaints as unfounded, or has put forward its views on them, particularly as regards demolition of villages.

44. Before proceeding to the West Bank, the Special Representative paid a first visit to Amman on 18, 19 and 20 July. The discussions between the Jordanian Government and the Special Representative were almost entirely devoted to two

problems of particular concern to the Government; namely, the provision of adequate relief to those persons who had fled to the East Bank as a consequence of the June hostilities, and their return to the West Bank. In this connexion the Special Representative visited a number of refugee camps on the East Bank which were providing temporary shelter for the displaced persons.

45. During several tours of the West Bank, the Special Representative visited the towns of Nablus, Qalqiliya, Bethlehem and Hebron, as well as a number of villages and refugee camps. During these visits contact was made with the Israel military authorities and their advisers concerned with the restoration of normal civilian life, and also with Arab representatives of local government bodies and spokesmen for local economic interests, the Moslem religious authorities and the refugees.

Efforts to expel the population

46. In letters circulated to the Security Council (e.g. S/7975, S/8004, S/8110, S/8115 and S/8117), Jordan complains in general terms about Israel attempts to create "yet another Arab exodus", and in precise detail about the expulsion of specific numbers of inhabitants and about intimidation of the population, for example, by dynamiting houses in Nablus.

47. These complaints raise two distinct but related issues: the alleged Israel attempts to create another exodus to the East Bank, affecting the whole West Bank population, and the expulsion of populations from specific localities on the West Bank (which were subsequently demolished), whether or not the populations involved in fact moved to the East Bank.

48. On the first issue, affecting the West Bank as a whole, the Special Representative finds difficulty in defining what constitutes "expulsion" or "use of force" in relation to the movement of populations. During his visit to the area, the Special Representative received no specific reports indicating that persons had been physically forced to cross to the East Bank. On the other hand, there are persistent reports of acts of intimidation by Israel armed forces and of Israel attempts to suggest to the population, by loudspeakers mounted on cars, that they might be better off on the East Bank. There have also been reports that in several localities buses and trucks were put at the disposal of the population for travel to the East Bank.

49. During his visits to several refugee camps on the East Bank, newly displaced persons consistently informed the Special Representative that they had left the West Bank under pressure and that they had suffered many atrocities.

50. The truth seems to lie somewhere between an Israel statement that "no encouragement" was given to the population to flee, and the allegations about the use of brutal force and intimidation made by refugees. The inevitable impact upon a frightened civilian population of hostilities and military occupation as such, particularly when no measures of reassurance are taken, has clearly been a main factor in the exodus from the West Bank.

Demolition of villages

51. More specific details are available concerning the second category of persons displaced by Israel military forces in connexion with the demolition of certain villages and towns. Jordanian complaints submitted to the Security Council claim that 12,000 people from Qalqiliya were living in the open air around 22 June, that the villages of Beit Awa and Beit Mersim as well as three villages in the Latrun area had been levelled, leaving 5,000 to 7,000 inhabitants homeless. The Special Representative has been able to gather information covering those and other localities mentioned in other Jordanian complaints submitted directly to him.

Qalqiliya

52. Qalqiliya was a town of some 13,000 to 14,000 inhabitants located west of the city of Nablus and near the Jordan/Israel border where a large number of houses have been destroyed.

53. Israel, in a letter to the Security Council (S/8013), mentions that Qalqiliya was one of the concentration points of the Jordanian general attack on Israel and that large numbers of troops and artillery pieces were located in and around the town from which shelling of Tel Aviv and Israel villages took place. The letter states that the inhabitants left before the arrival of the Israel troops, that only houses in which Jordanian troops were found were damaged and that since the end of the battle no further buildings had been destroyed. In support of the statement that destruction had been caused by actual fighting, reference is made

in the Israel statement to the nearby town of Tulkarm where allegedly no damage was done since no fighting took place there.

54. During a visit by the Assistant to the Special Representative, the Arab Mayor of Qalqiliya stated that most of the people had left the city and taken cover in the hills before and during the fighting and that about one quarter of the population had remained in the city. After the occupation of the city by the Israel forces, the remaining population was advised by the Israel Military Commander to leave. The Mayor asserted that up to that moment, perhaps some fifteen to twenty houses had been destroyed or damaged through actual fighting. The population was taken to the town of Azun, twenty kilometres from Qalqiliya; from Azun they left for Nablus, where they stayed for about three days, when they were told they could go back. But when they were going back they were stopped in Azun. The Mayor requested and was allowed to see the Minister of Defence in Jerusalem; three weeks after they left their city, the population was allowed to go back to Qalqiliya. Upon their return they found that out of a total of some 2,000 dwellings approximately 850 had been demolished. The Mayor repeatedly stated that he did not know the reasons for this large-scale destruction.

55. The Israel military governor stated that the destruction had been caused partly by tanks and partly by dynamite. He stressed that Qalqiliya "fought", by which it was meant that there was general resistance to the Israel military forces, and that it was the first Jordanian town taken. Houses from which sniping took place were dynamited. Others were destroyed for "safety" reasons, e.g. houses on the point of collapsing and possibly containing unexploded ammunition, or for sanitary reasons, e.g. because of the presence of dead bodies. Fear of the possible collapse of houses was also given by the military governor as a reason why the population was not allowed to return for some time.

56. The military governor said that he was willing to support the population in their plans for reconstruction and that he had already taken measures to get food supplies to the city and to get shops opened again.

57. The city was heavily guarded by Israel military personnel and no signs of friendly contact between local inhabitants and the occupying forces were observed.

Villages in the Latrun area

58. In the Latrun area are located the border-line villages of Emwas, Yalu and Beit Nuba, together containing a population of some 4,000 according to Israel information, and 10,000 according to information from the refugees. In the same area are located the villages of Beit Likquia, Beit Sira and Beni Hareth, with an estimated total population of 3,300. The first three villages mentioned have been destroyed.

59. An Israel liaison officer stated that the destruction had taken place mostly during the fighting, that the Jordanian Army in the area had been assisted by one battalion of Egyptian commandos, that the area had been heavily shelled, that fighting had gone on all through the night and that tanks had gone through the villages because these are located on the way from Tel Aviv to Jerusalem.

60. The Israel Minister of Defence, in his meeting with the Special Representative, stated that he had ordered the destruction of these damaged villages for strategic and security reasons since they dominated an important strategic area.

61. According to one of the military liaison officers assigned to the Special Representative, the State of Israel had informed the representatives of these three villages that it would help their population "to develop other areas".

62. According to accounts from displaced persons, the Israel forces entered the three villages of Emwas, Yalu and Beit Nuba at 4.30 a.m. on 6 June and called the inhabitants to assemble, after which they were ordered under threat to leave in the direction of Ramallah. They were joined on the road by people from the "second line" villages of Beit Likquia, Beit Sira and Beni Hareth. After three days they were told that they could go back but they were allowed to reach the "second line" villages only. Those who wanted to go on to Emwas, Yalu and Beit Nuba were turned back. They then returned to Ramallah and some of them went to the East Bank.

63. According to the same sources, those who stayed behind in and around Ramallah or in the "second line" villages persisted in their demands to the Israel Commander that they should be allowed to return to their homes. After two days, the Commander of the Latrun area came to Ramallah and met with representatives of the displaced villagers, who were informed that 70 per cent of their houses had been destroyed but that arrangements for their return could be made if they so desired. They were also told that there was a need for their labour in order to cultivate

the extensive monastery lands in the Latrun area. The representatives of the villagers replied that their people wanted to go back, even though their houses had been destroyed.

64. According to the information available to the Special Representative, however, these displaced villagers had not yet been able to return. They felt encouraged, apparently, by the Israel decision to allow the people of Qalqiliya to return.

65. As regards the "second line" villages, to which the population has now been allowed to return, the situation can be summarized as follows:

(a) At Beit Likquia out of a pre-war population of about 2,000, including fifty UNRWA refugees, 300 had left for unknown destinations (probably the East Bank). Five hundred had come from the above-mentioned frontier villages; these people, who were living in houses, schools or under trees, wanted to go back. The food situation was under control, although there was a slight shortage of water.

(b) At Beit Sira, where there was a pre-war population of 1,250, about 1,000 had remained. Two hundred and fifty additional persons had come from the three above-mentioned villages.

(c) No information was available as regards Beni Hareth, which consisted of a few houses only. Both UNRWA and the Lutheran World Federation were providing emergency relief to the populations now living in these "second line" villages.

Hebron area

66. At Beit Awa in the Hebron area (original population some 2,500 persons), out of some 400 houses, more than 90 per cent have been completely demolished and the remainder partly damaged. A second village in the area, Beit Mersim (original population approximately 500), was completely destroyed.

67. The Special Representative visited Beit Awa on 11 August. The Arab Mukhtar stated that Israel troops entered the village on 11 June at 5.30 a.m. The inhabitants were then asked to take two loaves of bread and to go to the hills surrounding the village. At 7.30 a.m. the Israel troops started to demolish the houses with dynamite and bulldozers. Groves around the village were burnt. The

belongings of the inhabitants were also burnt since they were unable to take them along. The population stayed in the hills for a week. They were then authorized to return by the military governor. Out of the original population of 2,500, some 300 had left for other areas.

68. The Mukhtar said he presumed that the reason for the demolition was that the Israel authorities believed that there were members of the "El Fatah" organization coming from the village. He claimed that members of this organization used to pass through the village but did not live in it and that the inhabitants never co-operated with them. In this connexion, the Israel authorities informed the Special Representative that this village was an "El Fatah" base where members of this terrorist organization used to stay overnight and where they received ammunition and supplies.

69. The Israel military liaison officer informed the Special Representative that a decision had been made to rebuild the village but that it had not yet been decided whether this would be done by the Government alone or with the help of voluntary organizations. In principle, he said that the Israel authorities were going to supply technicians and provide cement to help in the rebuilding of the houses. The Mukhtar said that the Israel authorities had promised them all this, but that so far nothing had been received.

70. In Beit Mersim, located fifteen kilometres from Beit Awa, a similar situation prevailed, according to the Mukhtar of Beit Awa.

71. Some other villages where destruction had allegedly taken place were Beit Illo (near Ramallah), Kharas, Sourif and Edna. According to the Israel military liaison officer, only the village of Beit Illo had suffered some war damage, while the villages of Kharas and Edna had not been touched. According to one of the villagers of Beit Awa, eighteen houses had been demolished in Sourif.

Number of homeless persons

72. As regards the number of people from the town of Qalqiliya and from the villages located in the Latrun and Hebron areas, rendered homeless for a shorter or longer period, the situation can be summarized as follows:

(a) In the Latrun area at least 4,000 persons from the front line villages of Emwas, Yalu and Beit Nuba had not yet been allowed to return to their

villages. About 3,300 persons from the "second line" villages of Beit Sira, Beit Likquia and Beni Hareth had been allowed to return.

(b) In the Hebron area 3,000 persons had been allowed to return to Beit Awa and Beit Mersim.

(c) Qalqiliya. According to the Arab Mayor, about one quarter of the total population of approximately 14,000 stayed in the town during the hostilities. Thus a maximum of some 4,000 persons might have remained and been ordered out by the Israel military authorities after actual fighting had ended. Houses destroyed belonged both to this group and to the persons who left before complete or partial destruction of the 40 to 50 per cent of the housing had taken place. The populations had been allowed to return, but it was not known how many actually did return.

Looting

73. There are Jordanian complaints about alleged looting "of everything" found in banks by Israel occupying forces. This allegation has been rejected by Israel as "unfounded". During his tour of the area, the Special Representative was informed by Israel spokesmen that in fact Israel had taken away the bank books and money found in the banks, but against duly signed receipts and for the sole purpose of making a systematic check on the situation of these banks at the time Israel took over control of the area.

74. Jordanian complaints also allege looting of commercial stores, houses, the hospital in Nablus and the theft of church jewellery from the Church of the Holy Sepulchre in Jerusalem. According to press reports, the latter items had been found and restored. The Special Representative received the specific Jordanian complaints about looting only after his visit to the areas concerned and was therefore unable to look into the alleged looting of the Nablus hospital.

75. The Special Representative also received reports concerning looting in Jerusalem by Israel military personnel, including cars, vacant houses and shops. Since the alleged events took place, some two months before the arrival of the Special Representative, it was difficult for him to form a firm opinion about these allegations.

76. The Assistant to the Special Representative, during his visit to the hospital of Qalqiliya, was informed by the doctor in charge that the X-ray machine, the operating table, overhead lights and other equipment in the operating theatre, as well as stocks of hospital linen had disappeared. Israel officers present during the tour of the hospital stated that the Israel authorities had promised to provide the hospital with a new operating theatre.

77. Israel spokesmen informed the Special Representative on several occasions that the Israel authorities had taken measures to prevent looting and to stop it when it occurred, including the court martialling of army personnel caught in the act of looting.

Economic and social conditions and needs

78. Views on the economic and social conditions of the civilian population on the West Bank were conflicting. According to statements by spokesmen of the Jordanian Government, the economy of the area was paralysed, there was a threatened shortage of food approaching a situation of famine for the population, there was no circulation of money owing to the confiscation by occupying forces of cash on hand in the Jordanian banks which were closed for business by these forces, and moreover, confiscation of property has taken place. The Jordanian views of the situation are presented in more detail in statements presented by the Jordanian Government to the Special Representative. These statements are attached as annexes to this report (see annexes II to IV).

79. The Israel views on the situation, set forth in statements also attached as annexes to this report, stress the speedy return of normal life in the occupied area and the measures taken by the Israel Government to facilitate and encourage this process in relation to local government, currency problems, price levels, employment, the reactivation of agriculture, industry and commerce, the re-establishment of basic services such as electricity, water, communications and transportation, and the resumption of services in the fields of health, education, welfare and religious and judicial life.

80. The Special Representative was not able, in the time at his disposal, to assess completely the social and economic situation prevailing on the West Bank or to establish a complete review of measures taken by the Israel Government, and even less to analyse all the implications of Israel measures taken so far. He has been able, however, to obtain an impression on these points by direct observation during his visits to the main West-Bank towns of Hebron, Bethlehem, Nablus and Qalqiliya, and through detailed and specific discussions with representatives of the local population and of the Israel authorities.

81. The information gathered in this way is presented here classified according to main items relevant to the situation prevailing in each of the four towns. Since these situations differ, not all subjects are covered for each town. Secondly, because of the variations in the time at the disposal of the Special Representative in each town and the differences in background and knowledge between

the spokesmen consulted, the information is more complete on some subjects for some towns than for others.

Qalqiliya

82. The information concerning Qalqiliya, which was visited by the Assistant to the Special Representative on 12 August 1967, was as follows:

(a) Local government. The Arab Mayor stated that the employees of the municipality had returned to work and that the municipality had received 4,000 pounds from the Jordanian Government and 3,000 pounds from the Israel Government and that he was expecting more funds from the Israel Government. He stated that it was necessary to strengthen the budget of the municipality to carry out the reconstruction of this largely destroyed city. Moreover, additional funds would be required once the agricultural season began. So far, he said, no plans had been made regarding reconstruction, but a budget had been submitted to the Israel authorities. The legal adviser to the Israel military governor stated that in a few days the municipality would receive long-term loans to help the shopkeepers to start buying goods. According to the Mayor, the main problems facing the city were the financing of the budget and the general shortage of money.

(b) Banks: There were no branches of Israel banks in the area.

(c) Basic amenities. The Mayor stated that the Israel Government had helped in restoring of the water and electricity systems.

(d) Food. Food was provided by UNRWA. For the first month UNRWA supplied food to everyone; as from the second month, no rations were issued to those who had their own means.

(e) Shelter. Some of those whose houses were destroyed are at present living with relatives or outside Qalqiliya (in Nablus, for instance) or in their former houses in Qalqiliya, where they had covered the destroyed parts with tents. About 200 tents were distributed by the Israel Government and about 30 by UNRWA. The tents provided by the Israel Government were cut into pieces and shared by several families in order to cover damaged parts of their houses. The Mayor stated that there were no official plans to reconstruct the town but that he had read in newspapers that the Israel Government intended to carry out the reconstruction.

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(f) Education. The Mayor stated that the schools would be functioning. He had heard of teachers elsewhere who had been asked to fill in a special form before resuming their work, but this had not happened in Qalqiliya.

(g) Health services. The Mayor stated that when the population returned to Qalqiliya there were a number of human and animal remains in many places; the Health Department proceeded to their removal and to a disinfection campaign. A medical doctor was now visiting the city twice a week, but the Mayor considered the present health services inadequate. He would prefer that the doctor be permanently stationed in Qalqiliya. The UNRWA hospital was still functioning, but without its previous operating theatre, as stated elsewhere in this report.

(h) Economy. The main source of livelihood for the 12,500 non-UNRWA residents was agriculture and remittances of money from those who emigrated to other countries. Agriculture was being resumed since no fields were destroyed. However, there was a problem of unemployment. Through the Israel Government about 120 workers were now working on cleaning the town.

(i) Confiscations. The Mayor stated that no goods or properties had been confiscated in Qalqiliya.

Nablus

83. The information regarding Nablus, visited on 24 July, may be summarized as follows:

(a) Curfew. There was a curfew throughout the area from 7 p.m. to 4 a.m., when farmers start going to their work.

(b) Municipality. An Israel spokesman said that the Israel military authorities had authorized the head of the municipality to run the services himself and that they had given him the practical possibilities to do so by providing supplies and assistance. The Mayor was the elected Arab Mayor of the city who did not leave the city during the hostilities.

(c) Police. The police force was operating and consisted of about eighty-five policemen in Nablus only. Those who were found were all remobilized and back on duty. They were wearing uniforms, and the Israel authorities had supplied them with weapons to safeguard the town against looting.

(d) Employment of government officials. According to an Israel official, there were 1,300 teachers in the district of Nablus. All of them would receive their salaries. Moreover, salaries were also being paid to policemen, to the staff of government hospitals, and to the personnel of post offices. In principle, all officers working for the administration would be paid. The Israel official stated that already some 350 workers were working in the projects of the municipality, such as construction of municipal roads and new buildings. The Arab Mayor stated that even though the present Government was paying most of the teachers, unfortunately most of the other departments had not yet received any money, from either the Jordanian or the Israel Government. This situation, in his opinion, affected "thousands of people", many of whom were coming to see him daily about their problems. He mentioned in this connexion the Department of Land Registry, the religious courts, the pension office, the civil law courts, etc., which were located in Nablus and served the wider Nablus district. The Israel spokesman stated that the Israel authorities did not know about the existence of these offices and their specific tasks. According to their information, there were about twenty-one government departments in Nablus, and payment of salaries to their officers was now beginning, except for some civil servants who were felt by the Israel authorities to be redundant.

(e) Banks. According to an Israel official, the banks were functioning.

(f) Basic public facilities. An Israel spokesman said that the electricity supply had not been interrupted; postal and telephone services were operating.

(g) Water. According to an Israel spokesman, the water pipeline was blown up during the fighting and was being renewed. In midsummer it was usually dry in Nablus, and the city needed water from outside.

(h) Food. An Israel spokesman said that the Israel authorities supplied the most essential things which were not in stock in sufficient quantity in Nablus, such as flour. In some villages around Nablus there was no flour either. The Israel military authorities told the village Mukhtars that they could bring their problems before the municipality in the areas in which their villages were located, and through the Mayors the population had been supplied with flour. There was no problem of starvation whatsoever. The Arab Mayor stated that there

was enough food but the population lacked the money to buy it and that the municipality had started to give help to about 16,000 people in Nablus city alone (out of a total population of 75,000 to 80,000).

(i) Health. According to an Israel spokesman, hospitals were operating. The Israel authorities gave the head of the municipality the power to run the services in town, including the health services. The Arab Mayor stated that the medical services were working, but not as they used to. Some of the personnel of the clinics and some of the manual workers had left, some of the instruments had been lost, and there was not as much transport as was needed. Moreover, apart from the traditional medical services, there were some special projects, such as a malaria eradication project and a tuberculosis centre and a maternity and child health programme, all of which had come to a standstill. The Arab Mayor stated that the municipality had discussed these problems with the Israel authorities who showed "an eagerness to co-operate" and that weekly meetings had been arranged with the health authorities in Jerusalem.

(j) Agriculture. According to an Arab spokesman (formerly Minister of Agriculture in the Jordanian Government), at least 50 per cent of the harvest in the Nablus area was destroyed during the war. However, an Israel agricultural specialist felt sure that more than 80 per cent of the crops of the area had been saved. After hostilities ended, the Israelis had proceeded to the harvesting of abandoned crops; in the case of wheat, to prevent it from burning out; in the case of tomatoes and melons, to avoid rotting. Surplus perishable agricultural products had been sent to Israel canning factories. He stated that the Israel authorities had assisted local agriculture, first, by doing this emergency harvesting, sometimes using machines brought in from Israel, and secondly, by assisting in the sale of agricultural surpluses to industries in Israel now that the usual export outlets to countries like Kuwait had been closed. In addition the authorities would be willing to supply seeds for the new agricultural season. Arab spokesmen stressed the difficulty of resuming agricultural activities because of the great number of people who had left for the East Bank. Difficulties would soon be felt when the olives had to be picked. They felt that the reduced labour force would lead to a reduction of agricultural production which would result in a shortage of food in the area. The Israel agricultural spokesman said that the

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Israel authorities had started to prepare plans for the next agricultural season and felt sure that they would be able to plant all the areas where no war damage had been done. He was surprised to hear that there was so much concern about the alleged shortage of agricultural labour.

(k) Commerce. All marketing had been arranged as from the first week after the war, according to an Israel spokesman. During the war the Israel military authorities stopped all traffic. The day after the war traffic resumed with private cars. Commodities which were lacking were brought in from Israel. The Israel authorities arranged for the sale of manufactured products from Nablus in the Arab part of Jerusalem. However, the Arab Mayor stated: "The commercial situation is a little better but is not what it should be."

(l) Shops. An Israel spokesman said that shops were open; everything was as before. A few of the shopkeepers had left, and some others kept their shops closed. Some travel agencies had closed down because they had no business. He stated: "We give all the opportunities, but it is up to the municipality." He drew attention to the fact that much tourist trade was now coming from Israel. The Arab Mayor stated that a large number of shops had opened and that a large number of Israelis had started to come to the area and were buying; but apart from these visitors, there were no tourists of the usual kind.

(m) Price level. According to an Israel spokesman, prices generally were going up, but compared with Israel prices in Nablus were lower as the local standard of living was lower.

(n) Unemployment situation. The Arab Mayor indicated that there was a problem of unemployment affecting a large number of labourers. This was unusual as, before the war, there had been no unemployment during the summer season but only in winter. He declared that unemployment was felt in all sectors of the economy and gave as examples both private and public building and, related to this, unemployment in many industries, such as ironwork and furniture, in which a large number of labourers worked. Unemployment was also found, for example, in dressmaking, he observed. According to an Israel official, soap factories in Nablus were resuming work gradually and would again provide employment to about a hundred workers.

(o) Unemployment relief. An Israel official said that efforts were being made to relieve unemployment in the area, especially through the initiation of

public works. Many roads were being repaired, and there were plans to enlarge other roads. These works were expected to absorb hundreds of labourers. Moreover, the military authorities had asked the municipality to operate projects which had been planned before the war. If the municipality needed money to start the projects, the Israel Government would be ready to give it and had in fact already done so to some extent. Many people were working on these projects, which included the reconstruction of the pipeline, road construction and road repair, and the continuation of construction work on schools, hospitals and other public buildings.

(p) Looting. An Israel official said that there had been complaints about the looting of shops at night. The Israel defence forces had been able to catch the looters, who had been tried before a military court, since breaking the curfew and looting were military offences.

Bethlehem

84. The information concerning Bethlehem, which was visited on 11 August, was as follows:

(a) Municipality. The Mayor of Bethlehem informed the Special Representative that the services of the municipality were running 100 per cent. Some projects were being carried out with the help of the Israel Government. Salaries for the month of June had been paid. As regards July salaries the Mayor had roughly half of the amount required available for payment. Approval of the budget was expected for August and September. As soon as the budget was approved, work could be given to another 155 municipal workers.

(b) Banks. He stated that all money was frozen in the banks and that there was no liquidity. Only one Israel bank had opened, with very limited transactions. The Mayor had been informed that efforts were being made to obtain funds from London to reopen the Ottoman and British banks in Bethlehem, which were still closed.

(c) Food. Immediately following the end of hostilities, there had been a shortage of flour, but new supplies had arrived within a few days. There were no food problems.

(d) Education. The Arab Mayor asserted that schools would be opening in September. Most of the teachers were from the area.

(e) Health. The Arab Mayor remarked that the health situation was good and that hospitals were working.

(f) Courts. There were no problems, according to the Arab Mayor.

(g) Economy. Bethlehem's main source of income was tourism, but foreign tourists had stopped coming. The head of the department of tourism in Jerusalem had promised to give the fullest attention to this point. The Israel military governor stated that Bethlehem could not exist without tourism coming through Israel and that therefore it was in the economic interest of the local population to co-operate with the Israel authorities.

(h) Employment. The Arab Mayor stated that there were some "jobless" but that road construction works were going on. However, construction on the Bethlehem-Jerusalem road, involving some forty to sixty employees, had been interrupted because the contractor had disappeared.

(i) Movement of population. According to the Arab Mayor, there were three camps of Palestinian refugees in the area, with a total refugee population of some 20,000. About 30 per cent of them had left. Very few of the local residents of the Bethlehem area had left, however.

Hebron

85. As regards Hebron, which was also visited by the Special Representative on 11 August, the information received by him may be summarized as follows:

(a) Municipality. The Arab Mayor informed the Special Representative that the officials who originally were working with the Government had all been re-employed except for about 20 per cent who had to be terminated upon the request of the Israel authorities.

(b) Food. Immediately after the war, basic commodities had been gathered together, and the municipality, together with the chamber of commerce, had carried out an inventory of stocks. The Israel authorities had supplied flour and fuel, of which there was a shortage.

(c) Education. Schools would reopen on 1 September. Some teachers, mainly those who had been recruited from outside the area, had left. The places of teachers who did not return would be filled by university students.

(d) Economy. The main economic activity in the region was fruit-growing. The Mayor observed that at present it was not possible to export fruit to the East Bank and that, moreover, it was not possible to send trucks to the Jericho area on the West Bank. Secondly, a large number of people from the area used to work in the Arab peninsula and to send money home or to come to Hebron themselves for holidays and thus spend their earnings but they were no longer doing so.

(e) Commerce. He stated that except for the absence of imports, commerce was going on normally. Before the war a large number of merchants had placed orders through Amman for all sorts of goods which were now waiting in the port of Aqaba, and the merchants were now unable to bring these goods to Hebron. During his subsequent visit to Amman, the Special Representative took this matter up with the authorities there, who informed him of their willingness to seek a satisfactory arrangement for the merchants concerned.

(f) Employment. From the point of view of manpower and employment, there were no difficulties in the agricultural sector nor in other sectors of the economy, where work and life were continuing normally.

(g) Confiscations. The Israel custodian of absentees' property had seized the houses of those who were away since the houses were empty. However, in some cases the inhabitants were only temporarily away on a visit to Amman. In other cases, when a relative of the owner had been present but not the owner himself, the property had still been considered as absentee property by the Israel authorities.

(h) Abraham's Tomb. The Mufti informed the Special Representative that Moslems had at first been forbidden to go and pray in the main mosque, built over Abraham's Tomb. They had protested, and the Israel Minister of Defence had to discuss the matter directly with them. It had been agreed that the Moslems would conduct their prayers at certain hours, while other hours would be reserved for visitors. An Israel officer explained that the difference of opinion arose from the fact that the shrine of Abraham's Tomb is equally holy to Moslems and Jews. The latter were now allowed to pass through the mosque.

(i) Moslem religious courts. The Mufti also declared that the main chiefs of the Islamic community had met and decided to appoint one of their number to represent them in Jerusalem and deal with the Israel authorities. Any relevant

Israel orders were now received through this representative. No difficulty had been encountered in carrying on the normal Moslem legislation and court affairs.

(j) Movement of population. The Mayor mentioned that before the entry of the Israel troops, an agreement had been reached that no fighting would take place in this area, and that in fact no fighting had taken place. Yet when the Arab Legion withdrew from the area, people began to flee. Approximately 15,000 to 18,000 out of a population of 150,000 in the area had left. The majority had left before the arrival of the Israel troops; some were still leaving. They had left of their own free will without any pressure from the army. Many had come back, and about 90 per cent of all those who had gone would like to come back. The army treated the population well. There were about 50,000 Palestinian refugees in the area, out of whom approximately 10,000 left. (Forty per cent of the refugees lived in camps.)

86. The above data from various sources seem to indicate that as a result of the hostilities the general economy of the West Bank came to a standstill. Trade between the West Bank and the East Bank was suspended; banks were closed, and credit facilities had been withdrawn. Many businesses were closed, and employees no longer received their salaries. The general impression was that food had soon become available, but not the money to buy it. The three major problems facing the economy were lack of liquidity, unemployment, and changing price levels.

87. The Israel Government assured the Special Representative that it had taken initial measures to restart the West Bank economy, including the purchase of West Bank agricultural surpluses formerly exported to East Jordan and to other Arab countries, to re-employ former Jordanian Government and municipal employees, including teachers, as well as to create employment by public work projects, and to authorize some Jordanian banks to reopen and create branches of the Bank of Israel in the principal West Bank centres.

88. An economist, a member of the Israel planning committee for the development of areas under Israel control, stated that at the beginning the idea had been to do whatever Israel could do to maintain the existing price levels in the occupied area. However, it was found that it would be impossible to operate separate customs controls for the West Bank and for the Gaza area and that in general it would be physically impossible for Israel to ensure a complete separation between the

economies of the three areas. Therefore, at a later stage, a more flexible policy was adopted accepting the idea that in principle there would have to be an adjustment of the level of prices between Israel and the occupied areas. Thinking then focused on measures to ensure a gradual adjustment so that the shock would not be too great. Such a gradual adjustment would be obtained by ensuring an effective rise in salaries and in the purchasing capacity of the population, in order to nullify the negative effect of the rise in price levels. In this connexion it was found that opening the area for Israel tourists would allow the population to sell whatever they had to sell, which in turn would increase their purchasing power.

89. According to the same spokesman, a representative of the Israel National Bank went to discuss the rate of exchange of the Jordan dinar with the International Monetary Fund (IMF). The Fund had reservations regarding Israel's rate of exchange for the dinar. Israel informed the IMF of its readiness to modify the rate of exchange, provided that the convertibility of the dinar would be guaranteed for the future. Moreover, Israel was willing to let the local Arab banks resume business if the Jordanian banks transferred back all the balances being held in Amman. The IMF discussed this with the Jordanian authorities. These authorities drew up a list of proposals which, Israel felt, amounted to putting Israel in a situation where the economy of the West Bank would be run from Amman. Therefore, Israel decided, as a unilateral act, to raise the rate of exchange of the Jordan dinar (and of the Egyptian pound) in order to counter-balance the negative effect on the purchasing power.

90. According to the same spokesman, Israel wanted to secure facilities for the transfer of remittances to the population; Israel felt that too much talk about this subject could bring about a situation where some Arab countries would not transfer money to their **families** in the occupied areas. Therefore, the IMF, the Red Cross and the United Nations were informed of the factual situation, namely, that Israel would see that any remittances transferred to persons in those areas would be made out to them through the banks. The banks were given orders to transfer any remittances which they received directly or indirectly for or on behalf of residents.

91. According to the data provided by the Israel authorities, little damage was done in agricultural areas, and agriculture as an economic activity was functioning fairly well in most areas, with the possible exception of the Nablus region. Israel set up a group composed of various experts attached to the Prime Minister to look into plans for water resources and agricultural development. The immediate problem was, however, what to plan for the next agricultural season. For the moment there were surpluses, and Israel was faced with the problem of what to do with them. Israel policy aimed, according to Israel sources, at maintaining the economic activity at its previous level, but it was not to be expected that next season's agricultural production could be exported to the East Bank. Instead, the Israel market would have to be used as a basis for planning of West Bank agriculture. Agriculturalists from the West Bank had already been taken on visits to Israel to show them the situation and orientation of agriculture there, in order to help them make adjustments in their own plans for the next season. The Special Representative was informed that whatever the future of the West Bank would be, it was the earnest wish of Israel Cabinet Ministers responsible that the West Bank population should be able to conclude that the Israel administration had done whatever it could to raise the standards of living of the population.

92. The Special Representative considered that, if there should be a delay in the resumption of normal economic life both on the West Bank and in the Gaza strip, a considerable portion of the population in these areas would suffer a decline in living standards and that nutritional problems might develop. Under these conditions, there would be a continued need to provide food relief for those persons who were not at present under UNRWA's care. Early consideration would therefore have to be given to the continuation or the expansion of existing feeding programmes, such as those that were being discussed between the Israel Government and CARE. Discussions were also taking place between UNICEF and the Israel authorities on this subject.

C. The United Arab Republic and areas administered
by the United Arab Republic

General situation

93. There are striking differences in population density and composition as well as in economic and social life between the United Arab Republic-administered Gaza strip and Sinai. The Gaza strip is a small but densely populated area with a total pre-war population estimated at about 455,000, of whom 315,000 or about 70 per cent, were UNRWA registered refugees. Sinai is a vast peninsula still characterized in the interior by the traditional Bedouin way of life. The settled population in this peninsula is largely concentrated in the town of El-Arish on the Mediterranean coast and in the eastern part of the town of Kantara on the East Bank of the Suez Canal. According to local Arab sources, the pre-war population of El-Arish was estimated at between 30,000 and 40,000 and that of East Kantara at about 15,000.

94. Prior to his visit to these areas the Special Representative proceeded to Cairo on 27 July for discussions with representatives of the United Arab Republic Government. These discussions highlighted three issues to which the United Arab Republic attached particular importance: the alleged shortage of food and the starvation of the population in El-Arish, the shortage of water in East Kantara and the responsibility of the occupying authority for this state of affairs, and finally, the alleged expulsion of Palestinians across the Suez Canal by the Israel forces. Arrangements were made for the Special Representative to visit newly displaced persons who had been given temporary shelter in recently constructed villages in the land reclamation projects of the Liberation Province north west of Cairo. A visit to Israel prisoners of war held in the United Arab Republic was also arranged at the request of the Special Representative.

95. The Special Representative visited El-Arish and East Kantara on 14 August and Gaza town and its surrounding areas on the next day. In each locality meetings were held with the Israel military forces in charge of the administration as well as representatives of Arab local government bodies and other spokesmen for the local Arab population and for Palestinian refugees.

96. The Israel authorities submitted to the Special Representative two aide-memoires on the situation in the Gaza strip and northern Sinai, which are annexed to this report (see annexes VIII and IX).

Gaza

97. Besides considering the alleged expulsion of Palestinians from the Gaza strip, the Special Representative gave attention during his short visit to the area to a number of questions affecting the safety, welfare and security of the population.

98. The information obtained by the Special Representative is set forth below according to subjects. In this connexion it should be pointed out that because UNRWA registered refugees made up 70 per cent of the total population, UNRWA played an essential role in the economic and social life in the area which affected not only the refugees but also the population as a whole.

(a) Movement of population

99. Until recently the population living in the Gaza area could be divided into three categories: the original Gaza population which had inhabited the area for centuries; Palestinian refugees and persons of Egyptian origin, mostly government civil servants, teachers, and professional persons.

100. The Israel military commander of the Gaza area stated that there were still some 200 Egyptian civil servants in Gaza together with their families, who wanted to return to the United Arab Republic. He declared that they did not want to work in Gaza now since if they did so, they would lose their job potential in the United Arab Republic. However, if they stayed in the area under Israel control, they would have to work. According to other sources some 600 or 700 persons were imprisoned initially. Of these the Israel authorities later retained only men between eighteen and fifty-five years of age and allowed the others to leave for the United Arab Republic. The men between the ages of eighteen and fifty-five were then transferred to El-Arish. The Special Representative had the opportunity to visit 289 United Arab Republic officials detained in El-Arish.

101. Some sources claimed that after the hostilities ended in the Gaza area, Israel military forces rounded up about 3,000 persons who were thought to be members of the Palestine Liberation Army, and subsequently took them to places outside the Gaza strip. During his visit to the prisoner-of-war camp in Athlit (Israel) the Special Representative was informed that some of these Palestinians were detained there. According to various sources, others were taken to Kantara. There they were authorized by the Israel authorities to cross to the west side of the Suez Canal.

102. The Special Representative had not been able to find official confirmation of the above-mentioned figure of 3,000 persons involved, or to determine how many of these had been released and how many were still being detained inside or outside the Gaza strip by the Israel authorities.

103. The Israel authorities had made arrangements enabling residents of the Gaza area to visit relatives on the West Bank. At the time of the visit of the Special Representative to the Gaza strip, Gaza residents desirous of visiting the West Bank had to apply for permission to the military authorities. Upon approval of their request they received two passes - one to go to the West Bank and one to come back. It was said that about six large buses were leaving every day for the West Bank. It was not known to the Special Representative whether on an average six busloads of people also returned every day and to what extent the authorities checked whether individuals returned on or before the return date mentioned on their return passes. According to information subsequently received, the requirement for permits to visit the West Bank had been lifted and only identity cards were required.

(b) Municipality

104. According to the Israel military governor of the Gaza strip, the municipality was working normally. The Arab personnel of the municipality had not been replaced and were receiving their salaries. All services were functioning.

105. The Arab Mayor of the municipality declared that 450,000 Egyptian pounds belonging to the municipality had been taken from banks by the Israel authorities. Israel spokesmen denied this.

106. The military commander of Gaza town declared that the municipality budget was given priority as regards payments. The municipality had already received 20,000 Egyptian pounds from the Israel military government, but in addition the municipality was requesting grants similar to those received in the past for carrying out projects.

(c) Banks and currency

107. Members of the Gaza municipal council complained that economic life was at a standstill because depositors could not withdraw money from the banks. In this connexion, one Israel senior military officer asserted that 70 per cent of the local currency in the banks had been taken to the United Arab Republic; another Israel officer declared that the Israel authorities found altogether 526,000 Egyptian pounds in the banks in the Gaza strip, that the local banks were bankrupt and that banking was now functioning through Israel banks.

108. During his visits to Cairo, the Special Representative was informed by the United Arab Republic authorities that in the whole of Gaza and Sinai, Israel forces had taken 1 million Egyptian pounds from the banks, as well as 400,000 Egyptian pounds found with the United Arab Republic troops and earmarked for their next salary payment. Israel spokesmen in the Gaza strip and elsewhere insisted that wherever bankbooks or money had been taken from banks, this had been done only upon receipts handed over to the directors of the banks concerned. Moreover, they stated that the cash held in banks did not suffice to refund the deposits made by the inhabitants.

109. Exchanges of currency according to the latest Israel regulations could officially be made in the Gaza strip until 15 August.

(d) Food

110. During his visit to Gaza town, the Special Representative noted that there seemed to be an ample supply of food there. According to the information received by him, supplies left behind by the United Arab Republic authorities had been used to a large extent. Food prices had increased somewhat, for instance, those of fresh meat, canned meat and fish. People were coming from Israel and buying these foodstuffs, and this was one reason for the rise in prices.

111. Though food seemed to be available, money to buy it was scarce. The CARE representative stated that CARE was giving food and assistance to approximately 80,000 persons, who were not UNRWA refugees of whom 10,000 were in EL-Arish. CARE was carrying on that activity in close co-operation with UNICEF. UNICEF would distribute the same rations as CARE, reaching those persons who were not covered at present by either UNRWA or CARE, particularly nursing and expectant mothers. CARE supplied food to other categories such as old people, widows, orphans, disabled people, and people who were able to work but had been unemployed for at least four weeks.

(e) Health

112. According to the Israel military commander, health services continued under the same conditions as in the past when they were provided by the Government free of charge. He stated that the hospitals were functioning, but that some people had asked the military government to provide them with better hospitals. He stated that an Israel doctor was touring the area regularly.

113. However, according to other sources, the hospital in Rafah had been destroyed, and only the UNRWA hospital there was functioning.

(f) Education

114. The military commander informed the Special Representative that he expected the schools to reopen with adequate equipment. He hoped that enough teachers would be available.

115. Some sources indicated that about 200 teachers had left the Gaza area, most of them before the war, and that some equipment had been looted during and after the war.

116. The Special Representative heard from both sides many expressions of grave concern regarding the course of future developments in the education field. Israel spokesmen repeatedly expressed their disapproval of the textbooks in use, which allegedly contained hate propaganda against Israel. According to the latest reports received by the Special Representative but which had not, as far as known, been officially confirmed by the Israel authorities, Israel would continue to use the old textbooks, but would delete from them those passages which were offensive to Israel.

(g) Economy

117. Traditionally, the Gaza area is a citrus-growing region. According to the Arab Mayor of Gaza town, citrus exports represented 25 to 30 per cent of the local revenue before the hostilities. These exports had now been blocked, and there was no prospect as yet of the resumption of these exports. One member of the Gaza municipal council mentioned that there were 40,000 workers involved in the citrus sector, from the groves to exportation.

118. The military governor stated that the matter of exports was under consideration and that the Ministry of Agriculture was studying plans for using Gaza citrus fruits in Israel canning factories and for improving the quality and packing of the fruits for marketing.

119. Before the war salaried workers were mainly dependent on a few main employers, including the United Arab Republic Government, which employed some 5,000 persons, UNRWA and UNEF. An Israel spokesman stated that most of these Government employees were still in the area and that 30 per cent of them were working.

120. A third source of income had been remittances to persons living in Gaza from relatives in Kuwait, Saudi Arabia, and other oil-rich countries. Those remittances had now stopped, but might be resumed through the channels opened by the ICRC. One source indicated that more than half of the Palestinian refugees depended in varying degrees on money remitted from abroad.

121. From persons in each of the above-mentioned three main income categories, the present situation was characterized by unemployment and hardship. A member of the municipal council of Gaza stated that every day about 2,000 workers applied for work, but that only half of them were successful.

122. The military governor of the Gaza area stressed that the military authorities, instead of giving money to able-bodied persons not engaged in any productive activity, had very much encouraged the population to work on projects such as the reconstruction of roads, the building of new roads, the cleaning of streets, and the reconstruction of public buildings but the local population seemed reluctant to work on these projects for a number of reasons. He stated that the Israel military authorities would open a labour exchange shortly. Every unemployed person who wanted to work should register his name. If no work could be given, assistance would be provided to the applicant. He mentioned that the population had been informed that those who wanted to go and work on the West Bank could do so.

(h) Civilian casualties and property damage

123. The Special Representative received reports from various sources that not only during but after the active hostilities civilians had been killed and houses destroyed.

124. Regarding the destruction of houses after the war, the Israel military commander of the Gaza strip stated that two or three houses had been destroyed for security reasons because explosives and weapons had been found in them. As regards Rafah, he stated that, after having himself made a tour of the area, he did not have the impression that the town was destroyed, but only that some of the houses were damaged. In Rafah, to his knowledge, there had been no destruction for such security reasons as those referred to above.

125. During the Special Representative's visit to a refugee camp, spokesmen for the refugees drew his attention to continuing searches of the camp by Israel forces and requested that in order to avoid frightening women and children, such searches should not be conducted during the night. The military commander of Gaza town who attended the meetings, stated that until very recently some Egyptian officers and soldiers and ammunition and weapons had been found in the camp and that on questions of military security there could be no bargaining whatsoever.

126. A member of the Gaza municipal council stated that the looting of shops continued creating fear among the shopkeepers. He added that there were fewer police now than in the past. The military commander of Gaza town indicated that there were about 250 local police there and that this number would be increased. According to him, the military authorities were in fact trying to reorganize the whole police force. The police, who used to work only four hours a day were now working eight hours a day. Moreover, the Israel police and the local police would be combined. The military authorities could not rely on the local police, he declared, and mixed patrols of Israel and local police were planned. An increase in salaries was also being considered. The entire reorganization was expected to take approximately two weeks. A new police station had just been opened.

EL-Arish

127. During his visit to EL-Arish, the most important city of Sinai, the Special Representative gave attention to the food situation as well as to a number of other problems of particular interest to the local population. The information obtained by him is summarized below.

(a) Food

128. During his first visit to the United Arab Republic, the Special Representative was informed by a Government spokesman that the population in EL-Arish was starving and that the United Arab Republic authorities therefore had intended to send a ship with food to EL-Arish. According to an Israel spokesman, Israel had let it be known that the population was not starving in EL-Arish, but if the United Arab Republic wanted to send food, Israel would not object provided the ship flew a Red Cross flag. Subsequently, according to the same Israel spokesman, the United Arab Republic Government had abandoned the idea. The United Arab Republic spokesman informed the Special Representative that the decision not to send the ship to EL-Arish had been taken when the news of the Special Representative's imminent arrival in Cairo had been received. The United Arab Republic Government wished to avail itself of this visit in order, first, to clarify the question of principle that it was the exclusive responsibility of the occupying authority to supply food in sufficient quantity to the local population of EL-Arish.

129. According to Israel, as well as Arab and neutral spokesmen, there was no immediate food problem in EL-Arish, but there was a scarcity of money to buy the food that was available.

130. Israel sources indicated that food was now brought into EL-Arish by rail. As mentioned elsewhere, CARE was supplying rations to some 10,000 inhabitants.

(b) Municipality

131. According to the Israel military commander, the Israel authorities gave money to the Mayor of the municipality to pay municipal workers (numbering about 400); the water and electricity supplies were functioning. He mentioned also that the local police force was operating.

(c) Banks

132. The two banks of El-Arish were closed. As soon as postal services were restored, the military government opened the Israel Postal Bank.

133. From 16 August only Israel currency was to be accepted. The rate of exchange had been established at six Israel pounds for one Egyptian pound. The Israel authorities would not object if after that date customers still paid for goods in Egyptian pounds, but the exchange rate would be different, namely 3.5 Israel pounds for one Egyptian pound.

(d) Housing

134. Israel spokesmen claimed that there had been no heavy fighting in the town of El-Arish, and only a few houses had been damaged. The local municipality had called in tenders from local contractors to carry out the repairs, which would be paid for from the municipal budget provided by the Israel authorities.

(e) Health

135. According to the Arab director of the El-Arish hospital, the health situation was normal. Medical staff numbering about 100, who had previously been responsible for health services in different parts of the Sinai peninsula, were now concentrated in El-Arish, with the result that there was a relatively high number of medical personnel per hospital bed.

(f) Income and employment

136. According to Arab spokesmen, almost all the population of El-Arish had previously depended indirectly on the salaries and purchasing power of civil servants who were stationed in El-Arish for the administration and servicing of the town itself and of the wider Sinai peninsula, as well as of the army. It was said that there were some 4,000 heads of families of both categories who were now without jobs or salaries. Of these 4,000, some 1,000 heads of families had originally been recruited west of the Suez Canal. Israel spokesmen stated that the Israel authorities in El-Arish were now employing and paying 700 permanent civil servants, namely, 400 employed by the municipality and some 300 employed in the police force and in services such as water supply. In addition, the military

authorities needed about 400 personnel to work for the Israel defence forces, but up to that time, they had found it difficult to recruit as many workers as were needed.

137. Economic production in the primary sector in El-Arish consisted mainly of fishing and date growing. The military authorities had granted permission for the resumption of fishing and were ready to send fish to the West Bank of Jordan.

(g) Civil servants of United Arab Republic origin

138. During his visit to El-Arish the Special Representative's attention was drawn to the presence of about 1,000 civil servants (together with their families totalling about 5,000 persons) who, it was stated, had originally been recruited from parts of the United Arab Republic west of the Suez Canal and who now wished to return to what they considered their homes.

139. Agreement had been reached that these 5,000 persons should be transferred to the West Bank of the Suez Canal. A first group had crossed the Canal, but the United Arab Republic authorities had detected some Palestinians among them and had subsequently stopped the whole project, requesting lists of the names of all officials wishing to return. These lists were immediately forwarded to the United Arab Republic authorities, but the movement of the civil servants from El-Arish across the Suez Canal had not been resumed since.

140. The Special Representative found the 1,000 officials concerned in a difficult position as they had received no salaries since the hostilities and on the other hand were not interested in taking new employment, since they believed they would cross the Suez Canal any day. Neither the Israel authorities nor any voluntary agency had taken steps to assist them for the same reason.

141. On 26 August the Special Representative discussed the problem in Cairo with United Arab Republic Government officials. He was informed that the United Arab Republic Government no longer wished any of these persons to cross the Suez Canal but wished them to stay in the occupied area so that their presence might bolster the morale of the population.

(h) United Arab Republic civil servants from Gaza

142. As mentioned before, some 290 United Arab Republic civil servants whose original duty station was in the Gaza area had been transferred to El-Arish pending their return to the Nile valley area of the United Arab Republic. Their families had already been allowed to cross the Suez Canal. The Special Representative visited the camp where they were being held. He found they were not under military guard; there was only a local policeman at the gate. The detainees stated that they were allowed to go to town in groups of up to twenty at a time.

143. During his meeting with the spokesmen of the detainees, they made some complaints about the quality of their food, the lack of mattresses, the poor accommodation and the absence of letters from their families. The Israel governor, who participated in the meeting, promised to look into these matters. The Special Representative was subsequently informed that improvements had been made.

144. The United Arab Republic Government strongly objected to the detention of this group of officials, for which it found no justification whatsoever. It also requested that they be allowed to rejoin their families now living west of the Suez Canal.

East Kantara

145. The information obtained by the Special Representative during his visit to East Kantara is set forth below.

(a) Water supply

146. In a letter dated 13 July 1967, addressed to the Secretary-General of the United Nations, the United Arab Republic Government informed him that the Israel forces had threatened to expel United Arab Republic citizens residing in East Kantara to the West Bank of the Suez Canal if the United Arab Republic Government refused to provide water to the part of the town situated on the East Bank. The United Arab Republic Government stated that the population of Kantara always depended on water from artesian wells in the city, and that additional water from the West Bank had in the past been furnished to the East Bank only to meet the needs of the United Arab Republic armed forces after they moved into Sinai.

147. On the occasion of the first visit of the Special Representative to Cairo, the question of water supply at East Kantara was discussed. The United Arab Republic Government reiterated that the civilian population of the eastern part of Kantara (normally about 15,000 inhabitants) had always used the water supplied by wells in the city, but it stressed that those wells had to be properly maintained. On the other hand, when the Special Representative visited refugees from Sinai in the United Arab Republic, some of those who had come from East Kantara stated that they had always received their drinking water from the West Bank of the Canal.

148. When the Special Representative visited East Kantara on 14 August, it was explained to him on the spot by the Israel authorities that the whole drinking water system of that part of the town was connected with and dependent on supply from the West Bank. Local inhabitants confirmed that this was the case. They stated that for decades water from local wells had been used only for watering gardens but that now they were forced to drink it. Even though they were boiling the water, the inhabitants were afraid that it was still not suitable for drinking.

149. During his second visit to Cairo, the Special Representative informed the United Arab Republic Government of his findings in East Kantara and suggested that they should resume pumping water across the Canal in sufficient quantity to supply the remaining civilian population only. If the Israel Government would agree to such an operation, the Special Representative would then see to it that the water was distributed to the civilian population under a system of reliable control. However, the representatives of the United Arab Republic did not respond favourably to this suggestion, since they felt it was the sole responsibility of the Israel authorities to provide the population in occupied areas with proper drinking water.

150. The Special Representative discussed this matter with the Israel authorities. They pointed out that water supply was a great problem also for the Israel troops, as drinking water had to be brought across the desert by tanker.

(b) Movement of population

151. The president of the municipality declared that out of a population of about 15,000, only 1,116 persons had remained. He informed the Special Representative that some 900 of them desired to be allowed to cross the Canal to the West Bank, In this connexion, the Israel military commander of the area informed the Special Representative that the Israel Government had no objection to the population leaving East Kantara if they so desired. This point was raised by the Special Representative with the United Arab Republic Government, which informed him that it wished the inhabitants to stay in East Kantara.

(c) Food

152. The Special Representative was informed by the population of East Kantara that there were shortages of certain foodstuffs in the town. Vegetables, fruits and meat, which they said were usually brought in from the West Bank of the Canal, were no longer available. All shops were closed and the Israel authorities had only supplied a few basic foods, namely, flour, sugar and tea.

153. The Israel commander recognized that some foodstuffs were in short supply in the area. He pointed out that the supply of food was also a great problem for the Israel troops in the area, since most of the commodities now had to be brought there across the desert from Israel in refrigerated trucks and were therefore strictly rationed.

154. During his visit to Cairo, the Special Representative took up this matter with the United Arab Republic Government. He suggested that the United Arab Republic Government might allow vegetables and fruits to be brought over the Canal, perhaps once a week; but the United Arab Republic Government declared that the responsibility for ensuring an adequate food supply rested with the occupying authority.

(d) Health

155. The inhabitants complained that it was not enough for an Israel doctor to be available only once a week. They pointed out that the hospital had been broken into and looted and was no longer functioning. There was no clinic and only two local nurses, neither of them qualified.

156. The Special Representative raised this matter with the Israel military commander of the area, who promised to look into the possibility of improving the medical facilities.

(e) Employment

157. The population of 1,116 persons consisted mainly of women and children. Some fifty to sixty men were employed with the United Nations observers or had found other remunerated employment in the area.

(f) Mail

158. The president of the municipality complained that the people were not receiving letters. The ICRC delegate was, however, going there to arrange the exchange of letters between the inhabitants and their relatives elsewhere.

III. SITUATION OF DISPLACED PERSONS FROM AREAS UNDER ISRAEL CONTROL AND THE QUESTION OF THEIR RETURN

Situation of displaced persons

159. The number of persons who had fled from the areas under Israel occupation during and after the June hostilities is roughly estimated at about 350,000. This figure includes:

(a) About 200,000 persons (of whom about 93,000 were refugees registered with UNRWA) who had moved from the West Bank to the East Bank in Jordan;

(b) About 110,000 persons according to Syrian sources and not more than 85,000 according to Israel sources (of whom about 17,000 were UNRWA-registered refugees) who had moved from the south-western corner of Syria, mainly to the areas of Damascus and Dera'a;

(c) About 35,000 persons (of whom 3,000 were UNRWA-registered refugees in the Gaza strip) who had moved across the Suez Canal from the Gaza strip or Sinai.

160. Immediately after the hostilities, emergency assistance was given to those displaced persons to alleviate their hardship. As the Commissioner General of UNRWA pointed out, this emergency assistance was a combined operation to which the Governments directly concerned, other donor Governments, the Red Cross and the Red Crescent, UNRWA, UNICEF, the specialized agencies, national and international non-governmental organizations and individuals in many parts of the world all made important contributions.

161. The assistance provided to the displaced persons included donations in cash, as well as donations in kind, such as tents, blankets, clothing, mattresses, kitchen utensils, food, milk, medicaments and vehicles. Some of this assistance was channelled through UNRWA and the Red Cross or Red Crescent organizations, and some was distributed by voluntary agencies. The Special Representative had discussed in some detail the assistance given to displaced persons and their needs with the Governments and organizations concerned with this problem. **These discussions** highlighted the importance of continuing and intensifying the assistance given to displaced persons. Certain pressing needs are set forth in the sections below. It should be pointed out that this question will also be dealt with by the Commissioner General of UNRWA in his annual report to the General Assembly.

(a) Needs in Syria

162. The Syrian Government took full charge of the displaced persons, with the assistance of the International Committee of the Red Cross, the World Food Programme, the Lutheran World Federation, UNRWA, etc., while UNRWA assumed responsibility for meeting the needs of the 17,000 displaced Palestinians already registered with it, with UNICEF's help in providing protein supplements.

163. The Special Representative reported that one of the most immediate and acute problems would be that of shelter, as about 80 per cent of the displaced persons were now accommodated in schools which should be vacated before the new school year. In connexion with this new emergency, the pressing needs would be for 200,000 blankets, 50,000 mattresses and 15,000 tents. The food situation might also become precarious when the present World Food Programme assistance ran out at the end of October.

164. The necessary clinics, sanitation facilities and social services would have to be established before the cold weather arrived and before health conditions deteriorated. New schools would have to be opened and supplementary feeding would be required for the next six to nine months.

165. Emergency feeding would probably be needed also for another three months and World Food Programme assistance in ensuring further supplies would be most desirable.

166. UNICEF had advised the Syrian authorities that it could provide further assistance in the form of equipment for clinics, supplementary feeding kitchens and schools, as well as assistance for sanitary facilities and drinking water supplies, sewing machines and possibly training aid for the production of children's clothing, and supporting transport if required. UNICEF also indicated that it could give consideration to providing assistance in the operation of supplementary feeding programmes, including the provision of vitamins and other dietary supplements, and, in case of special emergency needs, the supply of imported slotted angle-irons as a supporting framework for local structures to house the facilities mentioned above.

167. The Special Representative noted that, as the Syrian Government had received less external aid in the present emergency in proportion to the number of refugees than the other areas concerned, material and financial aid to carry out the necessary projects for shelter and community facilities would be needed.

168. In connexion with the import of relief supplied for Syria and also for east Jordan, the Special Representative was informed that since 5 June, vessels flying certain flags had been unable to discharge cargoes at Beirut. These relief supplies had therefore been unloaded at various other Mediterranean ports, entailing losses, delay and substantially increased costs. The Special Representative believed that this difficulty could result in the interruption of some refugee assistance projects at a most critical time.

(b) Needs in East Jordan

169. In this area, the Jordan Government and UNRWA had pooled their resources in a joint effort to assist the displaced persons. The World Food Programme and UNICEF, together with the Red Cross and other voluntary agencies, were also helping these persons.

170. The Special Representative noted that the new refugee camps which had been hurriedly set up coincident with the hostilities to provide shelter for the displaced persons were unsuitable for continued occupancy, particularly in cold weather. Improved shelters would have to be provided in substantial numbers, together with expanded facilities for health, education and social services.

171. To preserve the health of the children, adequate sanitation was urgently needed, including arrangements for refuse disposal. It would also be necessary to keep the children reasonably dry and warm. For this purpose, footwear, particularly rubber boots, additional blankets and warm clothing would be required. Supplementary feeding schemes in each camp would be necessary to provide at least one hot meal a day for the children.

172. Another urgent problem would be schooling for the children. Although Jordan was normally well provided with teachers, tents, to be used as school rooms, and textbooks were lacking.

173. The displaced persons who were living in the homes of friends or relatives constituted a group which had been overlooked until recently. The distribution of certain food-stuffs might alleviate the economic hardship incurred by their hosts, as they might have difficulties in feeding the relatives and friends they were housing.

(c) Needs in the United Arab Republic

174. During his stay in the United Arab Republic, the Special Representative visited several villages in the Liberation Province, where about 10,000 displaced persons had been given shelter. These villages were recently constructed as part of a vast land reclamation and settlement programme and were intended to house new agricultural communities at the beginning of the next agricultural season. The United Arab Republic authorities had made space available to displaced persons in these villages although this would interfere with the scheduled agricultural development in the area.

175. UNRWA, in agreement with the United Arab Republic Government, undertook to make food supplies available to the 3,000 Palestinian refugees from Gaza, and to contribute towards the provision of medical and sanitation services.

176. In addition, the World Food Programme was arranging for a programme of food assistance and the Pontifical Mission was planning a distribution of blankets, cooking stoves and clothing.

Return of displaced persons

177. In its resolution 237 (1967) the Security Council called upon the Government of Israel to facilitate the return of those inhabitants who had fled the areas since the outbreak of hostilities.

178. The Special Representative devoted much of his time in the area to discussing this problem with the Government of Israel, the Governments of Jordan, Syria and the United Arab Republic, as well as the United Nations agencies and other international organizations. The information obtained by the Special Representative on this subject is set forth below.

(a) Displaced persons in Syria

179. The problem concerning the return of displaced persons was quite different in Syria from what it was in Jordan, for instance. The long-standing and intense antagonism between Syria and Israel permeated discussions on every issue and at any level. Moreover, the occupied area of Syria was now virtually empty and under military administration, so that there was no civilian organization to take care of

the arrangements for the reception of displaced persons in the case of their return, or to keep the issue alive by its sheer presence and activity.

180. During his discussions with displaced persons, the Special Representative found them divided on their desire to return. Some wanted immediate return, whether Israel continued to control the area or not. Others insisted on the prior condition of complete liberation of the territory from Israel occupation.

181. In their first discussions with the Special Representative, the Syrian authorities indicated their willingness to allow displaced persons to return to the area under Israel occupation. They designated two possible channels for discussion on the return of displaced persons: the ICRC and UNTSO. Later discussions indicated that the Syrian Government in fact strongly desired the immediate return of the displaced persons to their homes.

182. The Israel Government informed the Special Representative of its official attitude to the return of displaced persons to the occupied area in the following terms, applicable to both Syria and the United Arab Republic:

"Israel and Jordan have reached agreement for the return of residents to the West Bank. When talks are initiated with Syria and Egypt the Israel Government will be prepared to discuss with them any outstanding issues including the return of civilians who have left the territories under Israel control".

183. On the last visit of the Special Representative to Damascus on 29-30 August, the question of the return of displaced persons to the occupied area became the main topic of discussion. The Syrian Government advocated an intervention by the United Nations to negotiate such a return. Pointing out the agreement reached with the Government of Jordan on this subject, the Special Representative stressed that the Israel Government had not refused the return of displaced persons but had left the door open for discussions. Since the Government of Syria was not willing to enter into direct negotiations with Israel, and since the Special Representative was about to leave the area, he drew their attention to the possibility of pursuing this matter through the ICRC, which had acted with success as an intermediary between Israel and Jordan on the matter of the return of displaced persons.

184. In this connexion it should be mentioned that a return of the displaced persons in Syria would be a much more complicated and difficult operation than the return of the residents to the West Bank, since the occupied areas in Syria were

almost completely abandoned and had been so for a considerable period. More detailed and thorough planning would therefore be necessary, including the reconstruction of whole villages, as well as a major relief and rehabilitation programme.

(b) Displaced persons in Jordan

185. In early July the Government of Israel announced its intention of authorizing the return of displaced persons to the West Bank on certain conditions. In order to obtain the authorization to return, each head of family was to fill in an application form for himself and his family, and submit it with adequate identity documents. The date of 10 August 1967 was set as the deadline for the return.

186. Agreement was reached between the Israel and Jordan Governments through the ICRC acting as intermediary on a draft text for the application forms and the Israel Government undertook to print them. The forms as first printed carried a heading reading "State of Israel; Ministry of the Interior".

187. When the first batch of several thousand application forms with this heading was transmitted to the Jordan Government on 17 July, it returned them four days later as unacceptable. An Israel Government spokesman later explained to the Special Representative that the printing of official documents with this heading by the Israel State Printing Office was such a routine matter that in this case the heading was included in the application forms without prior explicit instructions from the Government authority concerned. All subsequent efforts to persuade the Israel Government to delete the heading or to accept the insignia of the Red Cross instead proved unavailing. Israel spokesmen accused the Government of Jordan of having unnecessarily made a political issue of what they considered a rather unimportant formality.

188. Meanwhile, the Israel Government insisted that in order to settle the many practical arrangements concerning the return of the displaced persons, direct contact with the Jordan representatives was essential. On 6 August, during a meeting at the Allenby Bridge, in which representatives of the Israel Government, the ICRC, and the Jordan Red Crescent participated, it was agreed to adopt a heading on the application forms mentioning the ICRC in the centre, the State of Israel on the left side and the Hashemite Kingdom of Jordan on the right. In addition, a

number of other problems were discussed, in particular, the question of the deadline for return set by the Israel Government. It was agreed that the new forms would be printed in Israel and transmitted by the ICRC to the Jordanian authorities, who would distribute them to the displaced persons. The distribution of the application forms began on 12 August. Subsequently, the Israel Government agreed to postpone the deadline for the return operation until 31 August.

189. On 18 July, before this operation began, some fifty families had already returned to the West Bank, following an Israel Government decision to allow the return of special hardship cases on that date.

190. After agreement on the application forms had been reached, information was received from the Jordan Government that it had transmitted through the ICRC about 40,000 applications, involving some 170,000 persons. According to the Jordanian authorities, the Israel Government approved, during the period of 13 through 28 August, only 4,763 applications, covering 16,266 persons. The first displaced persons under this scheme crossed the Jordan river on 18 August. On 9 September, the total number of those who had returned was given by Jordanian sources as 14,150 persons and by Israel sources as 14,056.

191. Later, the Israel Government claimed that "for reasons never satisfactorily explained by the Government of Jordan, the Jordanian authorities did not make full use of the permits issued, and only 60 per cent of the displaced persons who had been authorized to return did actually show up at the crossing points". It further claimed that it had opened two bridges across the Jordan river to receive returnees at the rate of 3,000 a day.

192. The Jordan Government asserted that the procedure insisted upon by the occupying authority had proved to be an impediment to a smooth functioning of the return operation, and mentioned in this connexion that only a fraction of the forms submitted had been approved and that only short notice, often of less than twelve hours, had been given of this approval on a day-to-day basis. The lists of approved cases submitted daily by the Israel authorities were said to cover, in a single document, refugees accommodated in several localities and camps, who then had to be contacted and transported to the crossing points over the Jordan river within a few hours.

193. The Jordan Government also complained that the Israel authorities sometimes approved the return of some members of one family while denying its approval to other members of the same family. Moreover, displaced persons were not allowed to bring with them all their personal belongings, such as their cars. These factors had had, according to the Jordanian authorities, a negative effect on the desire of displaced persons to return.

194. Finally, the Jordan Government claimed that the approvals given by the Israel authorities excluded UNRWA-registered refugees and those displaced persons accommodated in emergency camps on the East Bank as well as displaced persons originating from the areas of Jerusalem, Bethlehem and Jericho. These restrictions had made the organization and administration of the operation extremely difficult for the Jordanian authorities and this was the main reason why many displaced persons authorized to return did not actually appear at the crossing points.

195. The Jordan Government expressed through many channels its insistence on the inalienable right of every displaced person to return to his home and on the necessity of extending the deadline beyond 31 August.

196. The Special Representative considered that, even without the many initial difficulties which were bound to arise during such an extensive and delicate operation, the deadline set by the Israel Government could not have allowed the return of all those who wished to do so. Even if the potential daily rate of 3,000 returnees mentioned by Israel had been reached every day during the period of 18 through 31 August, only some 35,000 displaced persons could have returned.

197. In a letter to the Secretary-General dated 16 August, the Israel Government asserted that while it was directing its efforts to alleviating the consequences of the hostilities in order to bring back normalcy and to restore peaceful conditions, including the return of displaced persons to their former homes, the Government of Jordan was conducting a campaign of increasing violence, vituperation and direct incitement, both of the prospective returnees and of the Arabs in Israel-controlled territories.

198. The Israel authorities repeated these allegations to the Special Representative during his stay in Israel and claimed that the alleged attitude of the Jordan Government seriously impeded the whole question of the return of the displaced persons. After a short visit to Amman, the Special Representative brought to the

Israel Government the assurance that the Jordan Government wished to proceed with the return operation in an atmosphere of restraint and in accordance with humanitarian principles.

199. In a note dated 24 August addressed to the Permanent Representative of Israel, (see A/6789, S/8133), the Secretary-General requested the Government of Israel to extend the deadline for the return of displaced persons beyond the date of 31 August. In a reply dated 11 September (see A/6795, S/8153), the Permanent Representative of Israel informed the Secretary-General that the Government of Israel had decided:

(a) To allow former West Bank residents holding previously issued permits who were unable to make use of them before 31 August to return to their former homes within a fixed period of time. Arrangements to this effect were being made.

(b) To authorize the Israel authorities to accept applications from residents of the West Bank for the reunion of their families. Such applications would be reviewed in each case by the Israel authorities with sympathetic consideration.

(c) To study individual applications based on conditions of special hardship.

(d) To discuss with UNRWA representatives in Israel ways by which Israel might contribute to a solution of the urgent problem arising from the adverse physical conditions in the camps now occupied by those who were previously UNRWA refugees, particularly in the Jericho camps.

It should be noted that the category of displaced persons referred to under point (a) above would include 4,086 persons according to Jordanian estimates and 6,602 persons according to Israel estimates.

(c) Displaced persons in the United Arab Republic

200. The displaced persons whom the Special Representative met during his visit to the United Arab Republic all expressed their desire to return to their homes. The governor of the Liberation Province stated that upon their arrival in the land reclamation project he had offered free plots of land to some displaced persons but that they had refused, insisting on their desire to return to their areas of origin. It may be noted in this connexion that some of these displaced persons, particularly bedouin families from the Sinai peninsula, had no agricultural experience.

201. The official position of the Israel Government concerning the return of displaced persons from the United Arab Republic is similar to that concerning displaced persons in Syria and has been set forth earlier in this report (see paragraph 182).

202. The Government of the United Arab Republic, in its second round of talks with the Special Representative on 26 August, held the view that discussions concerning the return of displaced persons should be initiated by the Special Representative in pursuance of Security Council resolution 237 (1967), while the ICRC might assume responsibility for the practical implementation of any agreement reached on this subject.

IV. TREATMENT OF PRISONERS OF WAR

203. In paragraph 2 of its resolution 237 (1967), the Security Council recommended to the Governments concerned the scrupulous respect of the humanitarian principles governing the treatment of prisoners of war contained in the Geneva Conventions of 12 August 1949.

204. Under the Geneva Conventions it is incumbent on the ICRC to work for the faithful application of these conventions and to take cognizance of complaints regarding alleged breaches of the conventions and to endeavour to ensure the protection of and assistance to prisoners of war. Consequently the Special Representative kept in close contact on this question with the ICRC headquarters in Geneva, with the Regional Representative of the ICRC stationed in Cyprus as well as with its representatives in Israel, Jordan, Lebanon, Syria and the United Arab Republic and had ample opportunity to appreciate the untiring efforts of these officers in pursuing their delicate mission.

205. In this connexion it should be stressed that the ICRC had, in view of the increasing tensions in the Near East, already sent representatives about ten days before the outbreak of hostilities to Amman, Beirut, Cairo, Damascus and Tel Aviv, and that this organization was therefore on the spot from the very beginning of the conflict and has been there ever since to verify the application of the Geneva Conventions. On the whole the ICRC has, as far as is known to the Special Representative, been able to play in the area of conflict its important role as agent and neutral intermediary.

206. Jordan, Syria, and the United Arab Republic, in letters to the Secretary-General of the United Nations accused Israel of inhuman acts against, and maltreatment of, prisoners of war from their countries and also of executions of prisoners of war. Israel denied these allegations in letters addressed to the Secretary-General. It also expressed grave concern over the treatment and conditions of the Israel prisoners of war in the Arab countries, alleging that public lynching of Israel pilots had taken place in the United Arab Republic and that of two Israel pilots brought down over Syrian territory during the war, one had been murdered and the other mutilated.

207. The Special Representative was not in a position to investigate any of the above accusations, which referred to events alleged to have taken place well before his arrival in the area, but he paid a visit to the remaining prisoner-of-war camps in Israel and the United Arab Republic and gathered the impression that the treatment of prisoners was correct on both sides. The contact between the prisoners of war and their families had been established, after some initial difficulties, through the ICRC and on both sides they had received mail and parcels, all of which had helped to bolster the morale of the prisoners, who were extremely unhappy about the slow pace of the negotiations concerning their exchange.

208. An exchange of prisoners of war had been successfully concluded through the ICRC between Israel on one side and Jordan, Syria and Lebanon on the other. Negotiations between Israel and the United Arab Republic concerning an exchange were continuing through the intermediary of the ICRC but had apparently not yet led to any agreement.

209. Israel stated that it had returned some 200 wounded prisoners of war to the United Arab Republic, and immediately after the cease-fire had carried out an extensive operation, in which the ICRC also took part, aimed at tracing and assembling those United Arab Republic soldiers who were scattered all over Sinai and in great distress. According to Israel sources, some 12,000 soldiers were allowed to return to their country and were not taken prisoner.

V. THE QUESTION OF THE TREATMENT OF MINORITIES

210. In paragraph 2 of its resolution 237 (1967), the Security Council recommended to the Governments concerned the scrupulous respect of the humanitarian principles governing the protection of civilian persons in time of war contained in the Geneva Convention of 12 August 1949.

211. Certain information concerning the safety, welfare and security of the civilian population in or from Arab territories at present under Israel control and the situation of the prisoners of war is presented in other chapters of this report.

212. Since the outbreak of the recent hostilities, Israel has expressed concern about the treatment of Jewish minorities, particularly in certain Arab States. Upon his arrival, the Special Representative was approached on this subject by the Israel Government. The Special Representative, not being sure whether this particular humanitarian problem should be inquired into under his terms of reference, consulted the Secretary-General. The Secretary-General informed him that the provisions of Security Council resolution 237 (1967) might properly be interpreted as having application to the treatment, at the time of the recent war and as a result of that war, of both Arab and Jewish persons in the States which are directly concerned because of their participation in that war.

213. Since this particular aspect of the protection of civilian persons in time of war could be taken up only towards the end of his stay in the area of conflict, the Special Representative had very little time for discussion or investigation of the actual situation of minorities.

214. On 17 August, i.e. shortly before his return to New York, the Special Representative requested, in writing, the Governments of Israel, Syria and the United Arab Republic, information on the treatment and protection of Jewish persons in Syria and the United Arab Republic and of Arab persons in Israel. He stressed that it would be particularly helpful for him to know how the personal and property rights of such persons had been affected by the recent war, how many of them might have been and continued to be confined and for what reason, and whether they were free to leave the country in which they were resident.

215. The Government of Israel, in a letter dated 27 August, informed the Special Representative that, according to Special Emergency Defence Regulations, forty-five Arab citizens considered as security risks had been placed in detention on the outbreak of the war. Most of these had been released by 18 June and the others twelve days later. Moreover, a curfew from 1900 hours to 0500 hours had been ordered in one or two areas contiguous with Israel's border with Arab territory, and for exit from those areas a special permit had been required. All these precautions had, however, been rescinded on 21 June.

216. Except for the above security measures, there had been, according to the Israel Government, no discrimination against Arab citizens: their property rights had been fully upheld and respected and they were at liberty to leave the country whenever they so wished.

217. For reasons explained above, the Special Representative was not able to look into this particular problem extensively while visiting Israel. In Arab countries, the Special Representative heard allegations that the Arabs in Israel were looked upon and treated as second class citizens. Against this, the Israel Government maintained that the Arab citizens of Israel, in peace-time or in war, were treated in the same way as the rest of the population and that there was no discrimination against them.

218. During his last visit to Cairo, the Special Representative raised the question of the Jewish minority in the United Arab Republic with the United Arab Republic Government, which had just received his letter on this subject. The United Arab Republic Government expressed the firm opinion that the Security Council resolution did not apply to the Jewish minority in the United Arab Republic and requested clarification on this interpretation before replying to the letter of the Special Representative. The United Arab Republic Government pointed out in this connexion that the Jewish minority in the United Arab Republic consisted of three categories. First, those of foreign nationality or origin, for example, French and Italian citizens, who were looked after by the ambassadors of their countries of origin. Some of this group had left the country already. Secondly, the stateless Jews. These were under the mandate of the United Nations High Commissioner for Refugees, who has an office in Cairo. Thirdly, Jews of Egyptian nationality. These were, so it was maintained, solely the responsibility of the United Arab Republic Government.

219. The Special Representative indicated that there were persistent allegations that 500 to 600 Jewish men (the Jewish minority in the United Arab Republic is estimated at about 2,500 persons) had been kept in detention since the beginning of the war, and held incommunicado, although allowed to correspond by letter with their families and to receive relief assistance, and moreover that the property of the Jews in Cairo had been confiscated.

220. The Secretary-General also took up this question with the Permanent Representative of the United Arab Republic in New York and received essentially the same response as the Special Representative. The Secretary-General raised this question also with the Permanent Representative of Israel, who assured the Secretary-General that if his Special Representative approached the Government of Israel on the matter, he would find the Government responsive.

221. During his last visit to Damascus on 29-30 August 1967, the question raised by the Special Representative in his letter to the Syrian Government on the Jewish minority in Syria was discussed at some length. Pending a written answer to this letter, the Government explained that they welcomed the chance to assure the Special Representative that the Jewish minority in Syria, numbering about 4,000 and mainly concentrated in the cities of Damascus, Aleppo and Kamishli, was treated in exactly the same way as other Syrian citizens. As among the Christian and Moslem population, there were among the Jews certain individuals who were under suspicion for anti-Government activities and were therefore restricted in their movements for security reasons. Otherwise they had the same freedom of movement and of work as other Syrian nationals.

222. The Special Representative was invited to visit some Jewish shops, and during a tour of the shopping district of Damascus in the company of officials of the Ministries of Foreign Affairs and the Interior he saw a number of Jewish shops which all seemed to be working normally.

VI. CONCLUDING REMARKS

223. This report gives a wide-ranging impression, which clearly could not be exhaustive, of the problems, the sufferings and the condition of the peoples in the areas of the Near East affected by the hostilities of last June. This tragic human aftermath of war is a world-wide responsibility and must touch us all.

224. The report leaves no room for doubt about the grave hardships which the peoples affected have undergone, and it is clear that in many places hardship and distress on a large scale continue. I hope very much that the Governments concerned will find it possible to divorce the purely humanitarian aspects of the situation in the Near East from the political and military aspects, so that measures to relieve the suffering of the innocent civilians involved can be taken with humanitarian considerations mainly in mind. It would be doubly tragic if the victims of the war should continue to be victims of the animosities and tensions of the parties to the conflict and if efforts to alleviate their sufferings were rendered ineffective by any spirit of retaliation or vindictiveness. It is clear from the report that the Governments concerned have themselves exerted efforts to help the people affected by the war. I very much hope that, pending some more basic settlement, these efforts can go forward and be increased. UNRWA's efforts also have now become more indispensable than ever, and I hope that co-operation with UNRWA in the area itself as well as support for it from outside will be commensurate with the new challenges which UNRWA now has to face.

225. I wish to express my appreciation to all the Governments that have made voluntary contributions of one kind or another to aid the distressed peoples of the Near East. Many of these voluntary contributions are set forth in detail in document A/6792 and Add.1. I would also like to record my appreciation and admiration to the many voluntary and national agencies which have given practical succour to the afflicted peoples of the Near East in this tragic time. In expressing these sentiments, I feel it my duty to point out that the onset of winter will greatly increase the sufferings of many and that more assistance of almost all kinds is still urgently required. I appeal to all Governments, and to voluntary agencies as well, to continue to contribute to the humanitarian task which faces the international community in the Near East.

ANNEX I

Itinerary of the Mission of the Special Representative
(11 July - 1 September 1967)

- 11 July - Arrival at Beirut by air from New York.
- 16 July - Beirut - Damascus by car.
- 17 - 18 July - Visits to refugee camps in and around Damascus.
- 18 July - Damascus - Amman by car.
- 20 July - Visits to refugee camps in the Jordan Valley close to Allenby Bridge, Karameh, Salt and a new camp in the desert north of Amman.
- 20 July - Amman - Beirut by air.
- 23 July - Beirut - Jerusalem via Tel Aviv by car.
- 24 July - Jerusalem - Nablus - Jerusalem by car. Visit to the Old City of Jerusalem.
Visit to camps at Kalandia and Amara.
- 25 July - Jerusalem - Tel Avia - Jerusalem by helicopter. Visit to POW camps at Atlit.
- 26 July - Jerusalem - Tel Aviv by car.
Tel Aviv - Nicosia by air.
Meeting with the Chief Delegate of ICRC in Nicosia.
- 27 July - Nicosia - Cairo by air.
- 28 July - Cairo - Liberation Province (north-west of Cairo) - Cairo by car.
Visit to refugee camps.
- 29 July - Cairo - Beirut by air.
- 4 August - Beirut - Amman by air.
- 6 August - Amman - Jerusalem via Allenby Bridge by car.
- 8 August - Jerusalem - Safad by air.
Safad - Kuneitra - Majd-el-Shams - Safad via Banyas and Tel Azzaziat by car.
- 9 August - Safad - Jerusalem via the kibbutzim of Lehavot Habashan, Gadot and Tel Katzir by car.
- 11 August - Jerusalem - Hebron - Beitaua - Bethlehem - Jerusalem by car.

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- 12 August - Special Representative:
Jerusalem - Amman - Jerusalem via Allenby Bridge by car.
Assistant to the Special Representative:
Jerusalem - Qalquiliya - Beitnuba - Yalu - Imwas -
Jerusalem by car.
- 13 August - Tour of the outskirts of the Old City of Jerusalem.
- 14 August - Jerusalem - El Arish - El Kantara (Sinai) - Ashqelon by
helicopter.
- 15 August - Ashqelon - Gaza - Jabalia - Jerusalem by car.
- 17 August - Jerusalem - Beirut by car.
- 25 August - Beirut - Cairo by air.
- 27 August - Cairo - Beirut by air.
- 29 August - Beirut - Damascus by car.
- 30 August - Damascus - Beirut by car.
- 1 September - Departure from Beirut for New York.

ANNEX II

Aide-memoire submitted to the Special Representative
by the Jordanian authorities

1. At the meeting held today in the office of the Prime Minister in Amman attended by Mr. Gussing and his aides on the one hand, and members of the Ministerial Committee for Refugees' Affairs on the other, a complete review was made of the background, causes and development of the refugee problem involving about 215,000 Jordanian nationals who were displaced from their camps, villages and towns on the West Bank of Jordan.

The review included also measures taken by the Jordanian authorities in collaboration with UNRWA and with the help of sister and other friendly countries to provide whatever measure of relief was possible and practicable under very different circumstances of influx of large numbers of refugees during the Israeli aggression and directly thereafter with very limited supplies of tentage, blankets, foodstuffs and medicines at the disposal of the authorities.

2. The Jordanian Government hastened to set up a Ministerial Committee composed of the Ministers of Finance, National Economy, Education, Social Welfare, Health and Reconstruction and Development as well as the Director of Public Security and the President of the Jordan Red Crescent Society. This group was to be joined at a later stage by two representatives of the private sector and the Governor of Amman. This Committee organized relief work and controlled all stocks of contributions in kind on receipt and distribution. It also conducted through sixty-two centres throughout the East Bank which were managed by committees consisting of civil servants and UNRWA officials, a registration of those refugees who were mainly housed in schools, social centres, public buildings and mosques, living in a very unhygienic manner, mixed up in a socially unacceptable manner and overcrowded with very poor nutrition especially for children. The registration date set for 1 July 1967 was announced ahead of time to all, but particularly for the purpose of those who were not in such public buildings but had stayed with other refugees in camps around Amman, Zerka and Irbed or had no shelter at all, and stayed in the open fields. The forms they filled in triplicate (copies presented at meeting) contained many details about the family whose head filled the form after being cautioned against untruthful statements. It contained items

relating to previous registration card with UNRWA, place of residence and such other relevant information. Once the registration was completed, the refugees were taken to the eleven camps set up by the Government, in respect of six of which UNRWA had accepted to take managerial and maintenance responsibility. These camps were located at: Souf, Zezia, Wadi Dhuleil, Ma'an, Tafeeleh, Kerak (on the highlands), and Karameh, Shuneh, M'adi, Deir Alla and Wadi El-Yabis (in the Jordan Valley). Those camps that were not taken by UNRWA were managed by the Government with help in certain respects from UNRWA.

The result of the registration showed a total of 177,165 refugees but did not include a large number who were not registered. The number registered is estimated to be 70 per cent of the total number of refugees and displaced persons.

3. It can hardly be said that, in spite of all the efforts on the part of both the Government and UNRWA, the general conditions of the refugees was in any manner or description satisfactory. It is true to say, however, that their problem continues to be humanitarian, social and political of an undefinable magnitude. The Jordan Government had noted with satisfaction the Security Council's resolution No. 237 adopted at its 1361st meeting on 14 June 1967, and had on more than one occasion made appeals to the Secretary-General to ensure the implementation of said resolution:

A. With respect to total or major destruction by the Israel attacking forces, whether during combat or after the cease fire, of many Jordanian towns and villages on the West Bank of Jordan including but not limited to: Kalkilya, Beit Nuba, Imwas, Yalu, Beit Aou, Nuba, Khares, Idna, Soureef as well as the Magharbeh Quarter and Sa'diyah Quarter in the City of Jerusalem.

All of this resulted in making homeless and destitute all the innocent civilian dwellers and inhabitants of these places, turning them into helpless refugees and displaced persons. A visit by Mr. Gussing to these places is most important to establish the facts with regard to the damage caused by Israeli forces.

B. With respect to returning the refugees who have fled from the West Bank of Jordan since the outbreak of hostilities to their homes, camps, towns and villages.

4. The UNRWA COMMISSIONER GENERAL put out his report on "HUMANITARIAN ASPECTS OF THE SITUATION IN THE MIDDLE EAST" on 18 June 1967 and his second report on 4 July, which has since been issued as a United Nations General Assembly and Security Council document. Both of these reports showed clearly the pitiful condition in which the peaceful inhabitants of the West Bank of Jordan had found themselves and in some cases becoming "refugees square" (for the second time", since 1948.
5. The Government of Jordan has consistently maintained that the West Bank of Jordan, which was under temporary and forcible military occupation by the Israeli army, was an inseparable part of the territory of the Hashemite Kingdom of Jordan, and that the right of those who have been displaced from their lands and homes to return thereto and to maintain possession and ownership thereof was an established and inalienable right. It appealed to the inhabitants of the West Bank still resident there to stay in their homes and lands, and made continued appeals to the United Nations for the return of the refugees who moved from the West Bank or who have been displaced therefrom.

On 3 July and after the Israeli announcement of 2 July, the Jordan Government reiterated its stand as above described and conveyed it again officially to the Secretary-General through the Jordan Permanent Delegate at the United Nations.

Then followed the General Assembly's resolution on Humanitarian Assistance adopted on 4 July, which welcomed with great satisfaction the Security Council's resolution 237 (1967) of 14 June.

6. Cables were exchanged between the International Committee for the Red Cross and the Jordan Government between 5 and 7 July regarding setting up two pedestrian and two transport bridges on the River Jordan for the purposes of returning refugees and displaced persons. The Jordan Government gave all the approvals required on very practical and reasonable conditions.

7. Continued consultations were maintained by the Jordan Government with the Commissioner General, Deputy Commissioner General and the Representative in Jordan of UNRWA for the purpose of administering relief to UNRWA registered refugees who moved to the East Bank from the West Bank of Jordan, as well as to other displaced persons. The Government also paid a great deal of attention in said discussions to:

A. Deteriorating conditions of inhabitants of the West Bank of Jordan, where the economy has been paralysed, a shortage of food approaching hunger was becoming a threat, means of transportation were confiscated by the occupying forces, and there is no circulation of money due to confiscation by occupying forces of cash on hand at the Jordanian banks who were closed for business by these forces.

B. Return of the refugees and other displaced persons who moved from the West Bank of Jordan during and as a result of the hostilities.

Similar contact was being maintained with the President of the International Committee for the Red Cross, the League of Red Cross Societies and the Red Cross delegates in Jordan. A meeting was held by top Government officials and the President on 15 July in Amman.

8. The Jordanian stand has always been very clear:

A. The West Bank has been and continued to be an inseparable part of the land and territory of the Hashemite Kingdom of Jordan inhabited by citizens of the Kingdom.

B. The right of the refugees and other displaced persons to return to their homes and lands in the West Bank of Jordan was sacred, undisputable and inalienable. It is a right that stands no condition and should not be subject to any.

C. The return of the refugees and other displaced persons in exercise of the right above mentioned should be under the supervision of the ICRC and any request for such return by the families should be made to the ICRC, who is fully empowered by the Jordan Government to satisfy itself of the identity and place of residence on the West Bank of the refugees and displaced persons in addition to verification of any other information regarding any of the refugees. The Government is willing to facilitate the work of the Red Cross to the utmost.

D. The occupying forces should return to their rightful owners all properties confiscated whether in the form of transport vehicles, other material assets and all monies confiscated unlawfully and forcefully from Jordanian banks in the West Bank of Jordan which amounted to about JD 600,000.

E. As very few refugees have ever had an identity card issued them and even fewer were able to bring with them any identification papers in the very difficult circumstances of their influx and flight from the West Bank, it was proposed to the Red Cross:

- (i) The forms customarily used by the Red Cross for such repatriation operations are acceptable to the Jordan Government. This is a humanitarian operation and should not form a part of any political involvement.
- (ii) To have UNRWA issue certificates for those who have been UNRWA registered refugees in the West Bank and who had received UNRWA rations in May 1967, and were eligible for such rations in May 1967, and were eligible for such rations on 5 June 1967.
- (iii) To accept the 1 July registration form filled and certified as stated in paragraph 2 above as adequate evidence of the status and place of residence of persons other than UNRWA registered refugees in respect of whom UNRWA certificates would be issued as in (ii) above.

F. The Jordan Government would like to provide the returning refugees with some food-stuffs and some cash for their livelihood and this should be facilitated by the Israel Authorities.

G. The Jordan Government has arranged with UNRWA for administering relief assistance to the returning refugees en route to their camps and at their camps after return thereto. Also an international appeal has been made through the Red Cross for urgent relief assistance to other inhabitants of the West Bank who live under very difficult economic, political and social conditions.

H. The Jordan Government is attempting at making some suitable arrangements for the reopening of Jordanian banks on the West Bank under the auspices of the IMF in order to serve Jordanians in rehabilitating economic activities on the West Bank pending withdrawal of the occupying forces from Jordanian territory.

ANNEX III

Aide-memoire prepared by the Jordanian authorities concerning talks held with the Special Representative by the Minister of Foreign Affairs and the Minister of National Economy of Jordan, in Amman, on 5 August 1967

1. This meeting took place at the office of the Minister for Foreign Affairs at 10.15 a.m., and was followed by another meeting between Mr. Gussing and the Prime Minister.

Mr. Gussing was desirous of reviewing developments that have taken place since his last visit to Amman which ended on 19 July, and stated that he intended to go over to the occupied territory on Sunday, 6 August, for a more extensive visit.

2. The viewpoint of the Jordan Government was stated as follows:

A. The Government is still desirous of repatriation of the refugees and other displaced persons who have moved over to the East Bank from the West Bank of the Hashemite Kingdom of Jordan during, since and because of the Israeli aggression of June 1967.

The Government has done all it could to have this humanitarian operation successfully effected, including authorizing the Jordanian Red Crescent Society and the International Committee for the Red Cross to take all measures and steps in accordance with their conventions and principles of International Law (with special relation to inhabitants of occupied territories), to return the refugees and displaced persons to their homes, towns, villages and camps on the West Bank, presently under temporary military occupation.

The Government, therefore, hoped that Mr. Gussing will continue his efforts to achieve this end in fulfilment of the Security Council's resolution of 14 June 1967 (No. 237/1361). The Government being ready to facilitate his work, affirms its previous stand in welcoming Mr. Gussing to visit any part of the country and to meet whomever he finds necessary to meet and talk to, but it feels it is only proper not to allow such rightful return to Jordanian territory by the refugees and displaced persons who are all citizens of the Kingdom, nor such a humanitarian operation to form part of any political involvement.

Equally, the Government of Jordan felt that it was most essential for Mr. Gussin to be given the freedom and opportunity to visit all places and to meet all people in the West Bank of Jordan whom he deems would contribute towards better enabling him to report more fully to the Secretary-General regarding the situation on the West Bank and the conditions under which its inhabitants are today living. This would particularly be true in the case of the towns and villages wholly or partially demolished by the occupying forces (paragraph 3 A, page 2 of the Aide Memoire dated 19 July). Equally important would be the visit by Mr. Gussing to the detained personalities whose matter will be alluded to hereinafter.

It was promised that Mr. Gussing would be informed of the outcome of Jordan's discussions with the Red Cross as soon as possible. (Mr. Gussing was given a fuller and up to date briefing by the Chairman of the Ministerial Committee for Refugees Affairs during the course of the evening.)

3. Mr. Gussing's attention was drawn to the unlawful detention and expulsion by the military forces in the occupied territory of leading Jordanian citizens in Jerusalem, some of whom are high Government officials, and other professional personalities.

The following have been detained and/or expelled to other parts of Palestine:

- (i) Mr. Anwar Al-Khatib, Governor of Jerusalem.
- (ii) Dr. Daoud Al-Husseini, one-time a Member of Parliament.
- (iii) Mr. Ibrahim Bakr, an advocate and member of the Jordan Bar.
- (iv) Mr. Abdul Muhsin abou Meizer, an advocate and member of the Jordan Bar.

The Government takes the firm stand that the action in respect of the above gentlemen is highly illegal, contrary to recognized principles of International Law and contravenes both The Hague Rules and the Civilian Convention of Geneva. It is, in addition, in direct conflict with paragraph 1 (a) of the Security Council resolution No. 237, whereby Israel was called upon "to insure the safety, welfare and security of the inhabitants of the area where military operations have taken place".

4. Mr. Gussing's attention was also drawn to the attempts by the military authorities in the Occupied Territory to require Jordanian teachers to fill forms by or before 6 August 1967, which provide for a statement by the teacher filling such form to the effect that his "previous nationality was Jordanian" and "present nationality is Israeli". This is absolutely and flagrantly contrary to Rule 45 of The Hague Rules of 1967, whereby it has been forbidden to force the inhabitants of the Occupied Territory to swear allegiance to the occupying force.

5. The same treatment meted to the teachers has also been attempted at:

A. Judges of the courts of justice, who have been required to owe allegiance to the occupying forces, who have been required to sit in Ramallah while their normal area of jurisdiction under existing Jordanian laws is in Jerusalem, and whose working conditions was being made so impossible that they cannot exercise justice in accordance with the laws of the land.

B. Doctors and other professional people whose working conditions were being made impossible, especially in the case of doctors where the question of allegiance and extremely poor pay combine to cripple their most needed services to the inhabitants.

6. In addition, the Occupying forces have announced their intention to change the curriculae and teaching programmes at the schools in the West Bank of Jordan while it is also a recognized principle of International Law that schools and educational establishments must be permitted to continue their ordinary activities, and the occupant is bound to facilitate the proper working of all institutions devoted to the care and education of children. Kindly refer to article 50 of the Geneva Convention "The Civilian Convention" of 1949.

7. All the above being basic aspects of the welfare of the inhabitants of the West Bank, the Government "requests the intervention of Mr. Gussing, to seek an end to such unlawful measures", which might lead to injurious results harmful to the whole population of the West Bank of Jordan including Jerusalem.

8. The illegality of all actions taken by the occupying forces with regard to Jerusalem was also discussed. It was becoming very apparent that these forces were not getting any response or co-operation from the people of the city in respect of such illegal acts. On the other hand, such acts have prejudiced

the safety and well-being of the inhabitants. Some attempts have been made at changing existing Jordanian laws, imposition of taxes and customs duties on goods coming into the city from other parts of the West Bank of Jordan, in addition to other arbitrary and illegal measures, with the result of causing extreme hardships, obstructing and disrupting the minimum of economic activities and causing unemployment.

It was requested, therefore, that such a situation should "receive the attention and care" of Mr. Gussing as touching on the welfare of the inhabitants. It will also be brought to the attention, at a later stage, of the United Nations Secretary-General's Personal Representative for Jerusalem.

ANNEX IV

Statement on the situation on the West Bank by an official
Jordanian spokesman, submitted to the Special Representative
by the Jordanian authorities

1 August 1967

An official Jordanian spokesman announced the following:

The occupying authorities broadcasted that they have carried out an economic survey on the West Bank of the Hashemite Kingdom of Jordan in which they claimed that the Jordan Government has not invested in the West Bank except one third of total investments and that it adopted other economic discriminatory measures against Jordanian nationals in the West Bank.

The Jordan Government declares that all these claims constitute a clear distortion of facts and falsification of the simplest principles of economics and do not represent except cheap intrigue meant to create confusion and cover up for the enemy's responsibility for stagnating the economic conditions in the West Bank by various means and pressures so as to destroy economic, construction and touristic activities, thereby creating unemployment, decreasing output and income and throttling business activity.

The Jordan Government views and continues to view the Kingdom with its two Banks as constituting one entity from the political, economic and social aspects. On the basis of this principle it has formulated, financed and implemented plans to develop all of Jordan's human, natural and economic resources with the aim of raising living standards of its people wherever they are and without any discrimination whatsoever, with special emphasis on the development of all these resources in order to increase income and production and create additional employment opportunities without neglecting the development of social sectors such as health, education and social welfare. In addition, adequate attention has been given to road construction, public utilities and other social services which would support the development of productive sectors and strengthen its effectiveness.

As it is well known to international economic circles, Jordan has faced since 1948 tremendous obstacles consequent to the Israeli aggression which resulted

in the influx of one million Palestinian refugees. This has led within few months to tripling the population of the Hashemite Kingdom of Jordan without a proportionate increase in the country's resources. Moreover it has necessitated complete rerouting of Jordan's trade and lines of communication. Notwithstanding all these problems, Jordan has, under the wise and dedicated leadership of H.M. King Hussein and efforts of its people, achieved rapid economic growth. Gross National Product has risen from JD 52 million in 1954 to JD 187 million in 1966 thereby raising per capita income from JD 37 in 1954 to JD 95 in 1966.

In spite of the non-stable conditions in the Middle East engendered by the continuous encroachments and acts of aggression by the Israeli forces of evil, the profound confidence of Jordanians in the growth and prospects of Jordan economy has been the major incentive underlying their participation in the development of the various sectors of the economy by investing their savings which raised the proportion of capital formation to gross national product from 10 per cent in 1954 to 16 per cent in 1966. The role which the Government exercised in this respect has contributed significantly towards strengthening this confidence through the maintenance of financial and monetary stability as well as the creation of close co-operation between the public and private sectors towards attaining the objectives of comprehensive development.

According to official statistics, the direct contribution of the West Bank amounted to 40 per cent of gross domestic product, and about 50 per cent of gross national product if the appropriate economic components were taken into consideration. This plainly refutes the figures given in the misleading report which was broadcasted by the occupying forces. Therefore per capita product in the West Bank is higher than was cited in the referenced report.

Moreover available data indicate clearly that investment by the private and public sectors was almost equal in both Banks. For example, investments in the West Bank of the Kingdom represented about 95 per cent of total investment in tourism, 60 per cent of private constructions, 52 per cent of Government buildings, 48 per cent of municipal and rural development schemes and 44 per cent of highways and roads.

The Government of Jordan has, through its financing agencies, provided necessary funds to develop the agricultural sector in the West Bank in accordance with a sound and well conceived plan. This led to the prosperity of this sector and expanded production whereby it produced 87 per cent of the country's production of olives, 80 per cent of fruits and 45 per cent of vegetables. This has been achieved in spite of the fact that the agricultural area of the West Bank does not exceed 28 per cent of the total cultivated area in the Kingdom.

The Government has also established and financed 239 co-operative societies in the West Bank out of a total of 464 societies in the Kingdom. In addition investments have been made in irrigation, water supply, and electricity projects. The implementation of Jordan's electrification plan has been commenced and its aims at providing electric power to all villages in the Kingdom with population exceeding 2,000 inhabitants by 1970. Similarly work was underway on the expansion and improvement of the Jerusalem Airport and the construction of a modern highway connecting Jerusalem and Bethlehem. These two projects were planned to be completed this year had it not been for the Israeli aggression.

Industrial planning in Jordan, as is the case with other countries, is based on sound economic bases, and thus Jordan industries have been established in the various parts of the Kingdom in a way befitting the conditions of each industry and the attainment of its economic and technical feasibility so as to contribute to the development of the Kingdom as a whole giving equitable employment and ownership opportunities for all Jordanians.

There is no doubt that all attempts by the enemy to distort facts and spread confusion are doomed to failure particularly since all citizens in both Banks are aware of the extent of the joint efforts by the Government and the public which were made and continue to be made in the various fields of economic and social development which have effectively contributed in raising living standards and income to all Jordanians.

Our citizens in the West Bank have experienced all means of enemy twisted propoganda which aims at diverting the attention of the people from the indisputable fact of the unity of Jordan soil and their deep faith in the national, social, economic and political ties which unite all Jordanians together in one family and with one goal in mind, namely, the invincibility of the Hashemite Kingdom of Jordan and its prosperity as an indivisible part of the Arab World.

First aide-memoire submitted to the Special
Representative by the Israel authorities on
the situation on the West Bank

ECONOMIC ACTIVITIES

Some characteristics of West Bank economy

The West Bank had almost half of Jordan's population (900.000 out of two million) but it accounted for only one-third of the output. Average income in Transjordan was U.S. \$335 per person; in the West Bank only U.S. \$ 216. One cause was the bias in investment policy, another the presence of refugees. Of U.S. \$84 m. invested in 1966, two-thirds went to Transjordan, seat of all the country's sizeable industries, such as oil refining, cement and phosphates. On the other hand economic activity in the West Bank, concentrated on agriculture, supplying 12 per cent of Jordan's farm output, and on tourism.

The West Bank had only 22 per cent of Jordan's industry and 16 per cent of her transport. Total industry output in the West Bank equals two per cent of Israel's production.

Employment

Several steps have been taken in order to provide wider employment to local labour. The Public Works Department was instructed to follow the same work methods as in the past. A large number of labourers (500) have been engaged by the authorities to work on road repairs on the Nablus-Ramallah and Megiddo-Jenin roads. Another 300 are working on road repairs in the Ramallah and Jericho areas. 130 workers have been employed in the same areas in afforestation and irrigation. Street repair work is conducted in Jenin. The Nablus municipality received a loan from the Israel authorities for current public works and the road leading to Mount Gerizim will be widened. The road from Tul Kaream will be repaved. 18 large public buildings the construction of which was interrupted by the outbreak of war, will now be completed, mainly in order to provide employment. The Public Works Department is resuming work on projects which employ 15.000 persons.

The Ministry of Labour is setting up vocational training centres for unskilled adults. " Ort" is preparing to open 4 vocational schools in the West Bank.

Agricultural institutions operating before 5 June have been reopened and are manned largely by the original staff. Also operating are Government research stations, plant nurseries, offices of afforestation, veterinary supervision centers. The next agricultural season is being planned with a view to avoiding surpluses. Commercial marketing of agricultural production has been organized in order to solve the problem of agricultural surpluses it has been agreed that they would be used in Israeli processing plants. In the field of agricultural exportation a trial shipment of plums from Hebron was air-freighted by El-Al to West Europe.

Industry

The Nablus factory producing special oil used in Arab cuisine has reopened. It employs 150 workers. The local match factory is operating again.

Commerce

Branch offices of the Ministry of Commerce and Industry will be opened in the major towns of the West Bank, the Gaza Strip and the Golan Heights to help local businessmen. A senior Ministry official has been appointed to coordinate commercial and industrial activities in these areas.

Trade will be permitted between the West Bank, the Gaza Strip and the Golan Plateau.

Services

Posts

The Post Office in Jenin was reopened, bringing up the number of post offices that have resumed work on the West Bank to six - in Hebron, Bethlehem, Ramallah, Jericho, Nablus and Tulkarm. Distribution of mail in all villages has been arranged.

Phones in East Jerusalem have been linked to the national direct dialing system. Work has also been ordered to proceed on the restoration of interurban telephone connections between the West Bank towns.

Electricity

A survey has been carried out of electricity supply. Damaged lines and wires have been repaired. The whole Western Bank electricity network is operating except for the Jericho high voltage line scheduled for reopening on 15.8.67. At present Jericho gets its electricity supply from a local generator.

Water

Thorough water supply system surveys were carried out. Existing installations are operating and those under constructions are being completed.

Health

Hospitals and clinics are functioning normally. The 1.700 beds that were at the disposal of the local population are used as before. Health and sanitary conditions are satisfactory. This results in low occupancy of hospitals. In special cases, where local facilities cannot supply adequate medical treatment, patients are transferred to Israeli hospitals.

The Israel authorities assist in the operation of 8 governmental hospitals, 6 health clinics and a central laboratory. A blood supply was arranged for urgent cases, and preparations are under way for the establishment of a Blood Bank.

Vaccinations against epidemics are carried out in cooperation with UNRWA.

The local staff of public health organizations, which amounts to 700 persons, receives wages from the Israel Ministry of Health.

A special commission under the chairmanship of a deputy director of the Ministry of Health was appointed for the purpose of planning preventive medicine, public health and sanitation.

The Israel Medical Association has announced that it is ready to admit to its membership all medical institutions and personnel within areas now under Israel control. It has also announced that Israel doctors would extend to these areas all necessary assistance to solve their health problems.

Education

Registration of educational staff was completed as schools are scheduled to open on 1.9.67 after the end of the summer holiday. 4,575 teachers are being paid their salaries by the authorities.

The number of school children in the West Bank is about 180,000 of whom 130,000 attend governmental schools ; 42,000 are in UNRWA schools and the rest in private institutions.

The Israel authorities have set up a special budget for repair of schools damaged during the war.

Welfare

3 district welfare officers operate in Jerusalem, Hebron and Nablus granting allowances to individuals and supporting various welfare organizations. Also operating are 8 welfare institutions, 9 juvenile delinquency institutions, a home for aged, for the blind and one for homeless children.

150 persons are employed in the above-mentioned institutions.

Communication

The Egged Transport Company has opened recently a new bus route from Gaza to the West Bank, via Beer-Sheba. Buses will ply the route twice daily with stops at Hebron, Bethlehem, Jerusalem, Ramallah and other West Bank towns.

RELIGION

8 Moslem religious courts are functioning. The staff (40) is being paid by the Israel authorities.

Protection of the Holy Places

The Ministry of Police is about to set up a " Holy Places guard " consisting of 48 unarmed watchmen of various denominations, with full police authority. The Ministry of Religious Affairs is helping the Moslem religious trusts in East Jerusalem to repair the few mosques that were damaged during the fighting. The Egyptian architect supervising the restoration work at the Dome of the Rock at the El Aksa Mosque, Mr. Abdul Moneim Abd-el-Wahab, is back at work.

LAW

Civil courts have resumed their work in Nablus on 3 July. They are adjudicating under Jordanian law.

ANNEX VI

Second aide-memoire submitted to the Special Representative by the Israel authorities on the situation on the West Bank

Israel's policy in the areas under its control is guided by the following principles :

- a. Speedy restoration of normal civilian life in all its aspects;
- b. Continued functioning of existing local authorities;
- c. Return of West Bank inhabitants who fled following the outbreak of hostilities;
- d. Co-operation with UNRWA, the International Red Cross and welfare organizations operating in the areas;
- e. Study of possibilities of solving the refugee problem;
- f. Buttressing the economic fabric of the towns and the countryside.

THE WEST BANK

The effects of the hostilities

The fighting was brief. Consequently, physical damage and casualties were limited. Nevertheless, by the time cease-fire between Israel and Jordan was established, life on the West Bank was seriously disrupted. During the fighting, considerable numbers of inhabitants crossed the Jordan River eastwards. In many cases they were motivated by fear; but the main impulse was economic: the desire to ensure the continued receipt of money transfers from relatives in other Arab States or of salary payments by the Jordanian Government. Many of those who left the West Bank were registered with UNRWA as refugees. The certainty that they would continue to receive UNRWA assistance served as encouragement.

As a result of the hostilities there was a general breakdown of public administration. Many of the Government and municipal officials crossed to the East Bank during and after the fighting. Frequently they took with them the public funds in their charge. The shortage of funds was further accentuated by the fact that banks were found to have a liquidity of less than ten per cent. The remainder was usually held at the head offices in Amman. Furthermore, such services as electricity and telephone communications were seriously damaged during the fighting.

A number of measures of an administrative and economic nature have been adopted with a view to restoring normal life.

Municipalities and local councils

Shortly after the cessation of hostilities, all municipal and local councils were urged to pursue their activities as usual. They are now in the course of preparing ordinary and long-term budgets. Advances on municipal budgets have already been made by the Israel authorities. These advances, paid in Jordanian dinars, are intended for salary disbursements and other routine expenses. The salaries of all municipal employees are paid regularly. This applies also to most of the former

Government officials, including all teachers. The latter are now on summer vacation but have already begun preparations for re-opening schools in accordance with the regular schedule.

Public Health

Health services are functioning normally. Hospitals are fully staffed and equipped. Medical supplies are distributed where needed, but ample stocks are in general available locally.

Freedom of movement

Curfew has been rapidly reduced. There is complete freedom of movement within the West Bank. Movement from the Gaza Strip to the West Bank, not permitted in the past, is being gradually introduced. Visits are being arranged from the West Bank to various parts of Israel.

Transportation

Almost all private vehicles requisitioned during the hostilities have been restored. This is true also of all agricultural machines and equipment.

Public transportation, including inter-urban bus services, has been fully resumed. Fuel supply is normal.

Local Police

Arab policemen have been re-employed on a large scale.

Administration of Justice

Local Courts, including District Courts, have been reactivated. They are functioning on the basis of laws in force before 5 June.

Postal Services

All major post offices have been re-opened.

Commerce

Most shops and other commercial enterprises have re-opened. The influx of tourists has contributed to a considerable upsurge of commercial activity.

Welfare

All international and local welfare organizations, including religious welfare institutions, are being encouraged to pursue their normal activities. Most have resumed their regular work. Arrangements are also being made for continuing the welfare activities formally supported by the Government of Jordan.

Financial and economic measures

All personal remittances from abroad reach their destination through banks. With a view to channelling new funds into the economy and encouraging development, Israeli banks have been permitted to open branches (one to a town) on the West Bank. One of the main activities is to grant loans to industry, commerce and agriculture.

Returnees from East Bank

Persons who had resided on the West Bank, and who crossed over to the East Bank between 5 June and 4 July 1967, have been permitted to return to the West Bank, under an Israel Government decision adopted as a gesture of goodwill. Arrangements for the return of such persons are being made through the good offices of the International Red Cross.

Refugees

A special agreement was reached with UNRWA for the continuation of its activities. In addition, the Prime Minister of Israel has appointed a team of experts who will be charged with drawing up proposals concerning ways and means of rehabilitating the Arab refugees. The team comprises experts in the fields of economics, agriculture, irrigation, industry, crafts, commerce, development, social problems, demography and related areas.

ANNEX VII

Aide-memoire submitted to the Special Representative
by the Israel authorities entitled "Foundations of
Israel's economic policy in the areas under its control"

Ever since the termination of hostilities, the Government of Israel has striven to restore normal social and economic conditions in the areas under Israel control. Vital services had to be revived immediately to ensure an uninterrupted supply of food for the civilian population as well as for the large number of refugees in the West Bank and the Gaza Strip. Refugee needs were subject of an agreement signed by the Government of Israel with UNRWA enabling the agency to continue its activities in these areas as heretofore. Permission was also granted to voluntary relief organizations previously active there to resume their assistance to the needy.

During the five weeks of Israeli administration, the following basic steps have been taken:

1. All municipalities and local councils are operating again and such local services as electricity, water, sanitation, and police have been re-established.
2. Medical and health services are functioning satisfactorily.
3. Post offices have been reopened in the main towns, and municipal telephone networks repaired.
4. Following the return of private vehicles to their owners, public transport is being reorganized - vehicles are being tested, licensed and insured for third party damages.
5. Banks have been opened to serve the public in the main towns of the West Bank and the Gaza Strip.

A. FINANCE AND CURRENCY

The legal tender in these areas remains as it was before hostilities (Jordanian Dinar, Egyptian and Syrian Pound).

Regulations have been issued to bar trading in all other currencies. Implementation of this policy met with some difficulties owing to the very low liquidity of the local banks, which in general hardly reached 10 per cent.

Banks were, therefore, unable to reopen their doors to the public, and this meant much hardship to depositors, who were unable to draw on their savings. The scarcity of means of payment in circulation greatly hindered economic activity in the first days.

B. PRICE POLICY

The policy of the Government of Israel is to maintain as far as possible the level of prices in all the areas under control, with the exception of those of fuel, cigarettes and alcoholic drinks, in respect of which equalization with prices prevailing in Israel will have to be ensured, to prevent smuggling.

C. AGRICULTURE

All necessary steps have been taken to renew the rural pursuits which constitute the mainstay of the economies of the controlled areas. Representatives of the Israel Ministry of Agriculture, together with local elements, have already organized methods of supply and marketing of produce and primary materials through a central organization. All agricultural vehicles and equipment have been restored. Wells have resumed pumping and the necessary fuel is being supplied. With the assistance of employees of Israel farmer organizations, fruit orchards and Government farms are again under cultivation. The local farmers have gone back to work their fields and plantations and to deliver the produce. Abandoned groves are being cared for again.

D. SUPPLY AND TRADE

The guiding lines of this sphere are aimed at guaranteeing the incomes of wholesalers and retailers. To that end, Israelis have been forbidden to trade directly with the inhabitants of the areas under control or to open branches of Israel firms or other businesses there. Land and property deals are prohibited. A central supply company has been ordered to supply the needs of wholesalers on their application - payments to be effected for the goods in local currency (Dinars or Egyptian and Syrian Pounds). Israeli Pounds may also be used.

E. THE BALANCE OF TRADE

It should be noted that, prior to the hostilities, the West Bank economy suffered from a negative balance of trade, covered mainly by tourism, transfers of private funds and foreign aid. The maintenance of that economy at its pre-war level, and the upkeep of services at previous standards, will require an estimated import of capital totalling about 50 million US dollars a year. The Gaza Strip's foreign trade deficit amounted to 14.8 million US dollars (24.7 million US dollar worth of imports and 9.9 million US dollars worth of exports).

F. TOURISM

A brisk tourist trade existed previously in the West Bank only. All efforts are being made to restore fully this trade. It has been decided to open the tourist hotels and to resume organized tourism in the Jerusalem region, the West Bank and the Holy Places, and also in the city of Gaza and the regions of Banias and El-Hamma. Two bus companies have been allowed to conduct organized tours and permission has been granted for authorized bodies to engage in transporting tourists to the various areas. Courses have been organized by the Ministry of Tourism, for 200 guides resident in the West Bank, to bring their knowledge up-to-date and to license them as guides. As from 19 July, all the areas are open to organized tourism from Israel and abroad.

G. GOVERNMENT-INITIATED WORKS TO SPUR ECONOMIC ACTIVITIES

1. Israel authorities have begun paying the salaries of all former civil servants, including teachers who have come back to their jobs.
2. Means of payment have been allocated to UNRWA and CARE to pay the salaries of their employees, who are numbered in the thousands.
3. Loans have been granted to municipalities to enable them to pay salaries and current expenses. These are equal in amount to their monthly budgets.
4. Banks have been instructed to convert into local currency all foreign currency remittances addressed to local inhabitants.
5. Tourists and Israeli troops are allowed to exchange Israel Pounds for local currency to enable them to make purchases in controlled areas.

6. The Government of Israel has decided to make provision for underwriting some of the banks to encourage them to grant loans for capital flow to industry, trade and agriculture.

7. Instructions have been issued to complete public works and construction begun before 5 June, utilizing local manpower and equipment.

8. Arrangements have been made for the continuation of social assistance payments to those who had been on relief before the hostilities.

9. Full assistance and encouragement are being given to all relief activities of such international bodies as UNRWA, CARE and the Red Cross.

In co-operation with the Ministry of Labour, Israel authorities have drawn up plans for the immediate employment of the chronically unemployed. They will be engaged primarily in public works, such as road laying and repairing, clearing debris, upkeep and completion of public buildings, and afforestation. In the first stage the Israel authorities will provide employment for 6,000 in the Gaza Strip. These will be supporters of families. In the meantime, teams of experts are examining plans for medium-term employment.

It may be said here, that, despite the acute problems arising from the war, life is being quickly brought back to normal, and that the local inhabitants, by and large, are co-operating with the Israel authorities in reactivating the economy. Although short-term implementation is as yet incomplete, attention is already being given to medium- and long-range economic planning designed to ensure productive employment which will allow thousands of refugees and other needy persons to earn a sufficient and honourable living.

ANNEX VIII

Aide-memoire submitted to the Special Representative by the Israel authorities on the situation in the Gaza Strip and Northern Sinai

Administration

The area is divided into three administrative districts headed by Military Governors (Gaza, Rafa/Khan Younis, El Arīsh). The local administration has been reinstated throughout the area. This consists both of a central area administration divided into ten departments and municipal and local councils. Elected mayors and village chiefs (mukhtars), as well as municipal and rural officials, including those appointed by the Egyptian administration, are continuing in office, except for some senior Egyptian officials and a few local officials who had to be replaced for reasons of security. Salaries for all local Government officials are unchanged and are being paid by the Israel Treasury. Local government administrations are being granted loans in order to enable them to discharge their liabilities, until new budgetary proposals will have been drawn up and the collection of local rates reactivated.

Local administration is functioning smoothly and satisfactorily, and it is not intended at present to introduce any changes in its structure.

Services

Essential services - electricity and street lighting, water supply, garbage collection, bus service (local and inter-urban), taxi service, local Police (partly armed) - are functioning normally, having been progressively reactivated since the first week after Israel assumed control of the area. Eleven police stations are in operation. Postal facilities are being resumed. The railway line in the Strip has been linked up with the Israel network, and its capacity is sufficient to cope with any foreseeable traffic requirements.

Freedom of movement

The hours of curfew prevailing in the area have been steadily shortened. They extend at present from 9 pm to 4 am. The population enjoys free movement throughout the Gaza Strip. As from 16 July, a system of permits is in operation, enabling permit holders to visit the West Bank. It is intended to extend this system in the near future.

Health

Hospitals are functioning normally. The Israel Ministry of Health has delegated a senior medical officer to establish liaison with local health administrations and public hospitals. The necessary medical supplies are being made available from Israeli sources. There is no shortage of medical staff, and the number of hospital beds available is amply sufficient.

Legal status

All laws and ordinances in force in the area at the moment the Israel forces assumed control remain valid, except where changed by military ordinances, proclaimed by the Military Governor. At present there are thirty-one such ordinances, dealing mainly with security matters and economic problems.

Administration of Justice

All local Courts are functioning. Magistrates who were officiating under the Egyptian administration have taken up their posts and are holding court normally. All lawyers admitted to the Bar under the Egyptian administration are practising, and the basic rights of the accused are protected.

Legal Tender

On 19 July, the official rate of exchange of the Egyptian pound was fixed at six Israeli pounds, to one Egyptian. This replaces the previous rate of three to one. This modification in the rate of exchange will enable the population to double its purchasing capacity. It is to be observed that real value of one Egyptian pound is US\$ 1.20.

Finance and Banking

Local banks had to be closed for lack of available funds, all local banks are branch - banks with headquarters in Egypt, and their liquidity, was about ten per cent. An Israel bank has opened a branch in Gaza and is offering normal banking facilities to local residents and institutions. Other Israel banks are scheduled to open branches in the area in the future.

Arrangements are being worked out for the resumption of capital transfers from abroad to local inhabitants.

Commerce

Most shops are open and functioning. Basic necessities such as foodstuffs and petrol are supplied to local outlets by the Israel authorities. Fruit, vegetables and meat are supplied to the market from local sources, and so far the supply is plentiful. Preparations for the resumption of normal commercial contacts with foreign markets are under way. As soon as commercial channels with Israel are established, the Government will withdraw from the local market.

Employment

A labour exchange bureau was opened on 16 July in the Gaza Strip. An interim programme for the immediate employment of 15,000 workers has been launched. During the first stage, workers will be employed on public works and the revetment of Wadi Gaza and the seashore. Fishermen have been allowed to start going out to sea again. The Israel Treasury is prepared to invest about one million Israel pounds in ensuring employment for inhabitants of the Gaza Strip.

Education

Preparations are under way for the re-opening of schools after the summer holidays. The Israel Ministry of Education and Culture, in co-operation with the local Administration and with the aid of the Military Government, is beginning to repair buildings and equipment which were damaged during combat.

Welfare

The Israel Ministry of Welfare, in co-operation with the 'Care' organization has reestablished an assistance programme for 70,000 needy non-refugees. It has been agreed to extend this programme to include another 10,000 needy persons in the El Arish area, and there are plans eventually to bring it up to a ceiling of 120,000 beneficiaries.

An adequate amount in the welfare budget allocation has been set aside as a Government contribution to the local orphanage.

In addition to the welfare offices functioning in Gaza, offices are being set up in Dir-el-Balah and Khan Younis. All three offices are handling applications for cash grants to needy families. These grants are in addition to 'Care' or UNRWA rations.

Other welfare organizations have sent study missions to the area and are now working out programmes in various fields. In contact s with representatives of these organizations, Israel authorities have stressed the need for aid programmes of a constructive character, enabling a growing number of refugees to be provided with productive work.

Agriculture

The agricultural services are functioning normally. The following projects deserve special mention:

El Arish Development Scheme. This scheme, projected by Egyptian Administration, affects 10,000 dunams of various plantations. An effort is being made to develop the irrigation system by improving existing and drilling new artesian wells.

Bar Dawile. This lake, situated twenty kilometres to the west of El Arish, is now being surveyed with a view to establishing its fishing potential. A research vessel is operating in its waters and experts from the Israel Fishing Service are conducting a research programme.

A study project on the salinity of underground wells and a soil conservation project in the Wadi Gaza area have been initiated. Preparations are under way to make the necessary arrangements for the marketing of the coming citrus harvest.

Small loans as well as supplies of insecticides and fertilizer are being made available to owners of orange groves.

Crop Spraying. The local company has been revived and provided with the necessary insecticides and equipment.

Veterinary Services.

The veterinary services have been strengthened by the addition of two veterinarians.

UNRWA

UNRWA food distribution and health services are back to normal. Food distribution was resumed three days after the end of hostilities. UBRWA education services are expected to continue normally when the new school year opens.

ANNEX IX

Aide-memoire submitted to the Special
Representative by the Israel authorities
on the situation in the Gaza Strip

THE GAZA STRIP

Employment

Unemployment registration has begun in the Gaza Strip. The number of unemployed is estimated at 15,000 with some 10,000 in Gaza proper. The Israel authorities report that they will try to place some of them in their previous jobs in various Government offices.

Welfare

Two welfare bureaus were opened in Khan Yunis and Rafah with local personnel. Welfare recipients will be paid on the same scale as before. Arrangements are also being made to reopen the Gaza Orphanage in time for the new school year in September.

Food Supply

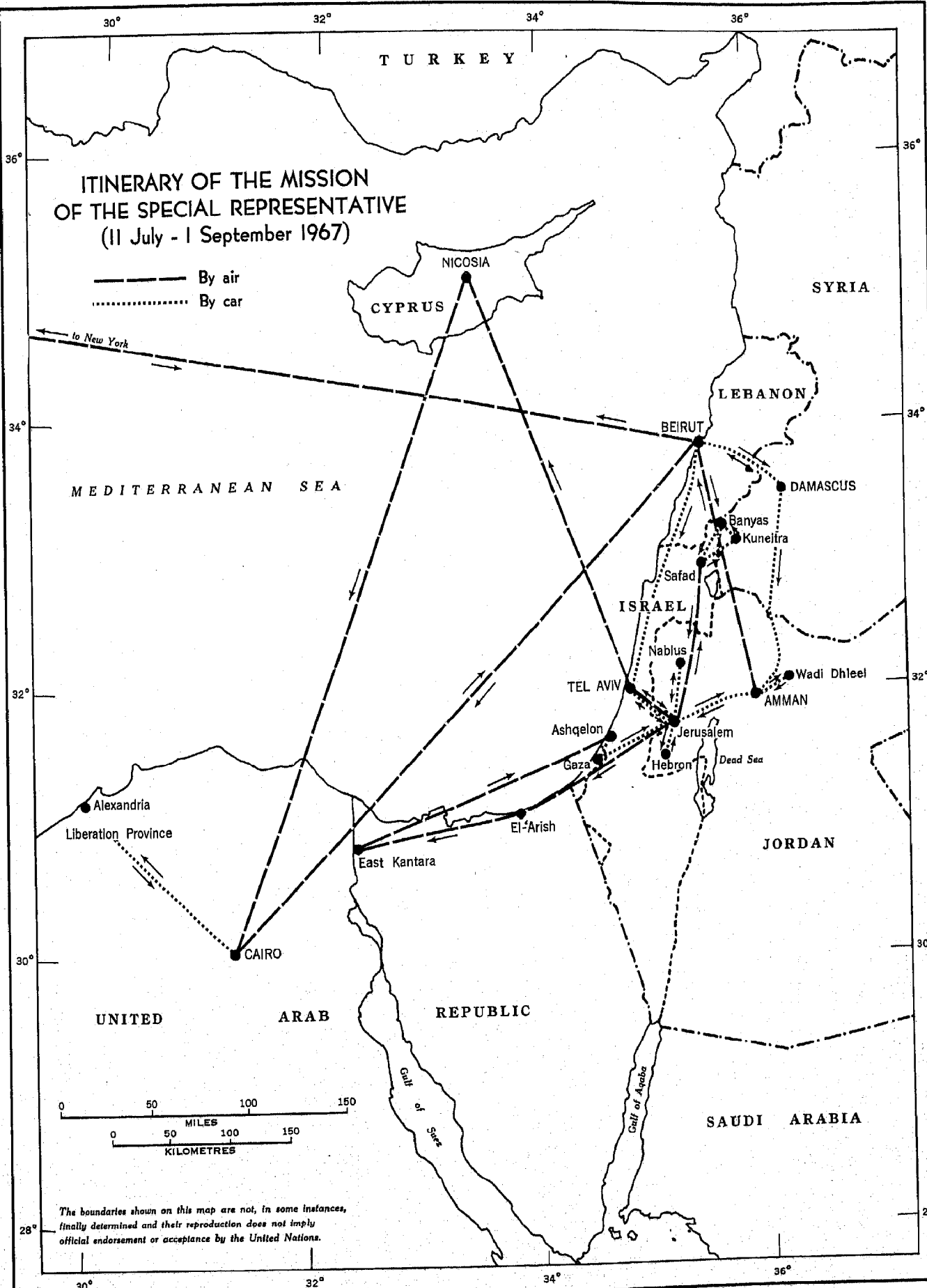
Flour and sugar are being provided to Gaza through the centralized marketing agency, thus helping to stabilize prices.

Facilities to stimulate economic life

Residents of the Gaza Strip will be able to go abroad, after receiving an appropriate visa from the authorities. They will thus be able to settle their financial affairs abroad and arrange for future transfers. This is expected to stimulate the economic life of the city.

ITINERARY OF THE MISSION OF THE SPECIAL REPRESENTATIVE (11 July - 1 September 1967)

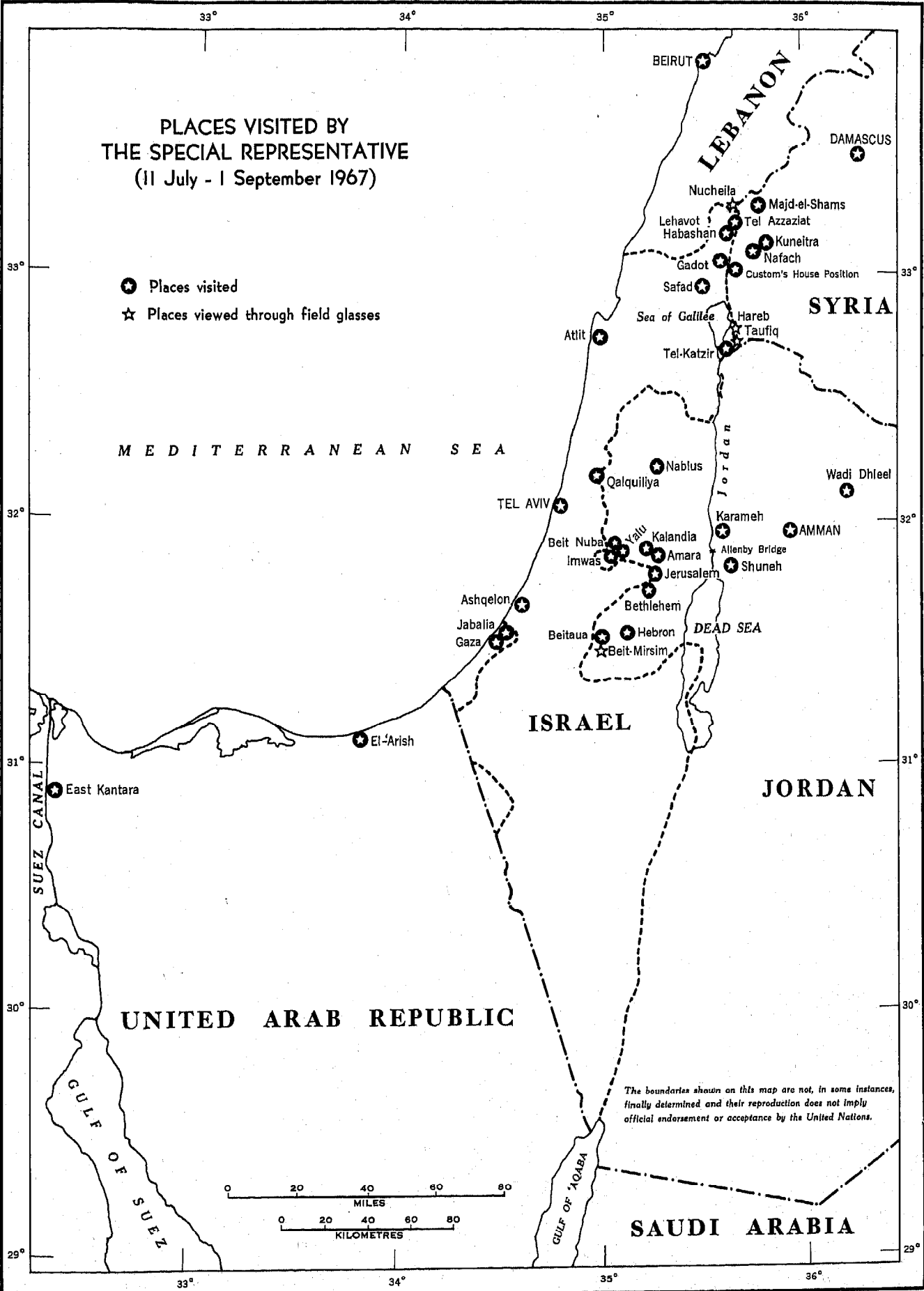
— By air
..... By car



The boundaries shown on this map are not, in some instances, finally determined and their reproduction does not imply official endorsement or acceptance by the United Nations.

PLACES VISITED BY THE SPECIAL REPRESENTATIVE (11 July - 1 September 1967)

- Places visited
- ★ Places viewed through field glasses



Decisions

At its 1373rd meeting, on 9 November 1967, the Council decided to invite the representatives of the United Arab Republic, Israel and Jordan to participate, without vote, in the discussion of the item entitled "The situation in the Middle East: Letter dated 7 November 1967 from the Permanent Representative of the United Arab Republic addressed to the President of the Security Council (S/8226)".¹¹

At its 1375th meeting, on 13 November 1967, the Council decided to invite the representative of Syria to participate, without vote, in the discussion of the question.

Resolution 242 (1967)

of 22 November 1967

The Security Council,

Expressing its continuing concern with the grave situation in the Middle East,

Emphasizing the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in which every State in the area can live in security,

Emphasizing further that all Member States in their acceptance of the Charter of the United Nations have undertaken a commitment to act in accordance with Article 2 of the Charter,

1. *Affirms* that the fulfilment of Charter principles requires the establishment of a just and lasting peace in the Middle East which should include the application of both the following principles:

- (i) Withdrawal of Israel armed forces from territories occupied in the recent conflict;
- (ii) Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force;

2. *Affirms further* the necessity

(a) For guaranteeing freedom of navigation through international waterways in the area;

(b) For achieving a just settlement of the refugee problem;

(c) For guaranteeing the territorial inviolability and political independence of every State in the area,

¹¹ *Ibid.*

Décisions

A sa 1373^e séance, le 9 novembre 1967, le Conseil a décidé d'inviter les représentants de la République arabe unie, d'Israël et de la Jordanie à participer, sans droit de vote, à la discussion de la question intitulée "La situation au Moyen-Orient: Lettre, en date du 7 novembre 1967, adressée au Président du Conseil de sécurité par le représentant permanent de la République arabe unie (S/8226¹¹)".

A sa 1375^e séance, le 13 novembre 1967, le Conseil a décidé d'inviter le représentant de la Syrie à participer, sans droit de vote, à la discussion de la question.

Résolution 242 (1967)

du 22 novembre 1967

Le Conseil de sécurité,

Exprimant l'inquiétude que continue de lui causer la grave situation au Moyen-Orient,

Soulignant l'inadmissibilité de l'acquisition de territoire par la guerre et la nécessité d'œuvrer pour une paix juste et durable permettant à chaque Etat de la région de vivre en sécurité,

Soulignant en outre que tous les Etats Membres, en acceptant la Charte des Nations Unies, ont contracté l'engagement d'agir conformément à l'Article 2 de la Charte,

1. *Affirme* que l'accomplissement des principes de la Charte exige l'instauration d'une paix juste et durable au Moyen-Orient qui devrait comprendre l'application des deux principes suivants:

- i) Retrait des forces armées israéliennes des territoires occupés lors du récent conflit;
- ii) Cessation de toutes assertions de belligérance ou de tous états de belligérance et respect et reconnaissance de la souveraineté, de l'intégrité territoriale et de l'indépendance politique de chaque Etat de la région et de leur droit de vivre en paix à l'intérieur de frontières sûres et reconstruites à l'abri de menaces ou d'actes de force;

2. *Affirme en outre* la nécessité

a) De garantir la liberté de navigation sur les voies d'eau internationales de la région;

b) De réaliser un juste règlement du problème des réfugiés;

c) De garantir l'inviolabilité territoriale et l'indépendance politique de chaque Etat de la région, par

¹¹ *Ibid.*

through measures including the establishment of demilitarized zones;

3. *Requests* the Secretary-General to designate a Special Representative to proceed to the Middle East to establish and maintain contacts with the States concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement in accordance with the provisions and principles in this resolution;

4. *Requests* the Secretary-General to report to the Security Council on the progress of the efforts of the Special Representative as soon as possible.

Adopted unanimously at the 1382nd meeting.

Decision

On 8 December 1967, the following statement which reflected the view of the members of the Council was circulated by the President as a Security Council document (S/8289):¹²

“As regards document S/8053/Add.3,¹² brought to the attention of the Security Council, the members, recalling the consensus reached at its 1366th meeting on 9 July 1967, recognize the necessity of the enlargement by the Secretary-General of the number of observers in the Suez Canal zone and the provision of additional technical material and means of transportation.”

des mesures comprenant la création de zones démilitarisées;

3. *Prie* le Secrétaire général de désigner un représentant spécial pour se rendre au Moyen-Orient afin d'y établir et d'y maintenir des rapports avec les Etats intéressés en vue de favoriser un accord et de seconder les efforts tendant à aboutir à un règlement pacifique et accepté, conformément aux dispositions et aux principes de la présente résolution;

4. *Prie* le Secrétaire général de présenter aussitôt que possible au Conseil de sécurité un rapport d'activité sur les efforts du représentant spécial.

Adoptée à l'unanimité à la 1382^e séance.

Décision

Le 8 décembre 1967, le Président a fait distribuer, en tant que document du Conseil (S/8289¹²), la déclaration ci-après qui reflétait l'avis des membres du Conseil :

“En ce qui concerne le document S/8053/Add.3¹², soumis à l'attention du Conseil de sécurité, les membres de celui-ci, rappelant le consensus intervenu à sa 1366^e séance, le 9 juillet 1967, reconnaissent la nécessité de l'accroissement, par le Secrétaire général, du nombre des observateurs dans le secteur du canal de Suez et de la mise à la disposition de ceux-ci de matériel technique et de moyens de transport supplémentaires.”

THE CYPRUS QUESTION¹³

Decision

At its 1362nd meeting, on 19 June 1967, the Council decided to invite the representatives of Cyprus, Turkey and Greece to participate, without vote, in the discussion of the item entitled “Letter dated 26 December 1963 from the Permanent Representative of Cyprus addressed to the President of the Security Council (S/5488):¹⁴ report of the Secretary-General on the United Nations Operation in Cyprus (S/7969)”.¹⁵

¹² *Ibid.*

¹³ Resolutions or decisions on this question were also adopted in 1963, 1964, 1965 and 1966.

¹⁴ See *Official Records of the Security Council, Eighteenth Year, Supplement for October, November and December 1963.*

¹⁵ *Ibid.*, *Twenty-second Year, Supplement for April, May and June 1967.*

LA QUESTION DE CHYPRE¹³

Décision

A sa 1362^e séance, le 19 juin 1967, le Conseil a décidé d'inviter les représentants de Chypre, de la Turquie et de la Grèce à participer, sans droit de vote, à la discussion de la question intitulée “Lettre, en date du 26 décembre 1963, adressée au Président du Conseil de sécurité par le représentant permanent de Chypre (S/5488¹⁴) : rapport du Secrétaire général sur l'Opération des Nations Unies à Chypre (S/7969¹⁵)”.

¹² *Ibid.*

¹³ Question ayant fait l'objet de résolutions ou décisions de la part du Conseil en 1963, 1964, 1965 et 1966.

¹⁴ Voir *Documents officiels du Conseil de sécurité, dix-huitième année, Supplément d'octobre, novembre et décembre 1963.*

¹⁵ *Ibid.*, *vingt-deuxième année, Supplément d'avril, mai et juin 1967.*

THE SITUATION IN THE MIDDLE EAST²⁰

Decisions

At its 1401st meeting, on 21 March 1968, the Council decided to invite the representatives of Jordan, Israel, the United Arab Republic, Iraq and Morocco to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East:

"(a) Letter dated 21 March 1968 from the Permanent Representative of Jordan addressed to the President of the Security Council (S/8484);²¹

"(b) Letter dated 21 March 1968 from the Permanent Representative of Israel addressed to the President of the Security Council (S/8486)."²¹

At its 1402nd meeting, on 21 March 1968, the Council decided to invite the representative of Syria to participate, without vote, in the discussion of the question.

At its 1406th meeting, on 23 March 1968, the Council decided to invite the representative of Saudi Arabia to participate, without vote, in the discussion of the question.

Resolution 248 (1968)

of 24 March 1968

The Security Council,

Having heard the statements of the representatives of Jordan and Israel,

Having noted the contents of the letters of the Permanent Representatives of Jordan and Israel in documents S/8470,²² S/8475,²² S/8478,²² S/8483,²² S/8484²² and S/8486,²²

Having noted further the supplementary information provided by the Chief of Staff of the United Nations Truce Supervision Organization as contained in documents S/7930/Add.64 and Add.65,²²

Recalling resolution 236 (1967) by which the Security Council condemned any and all violations of the cease-fire,

Observing that the military action by the armed forces of Israel on the territory of Jordan was of a large-scale and carefully planned nature,

Considering that all violent incidents and other violations of the cease-fire should be prevented and not overlooking past incidents of this nature,

²⁰ Resolutions or decisions on this question were also adopted in 1967.

²¹ See *Official Records of the Security Council, Twenty-third Year, Supplement for January, February and March 1968.*

²² *Ibid.*

Recalling further resolution 237 (1967) which called upon the Government of Israel to ensure the safety, welfare and security of the inhabitants of the areas where military operations have taken place,

1. *Deplores* the loss of life and heavy damage to property;

2. *Condemns* the military action launched by Israel in flagrant violation of the United Nations Charter and the cease-fire resolutions;

3. *Deplores* all violent incidents in violation of the cease-fire and declares that such actions of military reprisal and other grave violations of the cease-fire cannot be tolerated and that the Security Council would have to consider further and more effective steps as envisaged in the Charter to ensure against repetition of such acts;

4. *Calls upon* Israel to desist from acts or activities in contravention of resolution 237 (1967);

5. *Requests* the Secretary-General to keep the situation under review and to report to the Security Council as appropriate.

Adopted unanimously at the 1407th meeting.

Decisions

At its 1409th meeting, on 30 March 1968, the Council decided to invite the representatives of Jordan and Israel to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East:

"(a) Letter dated 29 March 1968 from the Permanent Representative of Jordan addressed to the President of the Security Council (S/8516);²³

"(b) Letter dated 29 March 1968 from the Permanent Representative of Israel addressed to the President of the Security Council (S/8517)."²³

At its 1410th meeting, on 1 April 1968, the Council decided to invite the representative of Syria to participate, without vote, in the discussion of the question.

At its 1411th meeting, on 2 April 1968, the Council decided to invite the representatives of the United Arab Republic and Iraq to participate, without vote, in the discussion of the question.

At its 1412th meeting, on 4 April 1968, the Council decided to invite the representative of Saudi Arabia to

²³ *Ibid.*

participate, without vote, in the discussion of the question.

At the 1412th meeting, on 4 April 1968, as a result of consultations which had taken place on this item, the President read the following statement:

"Having heard the statements of the parties in regard to the renewal of the hostilities, the members of the Security Council are deeply concerned at the deteriorating situation in the area. They therefore consider that the Council should remain seized of the situation and keep it under close review".

At its 1416th meeting, on 27 April 1968, the Council decided to invite the representatives of Jordan and Israel to participate, without vote, in the discussion of the item entitled "The situation in the Middle East: Letter dated 25 April 1968 from the Permanent Representative of Jordan to the President of the Security Council (S/8560)".²⁴

Resolution 250 (1968)

of 27 April 1968

The Security Council,

Having heard the statements of the representatives of Jordan and Israel,

Having considered the Secretary-General's note (S/8561),²⁵ particularly his note to the Permanent Representative of Israel to the United Nations,

Considering that the holding of a military parade in Jerusalem will aggravate tensions in the area and have an adverse effect on a peaceful settlement of the problems in the area,

1. *Calls upon* Israel to refrain from holding the military parade in Jerusalem which is contemplated for 2 May 1968;

2. *Requests* the Secretary-General to report to the Security Council on the implementation of this resolution.

Adopted unanimously at the 1417th meeting.

Decision

At its 1418th meeting, on 1 May 1968, the Council decided to add to its agenda the report of the Secretary-General under General Assembly resolution 2254 (ES-V) relating to Jerusalem (S/8146).²⁶

²⁴ *Ibid.*, Supplement for April, May and June 1968.

²⁵ *Ibid.*

²⁶ *Ibid.*, Twenty-second Year, Supplement for July, August and September 1967.

Resolution 251 (1968)

of 2 May 1968

The Security Council,

Noting the Secretary-General's reports of 26 April (S/8561)²⁷ and 2 May 1968 (S/8567),²⁷

Recalling resolution 250 (1968) of 27 April 1968,

Deeply deplores the holding by Israel of the military parade in Jerusalem on 2 May 1968 in disregard of the unanimous decision adopted by the Council on 27 April 1968.

Adopted unanimously at the 1420th meeting.

Decision

At its 1421st meeting, on 3 May 1968, the Council decided to invite Mr. Rouhi El-Khatib, in accordance with rule 39 of the provisional rules of procedure, to make a statement before the Council.

Resolution 252 (1968)

of 21 May 1968

The Security Council,

Recalling General Assembly resolutions 2253 (ES-V) of 4 July 1967 and 2254 (ES-V) of 14 July 1967,

Having considered the letter of the Permanent Representative of Jordan on the situation in Jerusalem (S/8560)²⁸ and the report of the Secretary-General (S/8146),²⁹

Having heard the statements made before the Council,

Noting that since the adoption of the above-mentioned resolutions Israel has taken further measures and actions in contravention of those resolutions,

Bearing in mind the need to work for a just and lasting peace,

Reaffirming that acquisition of territory by military conquest is inadmissible,

1. *Deplores* the failure of Israel to comply with the General Assembly resolutions mentioned above;

2. *Considers* that all legislative and administrative measures and actions taken by Israel, including expropriation of land and properties thereon, which tend to change the legal status of Jerusalem are invalid and cannot change that status;

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

²⁷ *Ibid.*, Twenty-third Year, Supplement for April, May and June 1968.

²⁸ *Ibid.*

²⁹ *Ibid.*, Twenty-second Year, Supplement for July, August and September 1967.

4. *Requests* the Secretary-General to report to the Security Council on the implementation of the present resolution.

Adopted at the 1426th meeting by 13 votes to none, with 2 abstentions (Canada and United States of America).

Decisions

At its 1434th meeting, on 5 August 1968, the Council decided to invite the representatives of Jordan, Israel, the United Arab Republic and Iraq to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East:

"(a) Letter dated 5 June 1968 from the Permanent Representative of Jordan addressed to the President of the Security Council (S/8616);³⁰

"(b) Letter dated 5 June 1968 from the Permanent Representative of Israel addressed to the President of the Security Council (S/8617);³⁰

"(c) Letter dated 5 August 1968 from the Permanent Representative of Jordan addressed to the President of the Security Council (S/8721);³¹

"(d) Letter dated 5 August 1968 from the Permanent Representative of Israel addressed to the President of the Security Council (S/8724)."³¹

At its 1436th meeting, on 7 August 1968, the Council decided to invite the representatives of Syria and Saudi Arabia to participate, without vote, in the discussion of the question.

Resolution 256 (1968) of 16 August 1968

The Security Council,

Having heard the statements of the representatives of Jordan and Israel,

Having noted the contents of the letters of the representatives of Jordan and Israel in documents S/8616,³² S/8617,³² S/8721³³ and S/8724,³³

Recalling its previous resolution 248 (1968) condemning the military action launched by Israel in flagrant violation of the United Nations Charter and the cease-fire resolutions and deploring all violent incidents in violation of the cease-fire,

Considering that all violations of the cease-fire should be prevented,

³⁰ *Ibid.*, *Twenty-third Year, Supplement for April, May and June 1968.*

³¹ *Ibid.*, *Supplement for July, August and September 1968.*

³² *Ibid.*, *Supplement for April, May and June 1968.*

³³ *Ibid.*, *Supplement for July, August and September 1968.*

Observing that both massive air attacks by Israel on Jordanian territory were of a large scale and carefully planned nature in violation of resolution 248 (1968),

Gravely concerned about the deteriorating situation resulting therefrom,

1. *Reaffirms* its resolution 248 (1968) which, *inter alia*, declares that grave violations of the cease-fire cannot be tolerated and that the Council would have to consider further and more effective steps as envisaged in the Charter to ensure against repetition of such acts;

2. *Deplores* the loss of life and heavy damage to property;

3. *Considers* that premeditated and repeated military attacks endanger the maintenance of the peace;

4. *Condemns* the further military attacks launched by Israel in flagrant violation of the United Nations Charter and resolution 248 (1968) and warns that if such attacks were to be repeated the Council would duly take account of the failure to comply with the present resolution.

Adopted unanimously at the 1440th meeting.

Decisions

At its 1446th meeting, on 4 September 1968, the Council decided to invite the representatives of Israel and the United Arab Republic to participate, without vote, in the discussion of the item entitled: "The situation in the Middle East: Letter dated 2 September 1968 from the Acting Permanent Representative of Israel addressed to the President of the Security Council (S/8794)".³⁴

At the 1448th meeting, on 8 September 1968, the President read the following statement which was to be communicated to the Chief of Staff of the United Nations Truce Supervision Organization and the parties:

"The Security Council, having met urgently to consider the item on its agenda contained in document S/Agenda/1448/Rev.1 [*The situation in the Middle East: Letter dated 2 September 1968 from the Acting Permanent Representative of Israel addressed to the President of the Security Council (S/8794)*],³⁵ *Letter dated 8 September 1968 from the Permanent Representative of Israel addressed to the President of the Security Council (S/8805)*,³⁵ *Letter dated 8 September 1968 from the Permanent Representative of the United Arab Republic addressed to the President of the Security Council (S/8806)*³⁵, having heard the reports of General Odd Bull presented by the Secretary-General, and

³⁴ *Ibid.*

³⁵ *Ibid.*

4. *Requests* the Secretary-General to report to the Security Council on the implementation of the present resolution.

Adopted at the 1426th meeting by 13 votes to none, with 2 abstentions (Canada and United States of America).

Decisions

At its 1434th meeting, on 5 August 1968, the Council decided to invite the representatives of Jordan, Israel, the United Arab Republic and Iraq to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East:

"(a) Letter dated 5 June 1968 from the Permanent Representative of Jordan addressed to the President of the Security Council (S/8616);³⁰

"(b) Letter dated 5 June 1968 from the Permanent Representative of Israel addressed to the President of the Security Council (S/8617);³⁰

"(c) Letter dated 5 August 1968 from the Permanent Representative of Jordan addressed to the President of the Security Council (S/8721);³¹

"(d) Letter dated 5 August 1968 from the Permanent Representative of Israel addressed to the President of the Security Council (S/8724)."³¹

At its 1436th meeting, on 7 August 1968, the Council decided to invite the representatives of Syria and Saudi Arabia to participate, without vote, in the discussion of the question.

Resolution 256 (1968) of 16 August 1968

The Security Council,

Having heard the statements of the representatives of Jordan and Israel,

Having noted the contents of the letters of the representatives of Jordan and Israel in documents S/8616,³² S/8617,³² S/8721³³ and S/8724,³³

Recalling its previous resolution 248 (1968) condemning the military action launched by Israel in flagrant violation of the United Nations Charter and the cease-fire resolutions and deploring all violent incidents in violation of the cease-fire,

Considering that all violations of the cease-fire should be prevented,

³⁰ *Ibid.*, *Twenty-third Year, Supplement for April, May and June 1968.*

³¹ *Ibid.*, *Supplement for July, August and September 1968.*

³² *Ibid.*, *Supplement for April, May and June 1968.*

³³ *Ibid.*, *Supplement for July, August and September 1968.*

Observing that both massive air attacks by Israel on Jordanian territory were of a large scale and carefully planned nature in violation of resolution 248 (1968),

Gravely concerned about the deteriorating situation resulting therefrom,

1. *Reaffirms* its resolution 248 (1968) which, *inter alia*, declares that grave violations of the cease-fire cannot be tolerated and that the Council would have to consider further and more effective steps as envisaged in the Charter to ensure against repetition of such acts;

2. *Deplores* the loss of life and heavy damage to property;

3. *Considers* that premeditated and repeated military attacks endanger the maintenance of the peace;

4. *Condemns* the further military attacks launched by Israel in flagrant violation of the United Nations Charter and resolution 248 (1968) and warns that if such attacks were to be repeated the Council would duly take account of the failure to comply with the present resolution.

Adopted unanimously at the 1440th meeting.

Decisions

At its 1446th meeting, on 4 September 1968, the Council decided to invite the representatives of Israel and the United Arab Republic to participate, without vote, in the discussion of the item entitled: "The situation in the Middle East: Letter dated 2 September 1968 from the Acting Permanent Representative of Israel addressed to the President of the Security Council (S/8794)".³⁴

At the 1448th meeting, on 8 September 1968, the President read the following statement which was to be communicated to the Chief of Staff of the United Nations Truce Supervision Organization and the parties:

"The Security Council, having met urgently to consider the item on its agenda contained in document S/Agenda/1448/Rev.1 [*The situation in the Middle East: Letter dated 2 September 1968 from the Acting Permanent Representative of Israel addressed to the President of the Security Council (S/8794)*],³⁵ *Letter dated 8 September 1968 from the Permanent Representative of Israel addressed to the President of the Security Council (S/8805)*,³⁵ *Letter dated 8 September 1968 from the Permanent Representative of the United Arab Republic addressed to the President of the Security Council (S/8806)*³⁵, having heard the reports of General Odd Bull presented by the Secretary-General, and

³⁴ *Ibid.*

³⁵ *Ibid.*

having heard the statements of the representatives of Israel and the United Arab Republic, deeply regrets the loss of life, and requires the parties strictly to observe the cease-fire called for by the Security Council's resolutions."

Resolution 258 (1968)
of 18 September 1968

The Security Council,

Recalling the declaration of the President of the Security Council of 9 September 1968, as made at the 1448th meeting of the Council,

Gravely concerned about the deteriorating situation in the Middle East,

Convinced that all Members of the United Nations should co-operate towards a peaceful settlement in the Middle East,

1. *Insists* that the cease-fire ordered by the Security Council in its resolutions must be rigorously respected;

2. *Reaffirms* its resolution 242 (1967) of 22 November 1967, and urges all the parties to extend their fullest co-operation to the Special Representative of the Secretary-General in the speedy fulfilment of the mandate entrusted to him under that resolution.

Adopted at the 1452nd meeting by 14 votes to none, with 1 abstention (Algeria).

Decisions

At its 1453rd meeting, on 20 September 1968, the Council decided to invite the representatives of Jordan, Israel and the United Arab Republic to participate, without vote, in the discussion of the item entitled: "The situation in the Middle East: Letter dated 17 September 1968 addressed to the President of the Security Council by the representatives of Pakistan and Senegal (S/8819)".³⁶

At its 1454th meeting, on 27 September 1968, the Council decided to invite the representative of Syria to participate, without vote, in the discussion of the question.

Resolution 259 (1968)
of 27 September 1968

The Security Council,

Concerned with the safety, welfare and security of

³⁶ *Ibid.*

the inhabitants of the Arab territories under military occupation by Israel following the hostilities of 5 June 1967,

Recalling its resolution 237 (1967) of 14 June 1967,

Noting the report by the Secretary-General, contained in document S/8699,³⁷ and appreciating his efforts in this connexion,

Deploring the delay in the implementation of resolution 237 (1967) because of the conditions still being set by Israel for receiving a Special Representative of the Secretary-General,

1. *Requests* the Secretary-General urgently to dispatch a Special Representative to the Arab territories under military occupation by Israel following the hostilities of 5 June 1967, and to report on the implementation of resolution 237 (1967);

2. *Requests* the Government of Israel to receive the Special Representative of the Secretary-General, to co-operate with him and to facilitate his work;

3. *Recommends* that the Secretary-General be afforded all co-operation in his efforts to bring about the implementation of the present resolution and resolution 237 (1967).

Adopted at the 1454th meeting by 12 votes to none, with 3 abstentions (Canada, Denmark, United States of America).

Decisions

At its 1456th meeting, on 1 November 1968, the Council decided to invite the representatives of the United Arab Republic, Israel and Saudi Arabia to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East:

"(a) Letter dated 1 November 1968 from the Permanent Representative of the United Arab Republic to the United Nations addressed to the President of the Security Council (S/8878);³⁸

"(b) Letter dated 1 November 1968 from the Permanent Representative of Israel to the United Nations addressed to the President of the Security Council (S/8879)."³⁸

At its 1460th meeting, on 29 December 1968, the Council decided to invite the representatives of Lebanon and Israel to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East:

"(a) Letter dated 29 December 1968 from the Permanent Representative of Lebanon addressed

³⁷ *Ibid.*

³⁸ *Ibid.*, *Supplement for October, November and December 1968.*

having heard the statements of the representatives of Israel and the United Arab Republic, deeply regrets the loss of life, and requires the parties strictly to observe the cease-fire called for by the Security Council's resolutions."

Resolution 258 (1968)
of 18 September 1968

The Security Council,

Recalling the declaration of the President of the Security Council of 9 September 1968, as made at the 1448th meeting of the Council,

Gravely concerned about the deteriorating situation in the Middle East,

Convinced that all Members of the United Nations should co-operate towards a peaceful settlement in the Middle East,

1. *Insists* that the cease-fire ordered by the Security Council in its resolutions must be rigorously respected;

2. *Reaffirms* its resolution 242 (1967) of 22 November 1967, and urges all the parties to extend their fullest co-operation to the Special Representative of the Secretary-General in the speedy fulfilment of the mandate entrusted to him under that resolution.

Adopted at the 1452nd meeting by 14 votes to none, with 1 abstention (Algeria).

Decisions

At its 1453rd meeting, on 20 September 1968, the Council decided to invite the representatives of Jordan, Israel and the United Arab Republic to participate, without vote, in the discussion of the item entitled: "The situation in the Middle East: Letter dated 17 September 1968 addressed to the President of the Security Council by the representatives of Pakistan and Senegal (S/8819)".³⁶

At its 1454th meeting, on 27 September 1968, the Council decided to invite the representative of Syria to participate, without vote, in the discussion of the question.

Resolution 259 (1968)
of 27 September 1968

The Security Council,

Concerned with the safety, welfare and security of

³⁶ *Ibid.*

the inhabitants of the Arab territories under military occupation by Israel following the hostilities of 5 June 1967,

Recalling its resolution 237 (1967) of 14 June 1967,

Noting the report by the Secretary-General, contained in document S/8699,³⁷ and appreciating his efforts in this connexion,

Deploring the delay in the implementation of resolution 237 (1967) because of the conditions still being set by Israel for receiving a Special Representative of the Secretary-General,

1. *Requests* the Secretary-General urgently to dispatch a Special Representative to the Arab territories under military occupation by Israel following the hostilities of 5 June 1967, and to report on the implementation of resolution 237 (1967);

2. *Requests* the Government of Israel to receive the Special Representative of the Secretary-General, to co-operate with him and to facilitate his work;

3. *Recommends* that the Secretary-General be afforded all co-operation in his efforts to bring about the implementation of the present resolution and resolution 237 (1967).

Adopted at the 1454th meeting by 12 votes to none, with 3 abstentions (Canada, Denmark, United States of America).

Decisions

At its 1456th meeting, on 1 November 1968, the Council decided to invite the representatives of the United Arab Republic, Israel and Saudi Arabia to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East:

"(a) Letter dated 1 November 1968 from the Permanent Representative of the United Arab Republic to the United Nations addressed to the President of the Security Council (S/8878);³⁸

"(b) Letter dated 1 November 1968 from the Permanent Representative of Israel to the United Nations addressed to the President of the Security Council (S/8879)."³⁸

At its 1460th meeting, on 29 December 1968, the Council decided to invite the representatives of Lebanon and Israel to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East:

"(a) Letter dated 29 December 1968 from the Permanent Representative of Lebanon addressed

³⁷ *Ibid.*

³⁸ *Ibid.*, Supplement for October, November and December 1968.

THE SITUATION IN THE MIDDLE EAST⁵

Decisions

At its 1466th meeting, on 27 March 1969, the Council decided to invite the representatives of Jordan and Israel to participate, without vote, in the discussion of the item entitled:

“The situation in the Middle East:

“Letter dated 26 March 1969 from the Permanent Representative of Jordan addressed to the President of the Security Council (S/9113).⁶

“The situation in the Middle East:

“Letter dated 27 March 1969 from the Permanent Representative of Israel addressed to the President of the Security Council (S/9114).”⁶

At its 1467th meeting, on 27 March 1969, the Council decided to invite the representative of Saudi Arabia to participate, without vote, in the discussion of the question.

Resolution 265 (1969)

of 1 April 1969

The Security Council,

Having considered the agenda contained in document S/Agenda/1466/Rev.1,

Having heard the statements made before the Council,

Recalling its resolution 236 (1967) of 12 June 1967,

Observing that numerous premeditated violations of the cease-fire have occurred,

Viewing with deep concern that the recent air attacks on Jordanian villages and other populated areas were of a pre-planned nature, in violation of resolutions 248 (1968) of 24 March 1968 and 256 (1968) of 16 August 1968,

Gravely concerned about the deteriorating situation which endangers peace and security in the area,

1. *Reaffirms* resolutions 248 (1968) and 256 (1968);

2. *Deploras* the loss of civilian life and damage to property;

3. *Condemns* the recent premeditated air attacks launched by Israel on Jordanian villages and populated areas in flagrant violation of the United Nations Charter and the cease-fire resolutions, and warns once again that if such attacks were to be repeated the

⁵ Resolutions or decisions on this question were also adopted in 1967 and 1968.

⁶ See *Official Records of the Security Council, Twenty-fourth Year, Supplement for January, February and March 1969.*

Security Council would have to meet to consider farther and more effective steps as envisaged in the Charter to ensure against repetition of such attacks.

Adopted at the 1473rd meeting by 11 votes to none, with 4 abstentions (Colombia, Paraguay, United Kingdom of Great Britain and Northern Ireland, United States of America).

Decisions

At its 1482nd meeting, on 30 June 1969, the Council decided to invite the representatives of Jordan, Israel, the United Arab Republic, Saudi Arabia, Syria and Morocco to participate, without vote, in the discussion of the item entitled “The situation in the Middle East: letter dated 26 June 1969 from the Permanent Representative of Jordan addressed to the President of the Security Council (S/9284).”⁷

At its 1483rd meeting, on 1 July 1969, the Council decided to invite the representatives of Iraq, Indonesia and Lebanon to participate, without vote, in the discussion of the question.

At its 1484th meeting, on 2 July 1969, the Council decided to invite the representative of Malaysia to participate, without vote, in the discussion of the question.

At its 1485th meeting, on 3 July 1969, the Council decided to invite the representatives of Afghanistan, Sudan, Yemen, Tunisia and Kuwait to participate, without vote, in the discussion of the question.

Resolution 267 (1969)

of 3 July 1969

The Security Council,

Recalling its resolution 252 (1968) of 21 May 1968 and the earlier General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) of 4 and 14 July 1967,

⁷ *Ibid.*, Supplement for April, May and June 1969.



UNITED NATIONS
SECURITY
COUNCIL



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REPORT OF THE SECRETARY-GENERAL UNDER SECURITY COUNCIL
RESOLUTION 252 (1968) of 21 MAY 1968

1. This report is submitted in pursuance of Security Council resolution 252 (1968) of 21 May 1968, which requested the Secretary-General to report to the Council on the implementation of the resolution. In this resolution, the Council considered that "all legislative and administrative measures and actions taken by Israel, including expropriation of land and properties thereon, which tend to change the legal status of Jerusalem are invalid and cannot change that status" and urgently called upon Israel "to rescind all such measures already taken and to desist forthwith from taking any further action which tends to change the status of Jerusalem".

2. Since the termination of the mission of his Personal Representative in Jerusalem, Ambassador Ernesto A. Thalmann, in September 1967,^{1/} the Secretary-General has had no means of obtaining first-hand information on which to base the required reporting. Following the adoption of Security Council resolution 252 (1968), the Secretary-General transmitted, by a cable dated 21 May 1968, the text of the resolution to the Foreign Minister of Israel in accordance with established procedure. On 13 February 1969, the Secretary-General addressed to the Permanent Representative of Israel the following note verbale:

"The Secretary-General of the United Nations presents his compliments to the Permanent Representative of Israel to the United Nations and has the honour to refer to Security Council resolution 252 (1968) of 21 May 1968. In this resolution the Security Council considered that 'all legislative and administrative measures and actions taken by Israel, including expropriation of land and properties thereon, which tend to change the legal status of Jerusalem are invalid and cannot change that status', and urgently called upon Israel 'to rescind all such measures already taken and to desist forthwith from taking any further action which tends to change the status

^{1/} See the report of the Secretary-General of 12 September 1967 under General Assembly resolution 2254 (ES-V) (A/6793 and S/3146).

of Jerusalem'. The Council also requested the Secretary-General 'to report to the Security Council on the implementation of the present resolution'.

"The Secretary-General must in the main look to the Government of Israel for the information necessary in the discharge of the reporting responsibilities placed upon him by the Security Council, as indicated above.

"The Secretary-General, therefore, requests the Government of Israel to provide him with such information and will be grateful to have it at an early date.

"The Secretary-General takes this opportunity to express to the Permanent Representative of Israel the assurance of his highest consideration."

3. The Permanent Representative of Israel replied to the Secretary-General by a note verbale dated 25 March 1969, which reads as follows:

"The Permanent Representative of Israel to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to refer to his note of 13 February 1969 concerning Security Council resolution 252 (1968) of 21 May 1968, and on instructions from his Government has the honour to state that the position of the Government of Israel in the matter remains as set forth in the letter addressed to the Secretary-General by the Minister for Foreign Affairs on 10 July 1967 (A/6753) and in the statements made by the representatives of Israel in the General Assembly and the Security Council.

"The Permanent Representative of Israel avails himself of this opportunity to express to the Secretary-General of the United Nations the assurances of his highest consideration."

4. The only other source of information of an official nature pertinent to the implementation of Security Council resolution 252 (1968) which has been available to the Secretary-General is the Israel Official Gazette (Reshumoth). According to this Gazette, which is published originally in Hebrew, the Israel Parliament, on the basis of a bill submitted by the Israel Government,^{1/} adopted on 14 August 1968 the "Legal and Administrative Matters (Regulation) Law",^{2/} which

1/ Hatza'ot Chok (Bills) No. 787 of 14 July 1968, pp. 358-362.

2/ Sefer Ha'Chukkim (Principal Legislation) No. 542 of 23 August 1968.

is relevant to the situation in Jerusalem. In this regard, it may be recalled that according to the note issued by the President of the Security Council on 10 February 1969 (S/9000), the Israel Government decided to postpone until 23 May 1969 the putting into effect of this law. An unofficial translation of this law as well as the relevant bill and explanatory notes is annexed to the present report.

ANNEX I

Unofficial translation of the law published in
Sefer Ha'Chukkim No. 542 of 23 August 1968

LEGAL AND ADMINISTRATIVE MATTERS (REGULATION) LAW, 5728-1968*

- Definition 1. In this Law, "application of law order" means an order under section 11B of the Law and Administration Ordinance, 5708 - 1948.^{1/}
- Holy Places 2. Where any Holy Places are situated in the area of application of an application of law order, the Absentees' Property Law, 5710-1950^{2/} shall not apply to them from the day of the coming into force of the order.
- Non-Absenteeship 3. (a) A person who on the day of the coming into force of an application of law order was in the area of application of the order, and was a resident thereof, shall not, from that day, be regarded as an absentee within the meaning of the Absentees' Property Law, 5710-1950, in respect of property situated in that area.
- (b) For the purpose of this section, it shall be immaterial whether, after the coming into force of the order, that person was, by legal permit, in a place where his presence would make him an absentee but for this provision.
- Plea of Enemy Status 4. Where a person is resident of the area of application of an application of law order, a court or tribunal shall not, in a civil matter, entertain the plea that he is an enemy or enemy subject, unless that plea is made by the Attorney-General or with his written consent.

* Passed by the Knesset on the 20th Av, 5728 (14 August 1968) and published in Sefer Ha'Chukkim No. 542 of the 29th Av, 5728 (23 August, 1968), p. 247; the Bill and Explanatory Notes were published in Hatza'ot Chok, No. 787 of 5728, p. 358.

^{1/} I.R. of 5708, Suppl. I, p. 1 - LSI vol. I, p. 7, Sefer Ha'Chukkim of 5727, p. 74 - LSI vol. XXI, p. 75.

^{2/} Sefer Ha'Chukkim of 5710, p. 86; - LSI vol. IV, p. 68.

Explanation of Hebrew Terms

Sefer Ha'Chukkim - Principal Legislation. Hatza'ot Chok - Bills.

Abbreviations: I.R. (Iton Rishmi) - The Official Gazette during the tenure of the Provisional Council of State. LSI - Laws of the State of Israel (English edition).

Release of
Immovable
Property

5. (a) Immovable property situated in the area of application of an application of law order and which immediately before the day on which such area came to be held by the Defence Army of Israel, was vested in a person whom the authorities of the State, which in de facto occupied the area, had appointed custodian of enemy property or holder of a similar office or title, or in any of the authorities of, or any body controlled by that State, to which authority or body that person had transferred the property, shall, from the day of the coming into force of the order, vest in the Administrator General, who shall deal therewith as hereafter in this section provided.

(b) The Administrator General shall, by certificate under his hand, release the property to the person who was the owner thereof before it was vested in the person referred to in sub-section (a), or to the successor of such owner, upon the application of such owner or successor. So long as the property is not released, the Administrator-General shall deal therewith as he is permitted to deal with immovable property of a missing person under the Administrator General Ordinance, 1944,* and the provisions of that Ordinance shall apply for the purposes of this section.

(c) Where the property was acquired for public purposes under any Law after the coming into force of the application of law order and before being released, the compensation due under that Law in respect of the acquisition shall be paid to the Administrator General, who shall deal therewith, mutatis mutandis, in accordance with sub-section (b).

(d) Where the property includes a public building erected after the property became vested in the person referred to in sub-section (a) and before the coming into force of the application of law order, the property shall become State property, and the compensation therefor shall be calculated according to the value

* P.G. of 1944, Suppl. I, No. 1380, p. 110 (p. 151 English edition).

of the land only, as vacant, on the day of the coming into force of the order or the coming into force of this Law, whichever is later.

Companies -
Continuation
of Operations

6. A company which immediately before the coming into force of an application of law order or immediately before the coming into force of this Law, whichever is later, had a place of business in the area of application of the order, and which was established under the law applying in that area at the time of its establishment, may, notwithstanding anything provided in the Companies' Ordinance^{1/} or the Absentees' Property Law, 5710-1950, continue its operations until the expiration of six months from the day of coming into force of the order or from the day of coming into force of this Law or until the Court decides upon an application filed under section 9 or 10, whichever is latest.

Companies -
Non-absentee-
ship of
Director or
Member

7. A director or member of a company as referred to in section 6, who according to this Law is regarded as a non-absentee in respect of his property, shall be regarded as a non-absentee also in respect of the property of the company, in respect of his rights as a director or member of the company, and in respect of the operations of the company under section 6, 8, 9 or 10.

Companies -
Registration
of Charges

8. Where a company as referred to in section 6 has pledged or charged its property, the provisions of section 127 of the Companies Ordinance shall apply to it in respect of the registration of the pledge or charge.

Company -
Transfer of
Assets and
Liabilities

9. (a) Where, within six months from the day of the coming into force of an application of law order or from the day of the coming into force of this Law, whichever is later, a company as referred to in section 6 arrives at an agreement with a company registered in Israel for that purpose by all or part of the members of the company referred to in section 6, or with another company registered in Israel, for the transfer to it of its assets and liabilities, the company with which the arrangements was made may, within three

^{1/} Laws of Palestine, vol. I, cap. 22, p. 161 (English edition).

months from the date of the arrangement, apply to the District Court of Jerusalem, by way of motion, for an order confirming the arrangement.

(b) Notice of the filing of an application under sub-section (a) and of the time of its hearing shall be published in Reshumoth: the text of the notice shall be as prescribed by the Court.

(c) Sub-sections (3), (4), (6), (7), (8), (10) and (12) of section 119 A of the Companies Ordinance shall apply, mutatis mutandis, to an arrangement under this section.

Conversion of
Company into
Israeli
Company

10. A company as referred to in section 6, whose only place of business is in the area of application of an application of law order and whose directors and members are all residents of that area, may, within six months from the day of the coming into force of the order or from the day of the coming into force of this Law, whichever is later, apply to the District Court of Jerusalem, by way of motion, for an order converting it into an Israeli company, and the Court may make the order on such conditions as it may deem fit, including conditions as to the filing of documents with the Registrar of Companies.

Partnerships

11. The provisions of sections 6 to 10 shall apply mutatis mutandis to partnerships.

Co-operative
Societies -
Continuation
of Operations

12. (a) A co-operative society which immediately before the coming into force of an application of law order or immediately before the day of the coming into force of this Law, whichever is later, had its place of operation in the area of application of the order, and which was established under the Law applying in that area at the time of its establishment, may, notwithstanding anything provided in the Co-operative Societies Ordinance^{1/} or the

Explanation: Reshumoth - The Official Gazette since the inception of the Knesset (Parliament).

^{1/} Laws of Palestine, vol. I, cap. 24, p. 360 (English edition).

Absentees' Property Law, 5710-1950, continue its operations until the expiration of six months from the day of the coming into force of the order or from the day of the coming into force of this Law or until the Court decides upon an application filed under section 13 (b) whichever is latest.

(b) The provisions of sections 7 and 8 shall also apply, mutatis mutandis, to a co-operative society as referred to in sub-section (a).

Co-operative
Societies -
Registration
and Transfer
of Assets and
Liabilities

13. (a) The Minister of Labour may, by general or special order, enact provisions as to the registration of a co-operative society to take the place of a society as referred to in section 12, including the determination of its rules, members and organs. A society registered under an order as aforesaid shall to all intents, be deemed to have been registered under the Co-operative Societies Ordinance, and the provisions of that ordinance and of the regulations made thereunder shall apply to any matter not provided for in the order.

(b) The Registrar of Co-operative Societies shall arrange the transfer of the assets and liabilities of a society as referred to in section 12 to a society registered under sub-section (a) and shall apply to the District Court of Jerusalem, by way of motion, for an order confirming the arrangement. The provisions of sections 9 (b) and (c) shall also apply, mutatis mutandis, for the purposes of this section.

(c) An act as referred to in this section shall also be valid if it was done before the coming into force of this Law.

Conversion of
Society into
Israeli
Society

14. The Minister of Labour may, by general or special order, enact provisions as to the conversion of a society as referred to in section 12 into an Israeli co-operative society if all the members of the society and of the management thereof are residents of the area of application of the application of law order.

Licences to
carry on
Occupation

15. (a) Where, immediately before the coming into force of the application of law order, a resident of the area of application of the order engaged in any vocation, handicraft or other occupation under the law then applying in that area, and such vocation, handicraft or other occupation requires a licence under an Israeli enactment, such resident may continue in such vocation, handicraft or other occupation until the expiration of six months from the day of the coming into force of the order or from the day of the coming into force of this Law or until his application for a licence under the Israeli enactment has been decided upon, whichever is the latest.

(b) A licence may be granted to a resident as referred to in sub-section (a) even if he lacks any of the personal qualifications required by the enactment.

(c) Where according to the enactment the grant of the licence is subject to conditions relating to the place where the occupation is carried on, the Minister charged with the implementation of the enactment may make regulations containing relaxations, for a specific time or otherwise, in respect of the place where the occupation was carried on before the coming into force of the application of law order. So long as regulations as aforesaid have not been made, the authorities competent to grant the licence may grant relaxations as aforesaid.

(d) This section shall not apply to a licence under the Firearms Law, 5709-1949,^{1/} or the Explosives Law, 5714-1954.^{2/}

Advocates

16. (a) A resident of the area of application of an application of law order who immediately before the day on which such area came to be held by the Defence Army of Israel served as a judge of a civil court, or was an advocate in such area, shall become a

1/ Sefer Ha'Chukkim of 5709, p. 143, LSI vol. III, p. 61.

2/ Sefer Ha'Chukkim of 5714, p. 64, LSI. vol. VIII, p. 57.

member of the Chamber of Advocates on the day of the coming into force of the order or the day of the coming into force of this Law, whichever is later.

(b) The Minister of Justice shall publish in Reshumoth the names of the persons to whom sub-section (a) applies.

(c) The Minister of Justice may prescribe by regulations conditions, including relaxations, for admission to membership of the Chamber of Advocates of a resident of Israel who was a resident of the area of application of an application of law order immediately before the coming into force thereof and was qualified to be an advocate, but did not practise the profession of advocacy, or was a clerk in service of such area but had not completed his period of clerkship.

(d) The Minister of Justice may prescribe by regulations conditions, including relaxations, for admission to membership of the Chamber of Advocate of a resident of Israel who, at any time before the coming into force of this Law, served as a judge of a civil court, or was an advocate, in any part of Eretz Israel not designated in an application of law order.

(e) A person who becomes a member of the Chamber of Advocates under this section shall have all the rights and duties of a member of the Chamber under the Chamber of Advocates Law, 5721-1961.^{1/}

17. (a) A person who on the day of the coming into force of an application of law order had in the area of application thereof a registered right of ownership in any patent, design or trade mark, or who before that day applied for registration of such a right, may, within six months from the day of the coming into force of the order or from the day of the coming into force of this Law, whichever is later, apply for the registration of his right under Israeli law; and he shall be deemed to have filed the application

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for registration of the right under Israeli law on the day on which he first filed his application for registration of such right.

(b) The registration of a patent under sub-section (a) shall not derogate from the validity of a patent registered in Israel under an application filed before the coming into force of the Patent Law, 5727-1967.^{1/}

Building
Operations

18. (a) Where the laying of the foundations of a building in the area of application of an application of law order was completed under a building permit granted under the law applying in that area before the coming into force of the order, and within one year from the coming into force of the order or the coming into force of this Law, whichever is the later, and where the holder of the permit gives notice to the District Planning and Building Commission of his wish to continue building operations, he shall be entitled to receive a building permit under Israeli law.

(b) The District Planning and Building Commission may, within three months from the grant of the permit under sub-section (a) and after giving the holder of the permit a reasonable opportunity to state his case, amend or vary the permit, prescribe conditions, including relaxations, or cancel it, all for reasons for which it may do so under the Planning and Building Law, 5725-1965,^{2/} and it may suspend the permit until the expiration of three months from the day on which it was granted or until its decision under sub-section (a), whichever is earlier.

(c) A permit under sub-section (a) shall be exempt from payment of a fee. Where the laying of the foundations of a building as referred to in sub-section (a) was begun, but not completed, before the coming into force of an application of law order, and an application for a building permit under Israeli law is filed, the District Planning Commission may exempt the permit from payment of a fee.

1/ Sefer Ha'Chukkim of 5721, p. 148, LSI vol. XXI, p. 149.

2/ Sefer Ha'Chukkim of 5725, p. 307, LSI vol. XIX, p. 330.

Appointment
of Public
Servants

19. The Prime Minister may by regulations, for a specific time or otherwise, exempt persons who are residents of the area of application of an application of law order from the provisions of any Law making an appointment to the post of a public servant conditional upon the Israeli nationality of the candidate, and he may, for this purpose, enact different provisions in respect of different categories of public servants.

Continuity of
Lawsuits etc.

20. The Minister of Justice may by regulations, either generally or in respect of a specific category of matters, enact provisions as to -

(1) the material and local jurisdiction of courts to hear any criminal or civil matter in connexion with any act, omission or event which occurred in the area of application of an application of law order at any time before the coming into force thereof, including the hearing of cases that were pending before courts which functioned in that area, and appeals against judgements given by such courts, and the rules of procedure in such matters;

(2) the enforcement by the courts of final judgements and of orders and other decisions given or made in a criminal or civil matter, at any time before the coming into force of an application of law order, by courts which functioned in its area of application, and the execution by the Execution Offices and other authorities of judgements, orders and decisions as aforesaid;

(3) the recognition and confirmation of documents issued or confirmed, at any time prior to the coming into effect of an application of law order, by any of the authorities which functioned in its area of application.

Transitional
Provisions

21. (a) Where an application of law order came into force before the coming into force of this Law, section 3 shall apply also to a person who on the day of the coming into force of the application of law order was a resident of its area application but was absent therefrom, provided that he is lawfully present there on the day of the coming into force of this Law.

(b) A legal action performed by a trustee for the absentee's property before this Law came into force and which was invalidated if the law order was in effect on the day it was performed shall be considered null and void.

Implement-
ation and
Regulations

22. (a) The Minister of Justice is charged with the implementation of this Law and may make regulations for such implementation. Regulations as to a matter within the scope of a Law with the implementation of which another Minister is charged shall be made by that Minister with the consent of the Minister of Justice.

(b) Regulations under this Law may enact provisions as to the extension of times, including times under this Law or any other Law, and as to the adjustment of fees and exemption therefrom.

Levi ESHKOL
Prime Minister

Ya'kov S. SHAPIRO
Minister of Justice

Shneur Zalman SHAZAR
President of the State

ANNEX II

Unofficial translation of the bill and explanatory notes published
in Hatza'ot Chok No. 787 of 14 July 1968 (pp. 358-362)

ADMINISTRATIVE MATTERS (REGULATION) LAW, 5728-1968

- Definitions 1. In this Law, "application of law order" means an order under section 11B of the Law and Administration Ordinance, 5708-1948;^{1/} "area of application" of the application of law order means the area established in this order.
- Non-application of Absentees' Property Law, 5710-1950, to the Holy Places 2. The Absentees' Property Law, 5710-1950,^{2/} shall not apply, from the day of the coming into force of the application of law order, to the Holy Places which are situated in the area of application of that order.
- Abolition of Absenteeship regarding certain property 3. A person who on the day of the coming into force of an application of law order was in the area of application of the order and was a resident thereof, shall not be regarded as an absentee within the meaning of the Absentees' Property Law, 5710-1950, in respect of property situated in that area.
- Plea of Enemy Status 4. A court or tribunal shall not, in any civil matter, entertain the plea that a person, who was a resident of the area of application of the application of law order, is an enemy, unless the Attorney-General or his representative made that plea.
- Release of vested immovable property 5. (a) Immovable property situated in the area of application of the application of law order, and which, before such area came under the authority of the Israel Defence Forces, was vested in a person whom the authorities of the State, which held the area de facto, had appointed as custodian of enemy property or as holder of a similar title, or that that person transferred the immovable property to any of the authorities of

^{1/} I.R. of 5708, Suppl. I, p. 1; (LSI, vol. I, p. 7); Sefer Ha'Chukkim of 5727, p. 74 (LSI, vol. XXI, p. 75).

^{2/} Sefer Ha'Chukkim of 5710, p. 86 (LSI, vol. IV, p. 68).

that State, or to any body which was under the control of those authorities - shall, from the day of the coming into force of the order, vest in the Administrator General in order that he should deal therewith as provided hereafter in this section.

(b) The Administrator General shall, by certificate under his hand, release the immovable property referred to in sub-section (a) to the person who was the owner thereof before it was vested in the appointed custodian referred to in sub-section (a) or to the successor of such owner, upon the application of such owner or successor; so long as the property is not released, the Administrator General shall deal therewith as he is permitted to deal with immovable property of a missing person under the Custodian-General Ordinance, 1944,^{3/} and the provisions of that Ordinance shall apply for the purposes of this section.

(c) Where such immovable property includes a public building erected after the property became vested in the appointed custodian referred to in sub-section (a), and the property has been acquired under the provisions of the Land Property Ordinance (acquisition for public purposes), 1943,^{4/} shortly after its release under the provisions of sub-section (b), the compensation which will be paid for such acquisition shall be calculated according to the value of the land only.

Companies -
continuation of
operations

6. A company which immediately before the coming into force of the application of law order had its main place of business in the area of application of the order, and which was established under the law applying in that area, may, notwithstanding anything provided in the Companies' Ordinance^{5/} or in the Absentees' Property Law, 5710-1950, continue its operations until the expiration of three months from the day of the coming into force of the order, or from

^{3/} P.G. of 1944, Suppl. 1, No. 1380, p. 110 (p. 151 English edition).

^{4/} P.G. of 1943, Suppl. 1, No. 1305, p. 32.

^{5/} Laws of Palestine, vol. I, cap. 22, p. 161 (English edition).

the day of the coming into force of this Law, or until the Court shall decide upon an application filed under section 9, whichever is latest.

Companies -
release from
laws on
absenteeism

7. A director or member of a company as referred to in section 6, who on the day of the coming into force of the application of law order was in the area of application of the order and was a resident of that area, shall not be regarded as an absentee in respect of the property of the company which is situated in that area, or in respect of his rights as a member of the company, or in respect of the operations of the company under section 6 or section 9.

Companies -
registration
of charges

8. Where a company as referred to in section 6 pledges or charges its property, the provisions of section 127 of the Companies' Ordinance shall apply to it in respect of the registration of the pledge or charge.

Companies -
transfer of
assets and
liabilities to
an Israeli
company

9. (a) Where, within three months from the day of the coming into force of the application of law order or from the day of the coming into force of this law, whichever is later, a company as referred to in section 6 arrives at an agreement with a company registered in Israel for the transfer to it of its assets and liabilities located in Israel, the company registered in Israel may, within three months from the date of the signature of the documents of the arrangement, apply to the District Court in Jerusalem, by way of motion, for an order confirming the arrangement.

(b) Notice of the filing of an application under sub-section (a) and of the time of its hearing shall be published in Reshumoth: the text of the notice shall be as prescribed by the Court.

(c) Sub-sections (3), (4), (6), (7), (8), (10) and (12) of section 119A of the Companies' Ordinance shall apply, mutatis mutandis, to an arrangement under this section.

Partnerships

10. The provisions of sections 6 to 9 shall apply mutatis mutandis to partnerships.

Co-operative societies - continuation of operations

11. (a) A co-operative society which immediately before the coming into force of the application of law order had its main place of business in the area of application of the order and which was established under the law that was applying in that area, may, notwithstanding anything provided in the Cooperative Societies Ordinance^{6/} or in the Absentees' Property Law, 5710-1950, continue its operations until the expiration of six months from the day of the coming into force of the order, or from the day of the coming into force of this Law, or until it has been registered under the provisions of section 12 (a), whichever is latest.

(b) The provisions of sections 7 and 8 shall also apply, mutatis mutandis, to a co-operative society.

Co-operative societies - transfer of assets and liabilities to an Israeli society

12. (a) The Minister of Labour may, by general or special order, enact provisions as to the registration of a co-operative society as referred to in section 11, including the determination of its rules, members and organs; a society registered under an order as aforesaid shall, to all intents, be deemed to have been registered under the Cooperative Societies Ordinance, and the provisions of that Ordinance and of the regulations made thereunder shall apply to any matter not provided for in the order.

(b) The Registrar of Cooperative Societies may arrange the transfer of the assets and liabilities of a society as referred to in section 11 to a society which has been registered under sub-section (a), and apply to the District Court in Jerusalem, by way of motion, for an order confirming the arrangement; the provisions of section 9 (b) and (c) shall also apply, mutatis mutandis, for the purposes of this section.

^{6/} Laws of Palestine, vol. I, cap. 24, p. 336 (p. 360 of English edition).

(c) The day of the coming into force of this section is the sixth day of the month of 'Heshvan 5728 (9 November 1967).

Licences to
carry on
occupations

13. (a) Where, immediately before the coming into force of the application of law order, a resident of the area of application of the order engaged in any profession, handicraft or other occupation under the law then applying in that area, and such occupation requires a licence under an Israeli enactment, such resident may continue in his occupation until he receives a licence under the Israeli enactment, but not later than until the expiration of six months from the day of the coming into force of the order or from the day of the coming into force of this law, whichever is the latest.

(b) A licence may be granted to a resident as referred to in sub section (a) even if he lacks any of the personal qualifications established in the enactment.

(c) Where according to the Israeli enactment the granting of such licence was subject to conditions relating to the place where the occupation is carried on, the Minister charged with the implementation of that enactment may, in respect of persons to whom sub-section (a) applies, make regulations containing relaxations, for a specific time or permanently, in respect of the place where they carried on their occupation before the coming into force of the application of law order, and he may establish in those regulations conditions for the granting of the licence; so long as regulations as aforesaid have not been made, the authority competent to grant the licence may establish relaxations and conditions as aforesaid as part of the terms of the licence.

(d) This section shall not apply to a licence under the Firearms Law, 5709-1949^{7/} or under the Explosives Law, 5714-1954.^{8/}

^{7/} Sefer Ha'Chukkim of 5709, p. 143 (LSI, vol. III, p. 61).

^{8/} Sefer Ha'Chukkim of 5714, p. 64 (LSI, vol. VIII, p. 57).

Advocates

14. (a) A resident of the area of application of the application of law order, who immediately before the coming into force of the order served in that area as a judge in a civil court, or was an advocate in that area, shall become a member of the Chamber of Advocates from the day of the coming into force of the order or from the day of the coming into force of this law, whichever is later.

(b) The Minister of Justice shall publish in Reshumoth the names of the persons to whom sub-section (a) applies.

(c) The Minister of Justice may prescribe by regulations conditions, including relaxations, for admission to membership of the Chamber of Advocates of a resident of Israel who was a resident of the area of application of the application of law order immediately before its coming into force and was qualified to be an advocate, but did not practise the profession of advocate, or was training in the profession of advocate in the aforesaid area, but had not yet completed his period of training.

Registration of
rights in
patents and
designs

15. A person who, on the day of the coming into force of the application of law order, had in the area of application thereof a registered right of ownership in any patent, design or trademark, or who before that day applied for registration of rights as aforesaid in his name, may, within three months from the day of the coming into force of the order or from the day of the coming into force of this law, whichever is later, apply for the registration of his rights under the laws of Israel, and he shall be deemed to have filed the application for registration of the rights under the laws of Israel on the day on which he first filed his application for registration of those rights.

Continuation
of building
activities

16. (a) Where the laying of the foundations of a building was completed under a building permit issued under the law which was applying in the area of application of the application of law order before its coming into force, the holder of the permit is entitled -

if he gave notice, within one year from the day of the coming into force of the order or from the day of the coming into force of this law, whichever is the later, of his intention to continue the building operations - to receive a building permit under the Israeli law; a permit under this section shall be exempt from payment of a fee.

(b) The District Planning and Building Commission may, within three months from the day of the granting of a permit under sub-section (a) and after giving the holder of the permit a reasonable opportunity to state his case, cancel the permit, for the same reasons for which it is possible to refuse the granting of a building permit in that place and it may suspend the permit until its decision regarding the revocation of the permit.

Continuity of lawsuits, etc.

17. The Minister of Justice may by regulations, either generally or in respect of a specific category of matters, enact provisions as to -

(1) the courts which shall hear the cases that were pending immediately before the coming into force of the application of law order before a court in the area of application of the order and the procedure in those cases;

(2) the enforcement and the execution by the courts and the execution offices of final judgements and of orders and other decisions given or made before the coming into force of the application of law order by a court in the limits of jurisdiction of which the area of application of the order was;

(3) the recognition and confirmation of documents which were issued or confirmed before the coming into force of the application of law order by an authority in the area of application of that order.

Implementation and regulations

18. Any Minister entrusted with the implementation of a law, to which any of the provisions of this law relates, may make regulations for implementation of such provision, and may enact in those regulations complementary provisions, including extension of time-limits, adjustments of fees and exemption therefrom.

Explanatory Notes

The Law amending the Administrative Matters Ordinance (No. 11), 5727-1967, established the framework for the application of the State's law, judiciary and administration to areas of Erets-Israel. The proposed law is to arrange for an orderly transition to the Israeli legal régime in certain matters.

Property

It is proposed that the Absentees' Property Law, 5710-1950, should not apply to the Holy Places situated within the area in which the law, judiciary and administration of the State applies (section 2). It is also proposed that a resident of such area who was in that area on the day of application of the Law should not be regarded as an absentee in respect of property situated in that area (section 3).

Immovable property vested in an "officer in charge of enemy property", who was appointed by the authorities of the State which held de facto the area before the application of the Law, shall be transferred to the Administrator General, and the latter shall release the property to its owners (section 5).

Companies

The companies which were established and were operating in the area before the application to it of the State's law shall be able to continue temporarily their operations until the transfer of their assets and their liabilities to companies which have been established under the laws of Israel, under the supervision of the District Court of Jerusalem (sections 6 to 12).

Business licences and licences to carry on occupations

It is proposed to authorize a resident of the area to which the law of the State has been applied to continue to carry on a vocation, handicraft or other occupation in which he engaged under licence previously. The resident shall have to receive an Israeli licence, and for this purpose any Minister in charge of the enactment of regulations regarding such occupation shall be authorized to make regulations establishing the conditions for the granting of the licence and the relaxations which shall be granted to residents as aforesaid (section 13).

A person who was a judge or an advocate in the area to which the law of the State has been applied will be able to be admitted to membership of the Chamber of Advocates (section 14).

Other provisions

Persons who had in the area to which the law of the State has been applied rights in patents, designs or trade-marks shall be able to protect their rights by registering them under the laws of Israel (section 15).

Where the construction of a building has not been completed before the application of the law of the State to the place where it was erected, and the construction was made under the previous law, the holder of the permit shall be able to continue the construction work and to receive for this purpose an Israeli building permit, subject only to his announcing, within one year, of his intention to continue the construction work.

The District Planning and Building Commission may revoke a building permit as aforesaid for the reasons for which it may turn down a request for a building permit in that place (section 16).

The continuation of the proceedings in cases which, on the day of the application of the law of the State, were pending before courts situated in the area to which the law of the State has been applied, shall be subject to regulations made by the Minister of Justice. In such regulations, the Minister may also make provisions for the enforcement of judgements and the recognition of documents issued by the previous authorities (section 17).

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30 June 1969

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REPORT OF THE SECRETARY-GENERAL UNDER SECURITY COUNCIL
RESOLUTION 252 (1968), OF 21 MAY 1968

Addendum

1. The present document is an addendum to the report submitted by the Secretary-General on 11 April 1969 in pursuance of Security Council resolution 252 (1968) of 21 May 1968, which requested the Secretary-General to report to the Council on the implementation of the resolution.
2. In his report of 11 April 1969 the Secretary-General indicated that, in the absence of the receipt of information from the Government of Israel, the only other source of information of an official nature pertinent to the implementation of Security Council resolution 252 (1968) which was available to the Secretary-General was the Israel Official Gazette (Reshumoth). The Secretary-General appended to his report an unofficial translation of a bill adopted by the Israel Parliament on 14 August 1968, entitled the "Legal and Administrative Matters (Regulation) Law" which was relevant to the situation in Jerusalem.
3. This addendum brings to the attention of the Security Council in an annex certain emergency regulations - "Regulation of Legal and Administrative Matters - Further Provisions" - which are in the form of additional provisions to the "Legal and Administrative Matters (Regulation) Law", the text of which is contained in document S/9149. These Emergency Regulations have been promulgated by the Minister of Justice pursuant to powers vested in him by paragraph 9 of the Law and Administrative Ordinance of 1948 (No. 1 of 5708).
- 4. Also set forth in this addendum are two sets of Regulations - "Regulation of Legal and Administrative Matters (Extension of Times for Continuance of

Operation of Companies)" and "Regulations concerning Continuance of Pursuit of Occupation", the effect of which would appear to be to postpone for a period of six months from the date of their promulgation (27 April 1969), certain of the provisions of the "Legal and Administrative Matters (Regulation) Law".

5. The unofficial translations of the above-mentioned texts are as follows:

A

LAW AND ADMINISTRATION ORDINANCE, 5708-1948

EMERGENCY REGULATIONS CONCERNING SUPPLEMENTARY PROVISIONS TO
THE LEGAL AND ADMINISTRATIVE MATTERS (REGULATION) LAW

By virtue of the authority vested in me pursuant to Para. 9 (a) of the Law and Administration Ordinance, 5708-1948,^{1/} I hereby institute the following Emergency Regulations:

Addendum Para. 9 (a)

1. In the "Legal and Administrative Matters (Regulation) Law, 5728-1968"^{2/} (hereinafter referred to as the "Basic Law"), there is to be inserted, after Para. 9:

"Registration of Companies and Transfer of Assets and Liabilities

9 a. (a) In the case of a Company which on the eve of the entry into force of an application of law order or of the coming into force of this Law, whichever is later, had a registered office or a place of business in the area within the jurisdiction of the Order, and which was established in accordance with the law prevailing in that area at the time of its establishment, and which did not act in accordance with Para. 9 or 10 by the date on which the Emergency Regulations (Supplementary Provisions) to the Legal and Administrative Matters (Regulation) Law, 5729-1969, entered into force, the Minister of Justice may instruct by an order its registration in Israel in accordance with the Companies Ordinance, from the date the Minister shall determine in the order, and he may give in the order any instruction in the matter; did the Minister of Justice give an order as above, the Registrar of Companies shall register the said company in accordance with the Companies Ordinance.

^{1/} Official Gazette 5708 (1948), Addendum A, No. 2, page 1.

^{2/} Sefer Ha'Chukkim No. 542, 5728 (1968), page 247.

(b) The order according to sub-section (a) shall be published in the Official Gazette.

(c) The Registrar of Companies has the right to demand from the company that is subject to sub-section (a) and from anyone serving as a member of the board of directors, or as a business manager, on the eve of the issuing of such an order in accordance with sub-section (a), that they submit to him certified copies of its Memorandum and Articles of Association; and any additional particulars regarding the company, required for its registration.

(d) The Registrar of Companies shall make the arrangements for the transfer of the assets and liabilities of the company, subject to the provisions of sub-section (a), and he shall apply to the District Court of Jerusalem, by way of motion, for an order confirming the arrangement; the provisions of Para. 9 (b) and 9 (c) shall apply, mutatis mutandis, to the arrangement under this sub-section.

(e) Para. 8 shall apply, mutatis mutandis, to the company under this Paragraph, if no prior mortgage or lien had been registered under sub-section (d).

(f) A company subject to sub-section (a) which has not submitted as yet to the Registrar of Companies certified copies of its Memorandum and Articles of Association as aforesaid under sub-section (c) shall be subject to the following provisions:

(1) If the company conducts business within the area of jurisdiction of the law, such business shall be deemed to exist only within the limits defined in the Memorandum;

(2) As long as it did not submit its Articles of Association to the Registrar of Companies, the Articles of Association included in the Third Addition to the Companies Ordinance shall be considered as the company's Articles of Association and it shall act in accordance with same.

(3) Notwithstanding the provisions of clauses (1) and (2), the Minister may define in an order the objective company as hereinabove and this definition shall be in force as long as the company fails to submit its Memorandum and Articles of Association as required under sub-section (c).

(4) The Minister of Justice or who shall be so empowered by the Minister may issue a certificate in writing as to the scope and authority of the company and any other matter arising out of its registration and from the transfer of its assets and liabilities."

Addendum to Para. 11 (a) 2. After Para. 11 of the Basic Law there is to be inserted:

"Registration of Partnerships

11 a. Provisions of Para. 9 (a) shall also apply to partnerships."

Addendum to Para. 15 (a) 3. After Para. 15 of the Basic Law there is to be inserted:

"Licences Additional Provisions

15 a. (a) Where, before the coming into force of the application of law order, a resident of the area of application of said order engaged in any vocation, handicraft or other occupation under the law then applying in that area, and such activity requires a licence under an Israeli enactment, the Minister charged with the implementation of the aforesaid Israeli enactment may issue an order that such resident shall be considered as a holder of the licence from the date of the coming into force of the law order. The Minister shall determine in the order.

(b) Any person considered as a holder of a licence in accordance with this paragraph shall be considered in any matter as a person who received a licence under the legislation governing the said vocation, handicraft or other occupation.

(c) The order as aforesaid in sub-section (a) shall be published in the Official Gazette

(d) The Minister charged with the implementation of the enactment or any person so empowered by the Minister may require the resident to whom sub-section (a) applies to give particulars as to his person and qualifications."

Amendment of Para. 16

4. In Para. 16 of the Basic Law -

(1) In sub-section (a), replace the words "who served as a judge of a civil court, or was an advocate in such area" by "who, in such area or in any part of Eretz Israel not designated in the aforesaid order, served as a judge of a civil court or was an advocate";

(2) After sub-section (e), insert:

"(f) In the case of a member of the Chamber of Advocates in accordance with this paragraph, the period of his previous activities as a judge or advocate, as stated in sub-sections (a) or (d), shall, for all lawful purposes, also be considered as a period during which he served as a judge or advocate, as the case may be, in Israel; this provision does not detract from the authority mentioned in sub-sections (c) or (d)."

Addendum to Para. 19 (a)

5. After Para. 19 of the Basic Law, insert:

"Validity of
Registration

19 (a). Registration made under this Law may not be challenged as to its validity."

Addendum to Para. 20 (a)

6. After Para. 20 of the Basic law, insert:

"Implementation date
of the Law of State
Property

20 (a). From the effective date of the order for the implementation of the law, Para. 2 of the State Property Law, 5711-1951 3/ shall apply, mutatis mutandis, to any property of the State Authorities, as stated in Para. 5 (a)."

Title

7. These Regulations shall be called "Emergency Regulations (Legal and Administrative Matters (Regulation) Law - Supplementary Provisions), 5729-1969."

9th day of the month of Iyar 5729 (27 April 1969)

Yaakov S. Shapira
Minister of Justice

B

LEGAL AND ADMINISTRATIVE MATTERS (REGULATION)
LAW, 5728-1968

REGULATIONS REGARDING CONTINUING ACTIVITIES OF COMPANIES

By virtue of the authority vested in me under Para. 22 of the Legal and Administrative Matters (Regulation) Law, 5728-1968^{1/} (hereinafter referred to as the Law), I hereby institute the following Regulations:

Extension of Dates

1. The period of six months mentioned in each one of the paragraphs 6, 9 (1), and 10 of the Law as extended by the Regulations of the Legal and Administrative Matters (Regulation) Law (Extension of Deadlines to Permit Companies to Continue their Activities), 5729-1969, ^{2/} is hereby extended for an additional six months.

Title

2. These regulations shall be called "Regulations of the Legal and Administrative Matters (Regulation) Law (Extension of Deadlines to Permit Companies to Continue their Activities), 5729-1969".

9th day of the month of Iyar, 5729 (27 April 1969)

Yaakov S. Shapira
Minister of Justice

^{1/} Sefer Ha'Chukkim, No. 542, 5728 (1968), p. 247.

^{2/} Collection of Regulations No. 2354, 5729 (1969), p. 1137.

C

LEGAL AND ADMINISTRATIVE MATTERS (REGULATION)
LAW, 5728-1968

REGULATIONS REGARDING CONTINUATION OF BUSINESS

By virtue of the authority vested in me under Para. 22 of the Legal and Administrative Matters (Regulation) Law, 5728-1968^{1/} (hereinafter referred to as the Law, and under other authority given to me under any law, I hereby institute the following Regulations:

Extension of Dates

1. The period of six months mentioned in Para. 15 (a) of the Law as extended by the Regulations of the Legal and Administrative Matters (Regulation) Law (Continuation of Business), 5729-1969, ^{2/} is hereby extended for an additional six months with respect to any occupation that is licensed in accordance with the Law that I am charged to implement.

Title

2. These regulations shall be called: "Regulations of the Legal and Administrative Matters (Regulation) Law (Continuation of Business) (No. 13), 5729-1969".

9th of Iyar, 5729 (27 April 1969)

Yaakov S. Shapira
Minister of Justice

^{1/} Sefer Ha'Chukkim, No. 542, 5728 (1968), p. 247.

^{2/} Collection of Regulations, 5769 (1969), p. 916.

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REPORT OF THE SECRETARY-GENERAL UNDER SECURITY COUNCIL
RESOLUTION 252 (1968) OF 21 MAY 1968

Corrigendum to document S/9149/Add.1

1. In paragraph 3, lines 2 and 3, the title of the Regulations should read:
"Emergency Regulations concerning Supplementary Provisions to the Legal and Administrative Matters (Regulation) Law".
2. In paragraph 4, titles of the two sets of Regulations should read:
"Regulations regarding continuing activities of Companies" and "Regulations regarding continuation of business".
3. In paragraph 5, insert the following phrase after the words "above-mentioned text": "which have been published in the Israel Official Gazette. (Collection of Regulations No. 2380 of 27 April 1969, pp. 1362-1363)".

THE SITUATION IN THE MIDDLE EAST⁵

Decisions

At its 1466th meeting, on 27 March 1969, the Council decided to invite the representatives of Jordan and Israel to participate, without vote, in the discussion of the item entitled:

“The situation in the Middle East:

“Letter dated 26 March 1969 from the Permanent Representative of Jordan addressed to the President of the Security Council (S/9113).⁶

“The situation in the Middle East:

“Letter dated 27 March 1969 from the Permanent Representative of Israel addressed to the President of the Security Council (S/9114).”⁶

At its 1467th meeting, on 27 March 1969, the Council decided to invite the representative of Saudi Arabia to participate, without vote, in the discussion of the question.

Resolution 265 (1969)

of 1 April 1969

The Security Council,

Having considered the agenda contained in document S/Agenda/1466/Rev.1,

Having heard the statements made before the Council,

Recalling its resolution 236 (1967) of 12 June 1967,

Observing that numerous premeditated violations of the cease-fire have occurred,

Viewing with deep concern that the recent air attacks on Jordanian villages and other populated areas were of a pre-planned nature, in violation of resolutions 248 (1968) of 24 March 1968 and 256 (1968) of 16 August 1968,

Gravely concerned about the deteriorating situation which endangers peace and security in the area,

1. *Reaffirms* resolutions 248 (1968) and 256 (1968);

2. *Deploras* the loss of civilian life and damage to property;

3. *Condemns* the recent premeditated air attacks launched by Israel on Jordanian villages and populated areas in flagrant violation of the United Nations Charter and the cease-fire resolutions, and warns once again that if such attacks were to be repeated the

⁵ Resolutions or decisions on this question were also adopted in 1967 and 1968.

⁶ See *Official Records of the Security Council, Twenty-fourth Year, Supplement for January, February and March 1969.*

Security Council would have to meet to consider further and more effective steps as envisaged in the Charter to ensure against repetition of such attacks.

Adopted at the 1473rd meeting by 11 votes to none, with 4 abstentions (Colombia, Paraguay, United Kingdom of Great Britain and Northern Ireland, United States of America).

Decisions

At its 1482nd meeting, on 30 June 1969, the Council decided to invite the representatives of Jordan, Israel, the United Arab Republic, Saudi Arabia, Syria and Morocco to participate, without vote, in the discussion of the item entitled “The situation in the Middle East: letter dated 26 June 1969 from the Permanent Representative of Jordan addressed to the President of the Security Council (S/9284).”⁷

At its 1483rd meeting, on 1 July 1969, the Council decided to invite the representatives of Iraq, Indonesia and Lebanon to participate, without vote, in the discussion of the question.

At its 1484th meeting, on 2 July 1969, the Council decided to invite the representative of Malaysia to participate, without vote, in the discussion of the question.

At its 1485th meeting, on 3 July 1969, the Council decided to invite the representatives of Afghanistan, Sudan, Yemen, Tunisia and Kuwait to participate, without vote, in the discussion of the question.

Resolution 267 (1969)

of 3 July 1969

The Security Council,

Recalling its resolution 252 (1968) of 21 May 1968 and the earlier General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) of 4 and 14 July 1967,

⁷ *Ibid.*, Supplement for April, May and June 1969.

respectively, concerning measures and actions by Israel affecting the status of the City of Jerusalem,

Having heard the statements of the parties concerned on the question,

Noting that since the adoption of the above-mentioned resolutions Israel has taken further measures tending to change the status of the City of Jerusalem,

Reaffirming the established principle that acquisition of territory by military conquest is inadmissible,

1. *Reaffirms* its resolution 252 (1968);
2. *Deplores* the failure of Israel to show any regard for the resolutions of the General Assembly and the Security Council mentioned above;
3. *Censures* in the strongest terms all measures taken to change the status of the City of Jerusalem;
4. *Confirms* that all legislative and administrative measures and actions taken by Israel which purport to alter the status of Jerusalem, including expropriation of land and properties thereon, are invalid and cannot change that status;
5. *Urgently calls* once more upon Israel to rescind forthwith all measures taken by it which may tend to change the status of the City of Jerusalem, and in future to refrain from all actions likely to have such an effect;
6. *Requests* Israel to inform the Security Council without any further delay of its intentions with regard to the implementation of the provisions of the present resolution;
7. *Determines* that, in the event of a negative response or no response from Israel, the Security Council shall reconvene without delay to consider what further action should be taken in this matter;
8. *Requests* the Secretary-General to report to the Security Council on the implementation of the present resolution.

Adopted unanimously at the 1485th meeting.

Decision

At its 1498th meeting, on 13 August 1969, the Council decided to invite the representatives of Lebanon and Israel to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East:

"Letter dated 12 August 1969 from the *Chargé d'Affaires ad interim* of Lebanon addressed to the President of the Security Council (S/9385)."⁸

"The situation in the Middle East:

"Letter dated 12 August 1969 from the Permanent Representative of Israel addressed to the President of the Security Council (S/9387)."⁸

⁸ *Ibid.*, Supplement for July, August and September 1969.

Resolution 270 (1969) of 26 August 1969

The Security Council,

Having considered the agenda contained in document S/Agenda/1498/Rev.1,

Having noted the contents of the letter of the *Chargé d'affaires ad interim* of Lebanon (S/9383),⁹

Having heard the statements of the representatives of Lebanon and Israel,

Grieved at the tragic loss of civilian life and property,

Gravely concerned about the deteriorating situation resulting from the violation of Security Council resolutions,

Recalling the General Armistice Agreement between Israel and Lebanon of 23 March 1949,¹⁰ and the cease-fire established pursuant to resolutions 233 (1967) and 234 (1967) of 6 and 7 June 1967, respectively,

Recalling its resolution 262 (1968) of 31 December 1968,

Mindful of its responsibility under the relevant provisions of the Charter of the United Nations,

1. *Condemns* the premeditated air attack by Israel on villages in southern Lebanon in violation of its obligations under the Charter and Security Council resolutions;
2. *Deplores* all violent incidents in violation of the cease-fire;
3. *Deplores* the extension of the area of fighting;
4. *Declares* that such actions of military reprisal and other grave violations of the cease-fire cannot be tolerated and that the Security Council would have to consider further and more effective steps as envisaged in the Charter to ensure against repetition of such acts.

*Adopted at the 1504th meeting.*¹¹

Decisions

At its 1507th meeting, on 9 September 1969, the Council decided to invite the representatives of Israel, the United Arab Republic and Indonesia to participate, without vote, in the discussion of the item entitled "The situation in the Middle East: letter dated 28 August 1969 addressed to the President of the Security Council by the representatives of Afghanistan, Algeria, Guinea, Indonesia, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Malaysia, Mali, Mauritania, Morocco, the Niger, Pakistan, Saudi Arabia, Somalia, Southern Yemen, the Sudan, Syria, Tunisia, Turkey, the United Arab Republic and Yemen (S/9421 and Add.1 and 2)."¹²

⁹ *Ibid.*

¹⁰ *Ibid.*, Fourth Year, Special Supplement No. 4.

¹¹ *Adopted without vote.*

¹² See *Official Records of the Security Council, Twenty-fourth Year, Supplement for July, August and September 1969.*

At its 1508th meeting, on 10 September 1969, the Council decided to invite the representatives of India and Somalia to participate, without vote, in the discussion of the question.

At its 1509th meeting, on 11 September 1969, the Council decided to invite the representatives of Jordan and Saudi Arabia to participate, without vote, in the discussion of the question.

At its 1510th meeting, on 12 September 1969, the Council decided to invite the representatives of Ceylon and Malaysia to participate, without vote, in the discussion of the question.

At its 1511th meeting, on 15 September 1969, the Council decided to invite the representatives of Lebanon and Tunisia to participate, without vote, in the discussion of the question.

Resolution 271 (1969)
of 15 September 1969

The Security Council,

Grieved at the extensive damage caused by arson to the Holy Al Aqsa Mosque in Jerusalem on 21 August 1969 under the military occupation of Israel,

Mindful of the consequent loss to human culture,

Having heard the statements made before the Council reflecting the universal outrage caused by the act of sacrilege in one of the most venerated shrines of mankind,

Recalling its resolutions 252 (1968) of 21 May 1968 and 267 (1969) of 3 July 1969 and the earlier General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) of 4 and 14 July 1967, respectively, concerning measures and actions by Israel affecting the status of the City of Jerusalem,

Reaffirming the established principle that acquisition of territory by military conquest is inadmissible,

1. *Reaffirms* its resolutions 252 (1968) and 267 (1969);

2. *Recognizes* that any act of destruction or profanation of the Holy Places, religious buildings and sites in Jerusalem or any encouragement of, or connivance at, any such act may seriously endanger international peace and security;

3. *Determines* that the execrable act of desecration and profanation of the Holy Al Aqsa Mosque emphasizes the immediate necessity of Israel's desisting from acting in violation of the aforesaid resolutions and rescinding forthwith all measures and actions taken by it designed to alter the status of Jerusalem;

4. *Calls upon* Israel scrupulously to observe the provisions of the Geneva Conventions¹³ and international law governing military occupation and to refrain from causing any hindrance to the discharge of the established functions of the Supreme Moslem Council of Jerusalem, including any co-operation that Council may desire from countries with predominantly Moslem population and from Moslem communities in relation to its plans for the maintenance and repair of the Islamic Holy Places in Jerusalem;

5. *Condemns* the failure of Israel to comply with the aforementioned resolutions and calls upon it to implement forthwith the provisions of these resolutions;

6. *Reiterates* the determination in paragraph 7 of resolution 267 (1969) that, in the event of a negative response or no response, the Security Council shall convene without delay to consider what further action should be taken in this matter;

7. *Requests* the Secretary-General to follow closely the implementation of the present resolution and to report thereon to the Security Council at the earliest possible date.

Adopted at the 1512th meeting by 11 votes to none, with 4 abstentions (Colombia, Finland, Paraguay, United States of America).

¹³ Geneva Conventions of 12 August 1949 (United Nations, *Treaty Series*, vol. 75 (1950), Nos. 970-973).

THE CYPRUS QUESTION¹⁴

Decision

At its 1474th meeting, on 10 June 1969, the Council decided to invite the representatives of Cyprus, Turkey and Greece to participate, without vote, in the discussion of the item entitled "Letter dated 26 December

¹⁴ Resolutions or decisions on this question were also adopted in 1963, 1964, 1965, 1966, 1967 and 1968.

1963 from the Permanent Representative of Cyprus addressed to the President of the Security Council (S/5488):¹⁵ report of the Secretary-General on the United Nations Operation in Cyprus (S/9233)".¹⁶

¹⁵ See *Official Records of the Security Council, Eighteenth Year, Supplement for October, November and December 1963*.

¹⁶ *Ibid.*, *Twenty-fourth Year, Supplement for April, May and June 1969*.



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5 December 1969

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REPORT OF THE SECRETARY-GENERAL UNDER SECURITY COUNCIL
RESOLUTION 267 (1969) OF 3 JULY 1969

1. The Security Council, in its resolution 267 (1969) of 3 July 1969, requested the Secretary-General "to report to the Security Council on the implementation of this resolution". In the same resolution, the Security Council, among other things, censured "in the strongest terms all measures taken to change the status of the City of Jerusalem", confirmed that "all legislative and administrative measures and actions by Israel which purport to alter the status of Jerusalem including expropriation of land and properties thereon are invalid and cannot change that status", urgently called once more upon Israel "to rescind forthwith all measures taken by it which may tend to change the status of the City of Jerusalem, and in future to refrain from all actions likely to have such an effect", and requested Israel "to inform the Security Council without any further delay of its intentions with regard to the implementation of the provisions of this resolution".

2. In order to obtain the information necessary for the discharge of his reporting responsibilities under Security Council resolution 267 (1969), the Secretary-General addressed the following note to the Permanent Representative of Israel on 27 August 1969:

"The Secretary-General of the United Nations presents his compliments to the Permanent Representative of Israel to the United Nations and has the honour to refer to Security Council resolution S/RES/267 (1969) of 3 July 1969, concerning the status of the City of Jerusalem. Under the terms of that resolution the Council requested Israel 'to inform the Security Council without any further delay of its intentions with regard to the implementation of the provisions of this resolution' and requested the Secretary-General 'to report to the Security Council on the implementation of this resolution'.

"The Permanent Representative of Israel will recall that on 4 August, in conversation with him, the Secretary-General referred to this question and inquired as to when the response of the Government of Israel to the Security Council resolution might be expected. The Secretary-General would be grateful if the Permanent Representative of Israel would be so kind as to convey to his Government the Secretary-General's hope that its response on this most important matter may be soon forthcoming."

3. Receipt of this note was acknowledged by the Permanent Representative of Israel in the following message dated 2 September 1969:

"The Permanent Representative of Israel to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to acknowledge receipt of the Secretary-General's communication dated 27 August 1969 concerning Security Council resolution S/RES/267 (1969), and to inform him that the communication has been transmitted to Jerusalem for consideration by the Israel Government.

"The Permanent Representative of Israel avails himself of this opportunity to renew to the Secretary-General the assurances of his highest consideration."

4. On 15 October 1969, the Secretary-General addressed to the Permanent Representative of Israel a second note, the text of which is as follows:

"The Secretary-General of the United Nations presents his compliments to the Permanent Representative of Israel to the United Nations and has the honour to refer to Security Council resolution 267 (1969) of 3 July 1969 concerning the question of Jerusalem.

"In its resolution 267 (1969), the Security Council requested Israel 'to inform the Security Council without any further delay of its intentions with regard to the implementation of the provisions of this resolution' and requested the Secretary-General 'to report to the Security Council on the implementation of this resolution'. It is recalled that on 4 August, in conversation with the Permanent Representative of Israel, the Secretary-General referred to this question and inquired as to when the response of the Government of Israel to the Security Council resolution might be expected. In a subsequent note verbale dated 27 August 1969, the Secretary-General requested the Permanent Representative of Israel to convey to his Government the Secretary-General's hope that its response on this most important matter might be soon forthcoming. In a note verbale dated 2 September 1969, the Permanent Representative of Israel acknowledged receipt of the Secretary-General's communication and informed the Secretary-General that 'the communication had been transmitted to Jerusalem for consideration by the Israel Government'. So far, the Secretary-General has received no response from the Israel Government, either directly or through the Permanent Representative.

"The Israel Government is, obviously, the only source for the information necessary, for the discharge of the Secretary-General's reporting responsibilities under Security Council resolution 267 (1969). Therefore, the Secretary-General once again requests the Israel Government to provide him with such information and he earnestly hopes that it will be made available to him at an early date. The Secretary-General will in any case be obliged in the very near future to report to the Security Council in fulfilment of the responsibilities placed on him in the above-mentioned resolution.

"The Secretary-General takes this opportunity to renew to the Permanent Representative the assurances of his highest consideration."

5. On 21 November 1969, the Secretary-General addressed a third note to the Permanent Representative of Israel, which reads as follows:

"The Secretary-General of the United Nations presents his compliments to the Permanent Representative of Israel to the United Nations and has the honour to refer to the Secretary-General's notes of 27 August and 15 October 1969 concerning the implementation of Security Council resolution 267 (1969) of 3 July 1969 on the subject of Jerusalem.

"The Secretary-General considers it necessary to discharge his obligation to submit the report on this matter requested by the Security Council in the above-mentioned resolution within the next week. The Secretary-General, therefore, very much hopes that the information he has requested on this subject from the Government of Israel will be forthcoming before that time.

"The Secretary-General takes this opportunity to renew to the Permanent Representative of Israel the assurances of his highest consideration."

6. The following reply dated 27 November 1969, has been received by the Secretary-General from the Permanent Representative of Israel:

"Excellency,

"I am instructed by the Minister for Foreign Affairs to transmit to you the following letter:

'Excellency,

'In response to your note of 15 October 1969 to the Permanent Representative of Israel referring to the Security Council's resolution of 3 July 1969, I wish to clarify further the present situation in Jerusalem and my Government's attitude to the universal interest in its Holy Places.

/...

'The division of Jerusalem arose out of illicit armed action by Jordanian forces in 1948, in defiance of Security Council cease-fire appeals. Similarly, this division was terminated by hostilities initiated by Jordan in 1967. The circumstances under which the Jordanian régime came to an end were described in my letter to you of 10 July 1967 (A/6753, S/8052), as follows:

"On 5 June 1967, the Jordanian forces launched a destructive and unprovoked armed assault on the part of Jerusalem outside the walls. This attack was made despite Israel's appeals to Jordan to abstain from hostilities. Dozens of Jerusalem citizens were killed and hundreds wounded.

"Artillery bombardment was directed against synagogues, the Church of Dormition, hospitals, centres of secular and religious learning, the Hebrew University and the Israel Museum. Intensive fire was directed against institutions and residential centres from positions in and near the Holy Places themselves, which were thus converted into military positions for shelling Jerusalem."

'The nineteen years during which the City was divided by a military demarcation line were a sombre episode in its long history. Jordanian control of east Jerusalem arose exclusively out of military conquest and had no other international authority.

'Jerusalem has been the focus of Israel's faith and nationhood for three thousand years and has been Israel's centre of Government for two decades. It is inconceivable that Jerusalem should be torn apart again or that any international interests can be served by pressing for the City to be dismembered. These interests are based on the Holy Places of three great monotheistic religions. For the first time since 1948 the shrines of all faiths have been open to access by those who hold them sacred.

'Israel has ensured that the Holy Places be administered under the responsibility of the religions concerned. Places of worship and religious institutions destroyed or damaged in the assaults of 1948 and 1967 have been or are being restored. I reiterated my Government's willingness to work out agreements with the representative bodies of the three religions to ensure that the universal and sacred character of the Holy Places is appropriately expressed and free access to them guaranteed. My Government has initiated and maintained contact with all such bodies that are willing to discuss with us these matters of common concern.

'Apart from these universal associations Jerusalem is a living secular city with 200,000 Jewish and 70,000 Arab inhabitants. Municipal and social services and public utilities have been extended to the eastern part of the City and are being steadily improved.

Normal movement and visit, residence, business activity and employment are open to all citizens in all parts of the City. Its economic welfare is being advanced and plans are taking shape to enhance its dignity and beauty. The participation of over 7,000 Arab residents in the recent municipal elections in Jerusalem demonstrated their positive interest in the day-to-day administration of the united City.

'The progress of the City during the past two years stands in sharp contrast to the situation which prevailed from 1948 to 1967 in the Jordan-occupied section. After its occupation in 1948 the Jewish quarter of the walled Old City was practically destroyed and scores of synagogues in it were laid waste. The ancient Jewish cemetery on the Mount of Olives was desecrated and partly demolished. Despite a solemn obligation in the Armistice Agreement, no Jews in Israel or anywhere in the world were allowed access to their most sacred shrine, the Western (Wailing) Wall, or to any other place in Jordanian hands associated with Jewish history, religion and tradition. Even the Moslem Arab citizens of Israel were not allowed by Jordan to reach their Holy Places. Outbreaks of fighting, bloodshed and tension were frequent across the armistice lines which ran through the heart of the City.

'International opinion has every reason to regret that the Security Council remained completely indifferent to the destruction and sacrilege of Jewish houses and prayer, residences and burial grounds and violation of the principle of free access to the Holy Places. It would be incongruous for a body which did nothing to prevent Jerusalem's violent division to work now against its peaceful union or to censure measures taken to ensure the livelihood of all its inhabitants and to maintain public law and order despite occasional terrorist attacks upon the civil population organized, directed and financed by the very Jordanian authorities which showed such callous disregard for Jerusalem's peace and sanctity on many occasions during the past twenty years.

'The sacred associations which are evoked by Jerusalem should not become the object of political and religious incitement without regard for the genuine interests of the City and its inhabitants, as was the case during the unfortunate recent Security Council debate.

'As I stated in my letter of 10 July 1967, the Government of Israel is confident that world opinion will come to welcome the new prospect of seeing this ancient and historic metropolis thrive in unity, peace and spiritual elevation.

'Our policy is to work for the City's welfare in the interests of all its inhabitants and that when the final peace is established it should embody agreements with the appropriate Christian and Moslem authorities to ensure expression of the universal religious interests involved.

'In my statement to the General Assembly at its 1757th meeting on 19 September 1969 I said:

"Israel does not claim exclusive or unilateral jurisdiction in the Holy Places of Christianity and Islam in Jerusalem, and is willing to discuss this principle with those traditionally concerned. There is a versatile range of possibilities for working out a status for the Holy Places in such a manner as to promote Middle Eastern peace and ecumenical harmony. In the meantime, our policy is that the Moslem and Christian Holy Places should always be under the responsibility of those who hold them sacred. This principle has been in practical effect since 1967."

'I have the honour to request that this letter be circulated as an official document of the Security Council.

'Please accept, Excellency, the assurances of my highest consideration.

'(Signed) Abba EBAN'

"(Signed) Yosef TEKOAH
Permanent Representative of Israel
to the United Nations"



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16 December 1969

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REPORT OF THE SECRETARY-GENERAL UNDER SECURITY COUNCIL
RESOLUTION 271 (1969) OF 15 SEPTEMBER 1969

1. This report is submitted in pursuance of Security Council resolution 271 (1969) of 15 September 1969 concerning Jerusalem, which requested the Secretary-General "to follow closely the implementation of the present resolution and to report thereon to the Security Council at the earliest possible date". This resolution was communicated to the Government of Israel on the day of its adoption.

2. On 24 November 1969, the Secretary-General, having received no information, addressed the following note to the Permanent Representative of Israel:

"The Secretary-General of the United Nations presents his compliments to the Permanent Representative of Israel to the United Nations and has the honour to refer to Security Council resolution 271 (1969) of 15 September 1969 on the subject of Jerusalem.

"Under the terms of this resolution, the Security Council requested the Secretary-General 'to follow closely the implementation of the present resolution and to report thereon to the Security Council at the earliest possible date'. In order that he may fulfil the reporting responsibilities placed upon him by the Security Council, the Secretary-General would be grateful if the Israel Government would provide him, at an early date, with the necessary information regarding the implementation of the above-mentioned resolution, since it is his intention to submit a report to the Council not later than mid-December 1969.

"The Secretary-General takes this opportunity to renew to the Permanent Representative of Israel the assurances of his highest consideration."

3. On 16 December 1969, the Secretary-General received from the Permanent Representative of Israel the following reply dated 15 December 1969:

"The Permanent Representative of Israel to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to refer to the Secretary-General's note of 24 November 1969 concerning Security Council resolution 271 (1969) of 15 September 1969.

"The genesis of the resolution was the blatant attempt of Arab States to exploit the fire in the Al-Aqsa Mosque for political and propaganda purposes and to incite religious passions throughout the Moslem world. The invoking of the Security Council to further these purposes was one of the most inglorious chapters in the history of the United Nations, and impaired the prestige of the organization itself. Moreover, the tension, antagonism and falsehood artificially and deliberately created over the incident damaged still further the prospects of a peaceful settlement of the Middle East conflict.

"These submissions are more fully elaborated in the statements made by the Permanent Representative during the Security Council debate between 9 and 15 September 1969.

"The report of the Commission of Enquiry appointed by the President of the Israel Supreme Court was published on 23 September 1969. The trial of Denis Michael Rohan, accused of arson in connexion with the fire, is still in progress, and judgement is expected to be delivered soon. In the meantime, temporary repairs have been effected to the Mosque, and prayers are conducted in it as usual.

"As for those paragraphs in the Security Council resolution referring to the question of Jerusalem, reference is made to the letter from the Foreign Minister of Israel conveyed to the Secretary-General by the Permanent Representative on 27 November 1969, and circulated in document S/9537 of 5 December 1969.

"The Permanent Representative of Israel avails himself of this opportunity to renew to the Secretary-General of the United Nations the assurances of his highest consideration."

Morocco, Lebanon and Saudi Arabia to participate, without vote, in the discussion of the question.

At its 1581st meeting, on 17 September 1971, the Council decided to invite the representative of Tunisia to participate, without vote, in the discussion of the question.

Resolution 298 (1971)
of 25 September 1971

The Security Council,

Recalling its resolutions 252 (1968) of 21 May 1968 and 267 (1969) of 3 July 1969 and the earlier General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) of 4 and 14 July 1967 concerning measures and actions by Israel designed to change the status of the Israeli-occupied section of Jerusalem,

Having considered the letter of the Permanent Representative of Jordan on the situation in Jerusalem³³ and the reports of the Secretary-General,³⁴ and having heard the statements of the parties concerned on the question,

Reaffirming the principle that acquisition of territory by military conquest is inadmissible,

³³ *Ibid.*, document S/10313.

³⁴ *Ibid.*, *Twenty-second Year, Supplement for July, August and September 1967*, documents S/8052 and S/8146; *ibid.*, *Twenty-fourth Year, Supplement for April, May and June 1969*, documents S/9149 and Add.1; *ibid.*, *Supplement for October, November and December 1969*, document S/9537; *ibid.*, *Twenty-sixth Year, Supplement for January, February and March 1971*, document S/10124; *ibid.*, *Supplement for April, May and June 1971*, document S/10124/Add.1; and *ibid.*, *Supplement for July, August and September 1971*, document S/10124/Add.2.

Noting with concern the non-compliance by Israel with the above-mentioned resolutions,

Noting with concern also that since the adoption of the above-mentioned resolutions Israel has taken further measures designed to change the status and character of the occupied section of Jerusalem.

1. *Reaffirms* its resolutions 252 (1968) and 267 (1969);

2. *Deplores* the failure of Israel to respect the previous resolutions adopted by the United Nations concerning measures and actions by Israel purporting to affect the status of the City of Jerusalem;

3. *Confirms* in the clearest possible terms that all legislative and administrative actions taken by Israel to change the status of the City of Jerusalem, including expropriation of land and properties, transfer of populations and legislation aimed at the incorporation of the occupied section, are totally invalid and cannot change that status;

4. *Urgently calls upon* Israel to rescind all previous measures and actions and to take no further steps in the occupied section of Jerusalem which may purport to change the status of the City or which would prejudice the rights of the inhabitants and the interests of the international community, or a just and lasting peace;

5. *Requests* the Secretary-General, in consultation with the President of the Security Council and using such instrumentalities as he may choose, including a representative or a mission, to report to the Council as appropriate and in any event within sixty days on the implementation of the present resolution.

Adopted at the 1582nd meeting by 14 votes to none, with 1 abstention (Syrian Arab Republic).

THE SITUATION IN NAMIBIA³⁵

Decisions

At its 1583rd meeting, on 27 September 1971, the Council decided to invite His Excellency Moktar Ould Daddah, President of the Islamic Republic of Mauritania and Chairman of the eighth session of the Assembly of Heads of State and Government of the Organization of African Unity,³⁶ to participate, without vote, in the discussion of the item entitled:

³⁵ Resolutions or decisions on this question were also adopted by the Council in 1968, 1969 and 1970.

³⁶ Held at Addis Ababa, from 21 to 23 June 1971.

“The situation in Namibia:

“(a) Letter dated 17 September 1971 addressed to the President of the Security Council from the representatives of Algeria, Botswana, Burundi, Cameroon, the Central African Republic, Chad, the Congo (Democratic Republic of), Egypt, Equatorial Guinea, Ethiopia, Gabon, Ghana, Guinea, Kenya, Liberia, the Libyan Arab Republic, Madagascar, Mali, Mauritania, Mauritius, Morocco, the Niger, Nigeria, the People’s Re-

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REPORT OF THE SECRETARY-GENERAL UNDER SECURITY COUNCIL
RESOLUTION 298 (1971) OF 25 SEPTEMBER 1971

1. This report is submitted in pursuance of Security Council resolution 298 (1971) of 25 September 1971 concerning Jerusalem, which requested the Secretary-General "in consultation with the President of the Security Council, and using such instrumentalities as he may choose, including a representative or a mission, to report to the Security Council as appropriate and in any event within 60 days on the implementation of this resolution". I communicated this resolution to the Government of Israel by cable on the day of its adoption.
2. On 27 September, I met with the President of the Security Council, Ambassador Toru Nakagawa of Japan, and discussed with him the implementation of Security Council resolution 298 (1971).
3. On 28 September, I addressed a letter to the Minister for Foreign Affairs of Israel, informing him that, in accordance with the request addressed to me by the Security Council, it was my intention to nominate, in consultation with the President of the Security Council and at an early date, a mission consisting of three members of the Security Council with a view to enabling me to report to the Security Council on the implementation of resolution 298 (1971) within the time-limit provided in that resolution.
4. On 1 October, at a meeting with the Minister for Foreign Affairs of Israel, I indicated to him that I had in mind as members of the mission the representatives of Argentina, Italy and Sierra Leone.
5. During the first half of October, after consultation with the President of the Security Council, Ambassador Guillermo Sevilla-Sacasa of Nicaragua, I approached the Permanent Representatives of Argentina, Italy and Sierra Leone and inquired about the willingness of their respective Governments to serve on the mission.

All three Governments signified to me their willingness to serve on the mission in the event that circumstances arose in which it would be desirable to establish it.

6. On 18 October, I addressed another letter to the Minister for Foreign Affairs of Israel in which, after referring to my letter of 28 September and to our meeting on 1 October, I indicated that the representatives of Argentina, Italy and Sierra Leone had signified to me the willingness of their Governments to serve on such a mission in the event that circumstances arose in which it would be desirable to establish it. This letter was handed by me to the Permanent Representative of Israel on the same day. On this occasion, the Permanent Representative indicated that Israel would be forwarding its comments on the Security Council resolution in due course and I reminded him that, under this resolution, I had a sixty-day time-limit for reporting and was bound to report within that period.

7. On 19 October, and again on 27 October, I met with the President of the Security Council and the Permanent Representatives of Argentina, Italy and Sierra Leone to discuss my reporting responsibilities under Security Council resolution 298 (1971).

8. Following the meeting of 27 October, the President of the Security Council saw the Permanent Representative of Israel and discussed this matter with him.

9. On 28 October, having received no reply from the Government of Israel, I addressed a letter to the Permanent Representative of Israel, drawing his attention to the fact that a month had passed since the adoption of Security Council resolution 298 (1971) which, among other things, requested me to report to the Security Council "as appropriate and in any event within 60 days on the implementation of this resolution". I added that in view of that stipulation by the Security Council, I would be grateful to receive the comments of the Government of Israel as soon as possible. I also stated that I had, as a matter of course, been in consultation both with the representatives of Argentina, Italy and Sierra Leone who had signified their willingness to serve on the mission and, as required by the resolution, with the President of the Security Council regarding this matter.

10. Subsequently, I received a note dated 2 November 1971 from the Permanent Representative of Israel stating that the comments of the Government of Israel were under preparation and would be conveyed to me as soon as possible.

11. On 11 November, the Under-Secretaries-General for Political and Security Council Affairs and for Special Political Affairs, on my behalf, met with the President of the Security Council and the Permanent Representatives of Argentina, Italy and Sierra Leone to discuss again the implementation of the Security Council's resolution. In an oral message conveyed to the Permanent Representative of Israel on 11 November, the President of the Security Council, Ambassador Eugeniusz Kulaga of Poland, and myself expressed our concern over the absence of a reply from the Government of Israel regarding the implementation of operative paragraph 5 of Security Council resolution 298 (1971).

12. On 15 November, the Permanent Representative of Israel transmitted to me a letter of the same date from the Minister for Foreign Affairs of Israel. In his letter, the Minister for Foreign Affairs of Israel referred to my cable of 25 September 1971, transmitting the text of resolution 298 (1971) adopted by the Security Council, and gave his Government's views concerning operative paragraph 4 of the resolution which calls upon Israel "to rescind all previous measures and actions and take no further steps in the occupied section of Jerusalem which may purport to change the status of the City, or which would prejudice the rights of the inhabitants and the interests of the international community, or a just and lasting peace". However, the letter did not touch upon the question of the Government of Israel's response to my proposal for a mission to Jerusalem in order to enable me to discharge my mandate under paragraph 5 of resolution 298 (1971).

13. On 16 November, in a letter addressed to the Permanent Representative of Israel, I acknowledged receipt of the letter of 15 November from the Government of Israel and noted that the reply of the Israeli Government did not refer to paragraph 5 of the Security Council resolution in which the possibility of a mission was mentioned. Nor did it refer to my letter of 28 September and subsequent letters to the Minister for Foreign Affairs of Israel, regarding the mission proposed by me, in consultation with the President of the Council. I stated that in the absence of a response by the Government of Israel on this matter, and in view of the fact that the time limit for my report was to expire on 24 November 1971, I had no alternative but to submit my report to the Security Council without taking any further action to activate the mission of the three members of the Council mentioned in my earlier letters.

14. It will be recalled that since the termination of the mission of my Personal Representative in Jerusalem, Ambassador Ernesto A. Thalmann, in September 1967, I have had no means of obtaining first-hand information which is required to fulfil the reporting responsibilities conferred upon me by Security Council resolution 298 (1971). After careful consideration of this resolution, the President of the Security Council and myself concluded that the best way of fulfilling my reporting responsibilities under the resolution was through a mission of three members of the Security Council. It is obvious that the co-operation of the Israel Government is required for such a mission to function usefully.

15. As will be seen from the above account of correspondence exchange with the Government of Israel, the texts of which are annexed to this report, there has been no indication on the part of the Government of Israel of its willingness to comply with Security Council resolution 298 (1971).

16. In the light of the failure of the Government of Israel to abide by the decision of the Security Council, I have not been able to fulfil my mandate under Security Council resolution 298 (1971).

ANNEX

Exchange of letters between the Secretary-General
and the Government of Israel

1. Letter dated 28 September 1971 from the Secretary-General
to the Minister for Foreign Affairs of Israel

As Your Excellency will recall, operative paragraph 5 of Security Council resolution 298 (1971) adopted by the Security Council at its 1582nd meeting on 25 September 1971 requests the Secretary-General, in consultation with the President of the Security Council and using such instrumentalities as he may choose, including a representative or a mission, to report to the Security Council as appropriate and in any event within 60 days on the implementation of this resolution.

I wish to inform Your Excellency that, in accordance with the request addressed to me by the Security Council, it is my intention to nominate in consultation with the President of the Security Council and at an early date a mission consisting of three members of the Security Council with a view to enabling me to report to the Security Council on the implementation of resolution 298 (1971) within the time-limit provided in that resolution.

2. Letter dated 18 October 1971 from the Secretary-General
to the Minister for Foreign Affairs of Israel

I have the honour to refer to my letter of 28 September 1971 concerning Security Council resolution 298 (1971). In that letter I informed Your Excellency that it was my intention to nominate, in consultation with the President of the Security Council, a mission consisting of three members of the Council with a view to enabling me to report to the Council on the implementation of the above-mentioned resolution.

In our meeting on 1 October I indicated to Your Excellency that I had in mind as members of this mission the representatives of Argentina, Italy and Sierra Leone. These members have now signified to me their willingness to serve on such a mission in the event that circumstances arise in which it would be desirable to establish it.

3. Letter dated 28 October 1971 from the Secretary-General to the Permanent Representative of Israel to the United Nations

I have the honour to refer to my cable of 25 September and to my letters of 28 September and 18 October 1971 to His Excellency the Minister for Foreign Affairs of Israel, Mr. Abba Eban, concerning Security Council resolution 298 (1971).

Your Excellency will recall that, in our meeting on 1 October, the Minister for Foreign Affairs undertook to transmit to me his detailed comments on this matter. More than one month has now passed since the passage by the Security Council of the above-mentioned resolution, which, among other things, requests me to report to the Security Council "as appropriate and in any event within 60 days on the implementation of this resolution". In view of this stipulation by the Security Council, I would be grateful to receive the comments of the Government of Israel as soon as possible.

Your Excellency will also recall that in my letter of 18 October I informed the Minister for Foreign Affairs of Israel of the willingness of the representatives of Argentina, Italy and Sierra Leone to serve on a mission to assist me in my reporting duties under the Security Council resolution. I have, as a matter of course, been in consultation both with the three representatives concerned and, as required by the resolution, with the President of the Security Council. The present letter is sent with their full knowledge and agreement.

4. Letter dated 2 November 1971 from the Permanent Representative
of Israel to the United Nations to the Secretary-General

I have the honour to acknowledge receipt of your letter of 28 October 1971, the contents of which I have transmitted to the Minister for Foreign Affairs.

I am instructed to inform you that the comments of the Government of Israel are under preparation and will be conveyed to you as soon as possible.

5. Letter dated 15 November 1971 from the
Minister for Foreign Affairs of Israel
to the Secretary-General

I have the honour to reply to your telegram of 26 September 1971, transmitting the text of resolution 298 (1971) adopted by the Security Council at its 1582nd meeting on the previous day. The central operative paragraph of the resolution calls upon Israel "to rescind all previous measures and actions and to take no further steps in the occupied section of Jerusalem which may purport to change the status of the city, or which would prejudice the rights of the inhabitants and the interests of the international community, or a just and lasting peace". I propose to analyse the main provisions of this paragraph in order to place the situation in Jerusalem in its true light.

1. The status of the city

If the "status of the city" referred to in the resolution means the situation existing before 5 June 1967, the renewal of that "status" would involve the restoration of a military demarcation line and other barriers cutting through the centre of the city, the cancellation of free access to their holy places for Jews and Israeli Moslems, which has prevailed only since June 1967, and the re-imposition of a ban on residence or visit by anyone of Jewish faith in the Old City. Moreover, in order to restore the previous status Israel would have to demolish the synagogues and other sites destroyed by the Jordan authorities and restored since then, and to close the cultural, humanitarian and educational institutions on Mount Scopus which have been reopened since June 1967. Thus the restoration of the previous status would involve rescinding the unity, peace and sanctity of Jerusalem today in order to restore the divisions, conflict and sacrilege which made the period 1948-1967 one of the darkest ages in Jerusalem's long history.

It is inconceivable that the majority of Security Council members could wish to restore that situation. Some of them have indicated that they do not.

The position of Jordan in a part of Jerusalem for 19 years resulted from an aggressive invasion carried out against the injunctions of the Security Council in the first half of 1948. That position was never recognized by the world community. Thus it is not the case that an internationally accepted or valid status for Jerusalem has been set aside by anything done in the city since 1967.

/...

If one dismisses as inherently untenable the proposition that the Security Council wishes to tear Jerusalem apart again, one is left with the assumption that the concern expressed by the Council is for the effective status of the ethnic and religious communities. It has been asserted in some quarters that Israel is undertaking or planning action with the aim of annulling the present heterogeneous character of the population. I can give assurance that this is not the case. Since 1967 the flight of Christian Arabs from Jerusalem under Jordanian occupation has been stemmed. The figures in 1967 were 10,800. Today they are 11,500. At the same time the Moslem population has grown from 54,963 in 1967 to 61,600 at the end of 1970, while the Jews, who numbered 195,700 in 1967 are now 215,500. There is nothing to indicate that these relative proportions are likely to be substantially changed in the coming years, and in absolute terms the Christian and Moslem populations are likely to increase and not to dwindle. Israel's view is that development by the city's services and amenities should be undertaken for all its communities, and not for one community alone.

2. The rights of the inhabitants

Jerusalem has a population of 300,000, about three-fourths of whom are Jews; 61,600 are Moslems and 11,500 are Christians. For the past 200 years Jews have been the largest community. The "rights of the inhabitants", whether Jews, Arabs or Moslems, include the right to administer their own city, to develop it, and to repair the havoc of war. Jerusalem has the right to normal existence. As a living city its life and institutions must be allowed to grow in the interests of all its inhabitants, and it cannot be artificially frozen at the point which it had reached over four years ago.

Since 1967, all Jerusalem's citizens have had their due voice in the administration of the city. In the last municipal election under the Jordanian occupation in 1963 there were only 5,000 eligible voters in a total Arab population of some 60,000. Only males over 21, property owners and rate-payers could vote. No political parties were permitted. Irrespective of the results of the voting the Mayor was appointed by the Jordanian Government in Amman. On the other hand, in the 1969 election for the municipal council, universal suffrage for those over 18 years of age was introduced in the sector formerly under Jordanian occupation. The number

of Arab citizens who actually cast their vote for the administration of the united city in that election was greater than the total of those eligible to vote in 1963 during the Jordanian occupation.

All the citizens of Jerusalem, both in the western and eastern parts of the city, have the right to normal municipal services. All the city's inhabitants now receive such services, which were non-existent or inadequate during the 19 years of illegal Jordanian military occupation.

Since 1967 compulsory education laws have been strictly applied. A system of kindergartens, which did not exist under the Jordanian conquest, has been extended to the eastern part of the city. Vocational training has been expanded, including the opening of a night school for working boys. The network of free medical services for school children, new mothers and babies has spread to this section of Jerusalem. In a special programme carried out in 1967, all children in east Jerusalem were given thorough medical check-ups, including skin, tuberculosis and eye tests, as well as vaccinations against diphtheria and tetanus and second shots against smallpox. Trachoma and malnutrition have now all but been eliminated. A new 300-bed hospital on Mount Scopus, to serve the northern and eastern parts of the city, will soon be opened.

The eastern section has been connected to the Jerusalem water-mains, providing round-the-clock water supply for the first time in history. A central sewage system has been introduced. The municipality of Jerusalem has provided playgrounds, parks, libraries and youth clubs where there were none before. An Arabic language theatre has begun performances. A developed social welfare system has been applied for the first time to this part of the city. The citizens living in eastern Jerusalem have the services of a Government Labour Exchange; 40 per cent of the section's workers have joined and are protected by the Israel Labour Federation. There is no unemployment in Jerusalem. Low-cost public housing and generous mortgage opportunities are being provided by the municipality to Arab residents.

Nothing, therefore, could be more inaccurate than to assert that the rights of the inhabitants of Jerusalem have been adversely affected by anything done or planned by Israel. Their rights to peaceful life and development and to a voice in Jerusalem's affairs, have been fully respected and indeed advanced only since June 1967.

3. The interests of the international community

For 22 years Jerusalem has been Israel's capital and seat of Government. It is the unique spiritual centre of Judaism, as of no other faith. At the same time the Government has always been conscious of the fact that the city is of deep concern to other faiths. Its religious and historical sites are precious to Christians and Moslems, as well as to Jews. This concern was expressed by the Prime Minister of Israel on 27 June 1967:

"All the holy places in Jerusalem are now open to all who wish to pray in them and to the faithful of all religions without discrimination. It is our intention to place the internal administration and arrangements for the holy places in the hands of the religious leaders of the communities to which these places belong."

The protection of the holy places is ensured by law. The Protection of Holy Places Law, 5727-1967, states in its first paragraph:

"The holy places shall be protected from desecration and any other violation and from anything likely to violate the freedom of access of the members of the different religions to the places sacred to them or their feelings with regard to those places."

No such law protected the holy places during the Jordanian occupation. The intentions expressed by the Prime Minister, as well as the dispositions of the law, are now part of the new reality in Jerusalem. The desecration of historic synagogues in the Old City and of the ancient cemetery on the Mount of Olives, which was carried out by the Jordanian authorities, and the denial of free access stopped. The churches, mosques, synagogues and other shrines are administered by each religious community. In Jerusalem today everyone is free to visit and pray at the holy places of the three great faiths. Pilgrims and visitors to the city, Government leaders, church dignitaries, parliamentarians, journalists, men of letters, tourists in their thousands have testified that Jerusalem and the holy places are secure and open to all. In developing the living city of Jerusalem we are and shall be constantly mindful of its historical treasures and spiritual heritage and care is and will be taken to preserve them for the inhabitants and for the world.

The policy of Israel concerning universal spiritual interests in Jerusalem is as follows:

The measures taken to secure the protection of the holy places are only a part of Israel's effort to ensure respect for universal interests in Jerusalem. It is evident from United Nations discussions and documents that the international interest in Jerusalem has always been understood to derive from the presence of the holy places. Israel does not doubt her own will and capacity to secure the respect of universal spiritual interests. It has forthwith ensured that the holy places of Judaism, Christianity and Islam be administered under the responsibility of the religions which hold them sacred.

In addition, in a spirit of concern for historic and spiritual traditions my Government has taken steps with a view to reaching arrangements to assure the universal character of the holy places. In pursuance of this objective the Government of Israel has now embarked on a constructive and detailed dialogue with universal religious interests. If these explorations are fruitful as we hope, the universal character of the holy places will for the first time in recent decades find comprehensive expression.

As I informed you on 10 July 1967, Israel does not wish to exercise unilateral jurisdiction or exclusive responsibility in the holy places of Christianity and Islam, and is willing in consultation with the religious interests traditionally concerned to give due expression to that principle.

The changes which have affected Jerusalem's life and destiny as a result of the measures recently adopted may, therefore, be summarized as follows:

Where there was a hostile separation there is now intermingling and constructive civic union. Where there was a constant threat of violence there is now peace. Where there was once an assertion of exclusive and unilateral control over the holy places exercised in sacrilegious discrimination - there is a willingness to work out arrangements with the world's religious bodies, Christian, Muslim and Jewish, which will ensure the universal religious character of the holy places.

This is the first time that a Government in Jerusalem offers special expression for universal interests in Jerusalem instead of asserting its exclusive jurisdiction over all of them. The apprehension expressed in the resolution lest interests of the international community, or the principles of peaceful coexistence have been adversely affected is thus without any foundation whatever.

/...

4. A just and lasting peace

The previous division of the city did not bring the Middle East closer to peace. On the contrary that division was an open wound constantly exacerbated by outbursts of hostility and by recurrent Jordanian violation of the fragile armistice which caused the murder of Jerusalem citizens and made life in the city a frequent terror for many residents on both sides of barbed wire.

Today, for the first time since 1948, Jerusalem is a city in which Jews and Arabs live together in peace and mingle in their thousands in the daily pursuits of their lives. Jerusalem has become an example of communal civic and regional existence and is thus an augury of just and lasting peace to which enlightened men aspire.

Jerusalem is for Israel the focal point of Jewish history, the symbol of ancient glory, of longing, of prayer, of modern renewal. It is also a source of universal inspiration.

Israel's policy is to promote the rights of Jerusalem's inhabitants to advance the interests of the international community and thus to contribute to the promotion of a just and lasting peace. The sharp discrepancy between the Jerusalem reality and the resolution presented by Jordan and adopted by the Security Council has profoundly shocked the people of Jerusalem. This sentiment was expressed in the Prime Minister's statement of 26 October 1971 which remains valid.

At the same time I can give assurance that nothing has been done or will be done to violate the rights of the inhabitants, the interests of international community or the principles of peaceful coexistence. There are many difficulties in Jerusalem as elsewhere arising from regional tensions and hostilities as well as from economic and social factors. But in general men of peace and goodwill will have reason to be gratified by the peace, serenity, union and spiritual harmony which have been strengthened in Jerusalem since the barbed wire fence went down and the Jews and Arabs of Jerusalem came together in a common devotion to their city.

6. Letter dated 16 November 1971 from the Secretary-General to the Permanent Representative of Israel to the United Nations

I have the honour to acknowledge receipt of your letter of 15 November 1971 in which you transmit to me the reply of the Government of Israel to my telegram of 26 September 1971 concerning Security Council resolution 298 (1971) on Jerusalem. The reply of the Government of Israel will be included in the report on this matter which I am required by the above-mentioned resolution to make to the Security Council.

I note that the reply of the Israel Government does not refer to paragraph 5 of the Security Council resolution in which the possibility of a mission is mentioned. Nor does it refer to my letter of 28 September 1971 and subsequent letters to the Minister for Foreign Affairs of Israel which include, among other things, the announcement of my intention to nominate, in consultation with the President of the Security Council, a mission consisting of three members of the Security Council with a view to enabling me to report under the terms of resolution 298 (1971).

In the absence of a response by the Government of Israel on this matter, and in view of the fact that the time limit for my report will expire on 24 November 1971, I have no alternative but to submit my report to the Security Council without taking any further action to activate the mission of three members of the Security Council mentioned in my letters referred to above.

the Inter-Governmental Maritime Consultative Organization, to assist Zambia in the fields identified in the report of the Special Mission and the annexes thereto;

5. *Requests* the Secretary-General in collaboration with the appropriate organizations of the United Nations system, to organize with immediate effect all forms of financial, technical and material assistance to Zambia to enable it to carry out its policy of economic

independence from the racist régime of Southern Rhodesia.

6. *Requests* the Economic and Social Council to consider periodically the question of economic assistance to Zambia as envisaged in the present resolution.

Adopted unanimously at the 1694th meeting

THE SITUATION IN THE MIDDLE EAST¹⁸

Decisions

At its 1705th meeting, on 12 April 1973, the Council decided to invite the representatives of Lebanon, Israel, Egypt and Saudi Arabia to participate, without vote, in the discussion of the item entitled: "The situation in the Middle East: Letter dated 12 April 1973 from the Permanent Representative of Lebanon to the United Nations addressed to the President of the Security Council (S/10913)".¹⁹

At its 1706th meeting, on 13 April 1973, the Council decided to invite the representatives of Algeria and the Syrian Arab Republic to participate, without vote, in the discussion of the question.

At its 1708th meeting, on 17 April 1973, the Council decided to invite the representative of Tunisia to participate, without vote, in the discussion of the question.

At its 1710th meeting, on 20 April 1973, the Council decided to invite the representative of Jordan to participate, without vote, in the discussion of the question.

Resolution 331 (1973)

of 20 April 1973

The Security Council,

Having heard the statement of the Foreign Minister of the Arab Republic of Egypt,²⁰

¹⁸ Resolutions or decisions on this question were also adopted by the Council in 1967, 1968, 1969, 1970, 1971 and 1972.

¹⁹ See *Official Records of the Security Council, Twenty-eighth Year, Supplement for April, May and June, 1973.*

²⁰ *Ibid.*, Twenty-eighth Year, 1710th meeting.

1. *Requests* the Secretary-General to submit to the Security Council as early as possible a comprehensive report giving full account of the efforts undertaken by the United Nations pertaining to the situation in the Middle East since June 1967;

2. *Decides* to meet, following the submission of the Secretary-General's report, to examine the situation in the Middle East;

3. *Requests* the Secretary-General to invite Mr. Gunnar Jarring, the Special Representative of the Secretary-General, to be available during the Council's meetings in order to render assistance to the Council in the course of its deliberations.

Adopted at the 1710th meeting²¹

Resolution 332 (1973)

of 21 April 1973

The Security Council,

Having considered the agenda contained in document S/Agenda/1705,

Having noted the contents of the letter of the Permanent Representative of Lebanon to the United Nations (S/10913)

Having heard the statements of the representatives of Lebanon and Israel,²²

Grieved at the tragic loss of civilian life,

Gravely concerned at the deteriorating situation resulting from the violation of Security Council resolutions,

Deeply deploring all recent acts of violence resulting in the loss of life of innocent individuals and the endangering of international civil aviation,

²¹ In the absence of objections, the President declared the draft resolution adopted unanimously.

²² See *Official Records of the Security Council, Twenty-eighth Year, 1705th meeting.*



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RESOLUTION 331 (1973) OF 20 APRIL 1973

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INTRODUCTION

1. The present report is submitted in pursuance of Security Council resolution 331 (1973) of 20 April 1973 in which the Council requested the Secretary-General to submit to it as early as possible a comprehensive report giving a full account of the efforts undertaken by the United Nations pertaining to the situation in the Middle East since June 1967. The Security Council also decided to meet following the submission of the Secretary-General's report to examine the situation in the Middle East and it requested the Secretary-General to invite his Special Representative, Ambassador Gunnar Jarring, to be available during the Council's meetings in order to render assistance to the Council in the course of its deliberations.

I. UNITED NATIONS EFFORTS TO DEAL WITH PARTICULAR ASPECTS
OF THE MIDDLE EAST SITUATION

2. Although the main purpose of this report is to apprise the Security Council of the efforts undertaken by the United Nations since 1967 in the search for a peaceful settlement of the Middle East problem and in particular of the activities of the Jarring mission, it may be useful first to recall briefly the efforts made by the Organization to deal with particular aspects of the situation in the Middle East.

A. Status of the cease-fire

3. Shortly after the outbreak of the hostilities on 5 June 1967, the Security Council adopted two resolutions calling for an immediate cease-fire (resolution 233 (1967) of 6 June and resolution 234 (1967) of 7 June 1967). Following the adoption of those resolutions, the Governments of Jordan, Israel, the United Arab Republic ^{1/} and Syria successively announced their acceptance of the cease-fire. Fighting stopped on the United Arab Republic and Jordanian fronts by 8 June and on the Syrian front on 10 June. At the cessation of hostilities the Israeli forces had reached the east bank of the Suez Canal, except for the Port Fuad area at the northern tip, in the United Arab Republic; they also occupied the West Bank in Jordan and the western part of the Golan Heights in Syria. No fighting took place between the Israeli and Lebanese forces and the 1949 armistice demarcation line between Israel and Lebanon has remained unaltered.

4. In order to make the cease-fire effective between the Israeli and Syrian forces, the Security Council passed two further resolutions on 9 and 12 June respectively (resolutions 235 (1967) and 236 (1967)). On the basis of these resolutions and after obtaining the agreement of the two parties concerned, the Secretary-General established a United Nations operation for the observation of the cease-fire in the Israel-Syria sector. A similar operation was later set up in the Suez Canal sector in pursuance of the consensus approved by the Security Council on 9-10 July 1967 and with the agreement of both parties concerned. Much later, at the request of the Lebanese Government and after the Security Council consensus of 19 April 1972, a third observation operation was set up in the Israel-Lebanon sector, but on the Lebanese side only. There is no machinery for the observation of the cease-fire in the Israel-Jordan sector. On several occasions the Secretary-General has drawn attention to the fact that in the absence of a decision by the Security Council no such machinery could be established.

5. The responsibility for the cease-fire observation operations has been entrusted to the Chief of Staff of the United Nations Truce Supervision

^{1/} The name of the United Arab Republic was changed to the Arab Republic of Egypt on 2 September 1971.

Organization in Palestine (UNTSO) and the United Nations military observers assigned to that mission. At the same time, UNTSO has continued to maintain the machinery for the supervision of the 1949 General Armistice Agreements, but as Israel no longer recognizes those Agreements, UNTSO has been unable to carry out those of its functions and duties relating to them.

6. Where cease-fire observation operations exist, United Nations military observers are stationed in the cease-fire sectors on both sides in the Suez Canal and Israel-Syria sectors and on one side only in the Israel-Lebanon sector. The United Nations observers do not carry arms and have no enforcement power. Their main function is to observe the situation in the cease-fire sectors and report to the Security Council, through the Secretary-General, on violations of the cease-fire that they have observed, such as firing, exchanges of fire, overflights and forward military movements (see the supplemental information reports in the S/7930/Add. series). They may also receive complaints from the parties, and, when the latter so request, they may carry out inquiries on those complaints. It should be noted that they can only observe developments within the observation range of the observation posts. Air attacks and raids carried out by armed forces against targets far behind the forward defended localities cannot be observed. When guerrilla activity takes place in a cease-fire sector, United Nations observers are generally unable to observe or identify the irregular forces involved.

7. Nevertheless, despite these shortcomings, the reports of the observers have proved to be useful as an independent and impartial source of information for the assessment by the Security Council of the situation in the cease-fire sectors. It may also be pointed out that the presence of United Nations observers in an area can be helpful in preserving the cease-fire in ways other than reporting. The mere fact of their watchful presence can be something of a deterrent to military activity, and in dealing with the parties concerned they can use their influence to defuse dangerous situations. When fighting does break out, they can quickly intervene on the spot with opposing local commanders to arrange immediate cease-fires. The Chief of Staff of UNTSO and the observers may also use their good offices to facilitate operations of a non-military nature in the cease-fire sectors. For example, when a leak occurred in an oil pipeline between the Israeli and Syrian forward defended localities in November 1969 arrangements were made, through the good offices and safe conduct of UNTSO, for the necessary inspection and repairs to be carried out by technical personnel of the oil company (S/7930/Add.57).

8. Since June 1967, three observers have died in line of duty. One observer was killed near Kuneitra during the hostilities of June 1967 and the other two in the Suez Canal sector in July 1969 and July 1970, respectively. In addition, 13 observers were injured in varying degrees while performing their duties.

9. I have been following the situation in the cease-fire sectors very closely and have endeavoured through the exercise of my good offices and appeals to the parties to reduce tension and prevent escalation. In this connexion I should

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mention the efforts I made in close co-operation with the President of the Security Council for the release of the Syrian and Lebanese military and security personnel abducted by Israeli armed forces from Lebanese territory on 21 July 1972. Those efforts, initiated in June 1972 in the exercise of my good offices, were later specifically endorsed by the Security Council in its resolution 317 of 21 July 1972. They have not as yet proved successful.

10. When serious incidents break out, the parties themselves generally bring them to the attention of the Security Council, giving, of course, their own versions of them. In the most serious cases, one or both parties concerned often - but not always - request a meeting of the Security Council to consider the matter. A full account of the consideration of the various incidents by the Security Council may be found in the Council's own records and need not be repeated here. However, for reference purposes, a list of the various meetings held by the Security Council on cease-fire matters since June 1967, the complaints of the parties brought before it and the decisions it has taken on them is given below:

(a) 1365-1366 meetings (8-9 July 1967):

Subject matter: United Arab Republic complaint concerning Israeli violations of the cease-fire in the Suez Canal sector on 8 July 1967 and Israeli complaint concerning United Arab Republic violations on the same day.

Decision: Consensus of the Security Council of 9-10 July 1967 authorizing the Secretary-General to station United Nations military observers in the Suez Canal sector with the agreement of Israel and the United Arab Republic.

(b) 1369-1371 meetings (24-25 October 1967):

Subject matter: United Arab Republic complaint concerning Israeli attacks against the Suez area on 24 October 1967 and Israeli complaint concerning the sinking of the Israeli destroyer Eilat by United Arab Republic forces on 21 October.

Decision: Resolution 240 (1967) of 25 October 1967 condemning the violations of the cease-fire and demanding that the Member States concerned cease immediately all prohibited military activities in the area and co-operate fully and promptly with UNTSO.

(c) 1401-1407 meetings (21-24 March 1968):

Subject matter: Jordanian complaint concerning Israeli attacks against the East Bank of Jordan on 21 March 1968 and Israeli complaint concerning continuous armed attacks against Israel from Jordanian territory.

Decision: Resolution 248 (1968) of 24 March 1968 condemning the military action launched by Israel, deploring all violent incidents in violation of the cease-fire and declaring that such actions of military reprisals and other grave violations of the cease-fire could not be tolerated and that the Security Council would have to consider further and more effective steps as envisaged in the Charter to ensure against repetition of such acts.

(d) 1409-1412 meetings (30 March-4 April 1968):

Subject matter: Jordanian complaint concerning renewed Israeli attacks against the East Bank of Jordan on 29 March 1968 and Israeli complaint concerning Jordanian violations of the cease-fire.

Decision: Statement by the President of the Security Council at the 1412th meeting on 4 April 1968 to the effect that the members of the Council were deeply concerned at the deteriorating situation in the area and that the Council would keep the situation under close review.

(e) 1434-1440 meetings (5-16 August 1968):

Subject matter: Jordanian complaint concerning Israeli air attacks against the Jordanian city of Salt on 4 August 1968 and Israeli complaint concerning continuous violations of the cease-fire by Jordan.

Decision: Resolution 256 (1968) of 16 August 1968 condemning the further military attacks launched by Israel and warning that if such attacks were to be repeated the Council would duly take account of the failure to comply with the resolution.

(f) 1446-1452 meetings (4-18 September 1968):

Subject matter: Israeli complaints concerning an ambush laid by United Arab Republic soldiers against an Israeli patrol on the east bank of the Suez Canal on 26 August 1968 and firing by United Arab Republic forces against Israeli forces on 8 September 1968 and United Arab Republic complaint concerning Israeli shelling of Port Tawfiq, Suez, Ismailia and Kantara on 8 September.

Decisions: (i) Statement by the President of the Security Council at the 1448th meeting on 8 September 1968 to the effect that the Council deeply regretted the loss of life and requested the parties strictly to observe the cease-fire;

(ii) Resolution 258 (1968) of 18 September 1968 insisting that the cease-fire ordered by the Council must be rigorously respected, reaffirming its resolution 242 (1967), and urging

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all the parties to extend their fullest co-operation to the Special Representative of the Secretary-General in the speedy fulfilment of his mandate.

(g) 1456-1457 meetings (1-4 November 1968):

Subject matter: United Arab Republic complaint concerning Israeli air attacks against civilian targets in upper Egypt and Israeli complaint concerning recent United Arab Republic attacks against Israel.

Decision: None.

(h) 1460-1462 meetings (29-31 December 1968):

Subject matter: Lebanese complaint against Israeli air attack against the Civil International Airport of Beirut on 28 December 1968 and Israeli complaint concerning Lebanese assistance to irregular forces operating from Lebanon against Israel.

Decision: Resolution 262 (1968) of 31 December 1968 condemning Israel for its premeditated military action and issuing a solemn warning to Israel that if such acts were to be repeated the Council would have to consider further steps to give effect to its decisions.

(i) 1466-1473 meetings (27 March-1 April 1969):

Subject matter: Jordanian complaint concerning Israeli air attacks against the area of Salt on 26 March 1969 and Israeli complaint against Jordanian violations of the cease-fire, including assistance to terrorist groups operating against Israel from Jordanian territory and shelling of Israeli villages by Jordanian forces.

Decision: Resolution 265 (1969) of 1 April 1969 deploring the loss of civilian life and damage to property, condemning the recent premeditated air attacks launched by Israel on Jordanian villages and populated areas and warning once again that if such attacks were to be repeated the Council would have to meet to consider further more effective steps as envisaged in the Charter to ensure against their repetition.

(j) 1498-1502 and 1504 meetings (13-26 August 1969):

Subject matter: Lebanese complaint concerning Israeli air attacks against villages in southern Lebanon on 11 August 1969 and Israeli complaint against intensified armed attacks against Israel from Lebanese territory.

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Decision: Resolution 270 (1969) of 26 August 1969 condemning the premeditated air attack by Israel on villages in southern Lebanon, deploring all violent incidents in violation of the cease-fire and the extension of the area of fighting and declaring that such actions of military reprisal and other grave violations of the cease-fire could not be tolerated and that the Council would have to consider further and more effective steps as envisaged in the Charter to ensure against their repetition.

(k) 1537-1542 meetings (12-19 May 1970):

Subject matter: Lebanese complaint concerning Israeli ground and air attacks against Lebanon on 12 May 1970 and Israeli complaint concerning continuous armed attacks against Israel from Lebanese territory.

Decisions: (i) Resolution 279 (1970) of 12 May 1970 demanding the immediate withdrawal of all Israeli armed forces from Lebanese territory;

(ii) Resolution 280 (1970) of 19 May 1970 deploring the failure of Israel to abide by resolutions 262 (1968) and 270 (1969), condemning Israel for its premeditated military action, declaring that such armed attacks could no longer be tolerated and repeating its solemn warning to Israel that if they were to be repeated the Council would consider taking adequate and effective steps or measures in accordance with the relevant Articles of the Charter to implement its resolutions.

(l) 1551 meeting (5 September 1970):

Subject matter: Lebanese complaint concerning Israeli ground and air attacks against Lebanon on 4-5 September 1970.

Decision: Resolution 285 of 5 September 1970 demanding the complete and immediate withdrawal of all Israeli armed forces from Lebanese territory.

(m) 1643-1644 meetings (26-28 February 1972):

Subject matter: Lebanese complaint concerning Israeli ground and air attacks against Lebanon on 25 February 1972 and Israeli complaint concerning continuous armed attacks against Israel from Lebanese territory.

Decision: Resolution 313 (1972) of 28 February 1972 demanding that Israel immediately desist and refrain from any ground and air military action against Lebanon and forthwith withdraw its military forces from Lebanese territory.

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(n) 1648-1650 meetings (23-26 June 1972):

Subject matter: Lebanese and Syrian complaints concerning Israeli ground and air attacks against Lebanon on 21, 22 and 23 June 1972 and Israeli complaint concerning continuous armed attacks against Israel from Lebanese territory.

Decision: Resolution 316 (1972) of 26 June 1972 calling upon Israel strictly to abide by its resolutions and to refrain from all military acts against Lebanon, condemning, while profoundly deploring all acts of violence, the repeated attacks of Israeli forces on Lebanese territory and population, expressing the strong desire that appropriate steps would lead to the release in the shortest possible time of all Syrian and Lebanese military and security personnel abducted by Israeli armed forces on 21 June 1972 from Lebanese territory and declaring that if those steps did not result in the release of the abducted personnel or if Israel failed to comply with the present resolution the Council would reconvene at the earliest to consider further action.

(o) 1651-1653 meetings (18-21 July 1972):

Subject matter: Lebanese and Syrian complaints concerning the refusal of Israel to release the abducted Lebanese and Syrian military and security personnel in accordance with Security Council resolution 316 (1972) and Israeli request for the mutual release of all prisoners of war.

Decision: Resolution 317 (1972) of 21 July 1972 reaffirming its resolution 316 (1972), calling on Israel for the return of the abducted personnel without delay and requesting the President of the Security Council and the Secretary-General to make renewed efforts to secure the implementation of the resolution.

(p) 1661-1662 meetings (10 September 1972):

Subject matter: Lebanese complaint of Israeli attacks against Lebanon on 8 September 1972 and Syrian complaint of Israeli attacks against Syria on the same day.

Decision: None.

(q) 1706-1711 meetings (13-21 April 1973):

Subject matter: Lebanese complaint concerning Israeli raids in Beirut and Sidon on 10 April 1973.

Decision: Resolution 332 (1973) of 21 April 1973 expressing deep concern over and condemning all acts of violence which endangered or took innocent human lives, condemning the repeated military attacks conducted by Israel against Lebanon and calling upon Israel to desist forthwith from all military attacks on Lebanon.

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11. A review of the major incidents that have disrupted the cease-fire since June 1967 shows that guerrilla activity has been involved in many cases and that this involvement has been a factor both in the maintenance of the cease-fire and in the debates of the Security Council on the subject. It should be noted that some serious incidents were not brought before the Security Council. Indeed, the most serious breakdown of the cease-fire was never considered by the Council.

12. That breakdown concerned the fighting between the Israeli and United Arab Republic forces from early 1969 until 7 August 1970 and was due to the different positions of the parties concerning the implementation of the relevant Security Council resolutions. One side refused to continue to observe the cease-fire which it regarded as in effect perpetuating foreign occupation of its sovereign territory, while the other side contended that it would observe the cease-fire as long as the other party was willing to do so. When the first exchanges of fire took place in February 1969 the Secretary-General reported to the Security Council the concern expressed by the Chief of Staff of UNTSO that continued firing in the Suez Canal sector, if not checked, might result in a more serious breach of the cease-fire. Soon the fighting escalated and by the end of 1969 had reached a high level of hostilities. During the whole period of the fighting the Secretary-General reported in detail all the developments observed by the observers and appealed on several occasions for an end to the hostilities. The fighting came to an end on 7 August 1970 under a proposal initiated by the United States Government. Under that proposal the Governments of Israel, Jordan and the United Arab Republic agreed to designate representatives to discussions to be held under Ambassador Jarring's auspices and, in order to facilitate the latter's task of promoting agreement as set forth in Security Council resolution 242 (1967), they undertook strictly to observe the cease-fire resolutions of the Council as from 7 August 1970 (see also paragraphs 64-66 below).

13. That tragic episode underlines the fact that in the present circumstances the maintenance of the cease-fire depends essentially on the willingness of the parties concerned to abide by it. But this in turn depends on the prospects of achieving a just and accepted settlement of the Middle East problem, and so long as such a settlement is not in sight the cease-fire will remain precarious and unstable.

B. Situation in the occupied territories

14. In the aftermath of the June 1967 hostilities, the Security Council on 14 June 1967 adopted resolution 237 (1967) in which it called upon the Government of Israel to ensure the safety, welfare and security of the inhabitants of the areas where military operations had taken place and to facilitate the return of those inhabitants who had fled the areas since the outbreak of hostilities, recommended to the Governments concerned the scrupulous respect of the humanitarian principles governing the treatment of prisoners of war and the protection of civilian persons in time of war contained in the Geneva Conventions of 12 August 1949 and requested the Secretary-General to follow the effective implementation of the resolution and to report to the Council. That resolution was later endorsed by the General Assembly in its resolution 2252 (ES-V) of 4 July 1967.

15. On 6 July 1967, the Secretary-General appointed Mr. Nils-Göran Gussing as his Special Representative to obtain for him on the spot the information required for the proper discharge of his responsibilities under those resolutions. The Secretary-General issued a report on the mission on 2 October 1967 (A/6797-S/8158), which set forth the findings of the Special Representative concerning the safety, welfare and security of the population in the areas under Israeli control, the situation of displaced persons from those areas and the question of their return, the treatment of prisoners of war and the question of minorities.

16. In two notes dated 19 April and 31 July 1968 respectively (A/7085-S/8553 and A/7149-S/8699), the Secretary-General informed the General Assembly and the Security Council of his approaches to the Governments concerned in order to send a new representative to the area under Security Council resolution 237 (1967) and General Assembly resolution 2252 (ES-V). The Secretary-General pointed out that concern about humanitarian questions in the Middle Eastern area was frequently brought to his attention, but since the termination of the Gussing mission there had been no United Nations source of first-hand information on those problems. Israel agreed to the proposed mission but insisted that the Special Representative should look into the situation of the Jewish communities in the Arab countries in the area. The United Arab Republic, Jordan and Syria also accepted the Secretary-General's proposal, but they emphasized that the mandate of the Special Representative should be within the scope of the two above-mentioned resolutions and Syria made it clear that that should not include the "so-called Jewish minorities in Arab countries". In view of the difficulties concerning the scope and terms of reference of the proposed mission, the Secretary-General concluded that there was no basis at that time on which the mission could proceed.

17. On 27 September 1968 the Security Council adopted resolution 259 (1968) in which it requested the Secretary-General urgently to dispatch a special representative to the Arab territories under military occupation by Israel following the hostilities of 5 June 1967 and to report on the implementation of resolution 237 (1967). It also requested the Government of Israel to receive the Special Representative of the Secretary-General, to co-operate with him and to facilitate his work and recommended that the Secretary-General be afforded all co-operation in his efforts in this regard.

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18. In a report dated 14 October 1968 (S/8851), the Secretary-General informed the Security Council that he was unable to give effect to the decision of the Council. Israel had insisted that parallel assurances should be received from the Governments of the Arab States that had participated in the war that the Special Representative would have the access and co-operation indispensable to the fulfilment of his mission concerning the Jewish minorities in their countries. The Arab States had reiterated their opposition to including the question of Jewish minorities in the mandate of the Special Representative.

19. At its twenty-third session the General Assembly, by its resolution 2443 (XXIII) of 19 December 1968, established a special committee composed of three Member States to investigate Israeli practices affecting the human rights of the population of the occupied territories. At the following session the Assembly adopted resolution 2546 (XXIV) of 11 December 1969, in which, among other things, it expressed its grave concern at the continuing reports of violation of human rights in the occupied territories, called upon the Government of Israel to desist forthwith from its reported repressive practices and policies towards the civilian population in those territories and requested the Special Committee to take cognizance of the provisions of the Assembly's resolution.

20. The Government of Israel has withheld its co-operation from the Special Committee, whose members are Somalia, Sri Lanka and Yugoslavia, claiming, among other things, that it had been illegally constituted. Since 1970 the Special Committee has submitted three reports to the General Assembly (A/8089 in 1970, A/8389 and Add.1 in 1971, A/8828 in 1972). In those reports the Committee set forth its findings based on information it had been able to obtain from sources from the occupied territories and recommended, among other things, that an alternate arrangement be made that would enable a direct and on-the-spot investigation of allegations of violation of human rights and that a protecting Power be designated under the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 for the population of those territories. The General Assembly considered those reports at its twenty-fifth, twenty-sixth and twenty-seventh sessions and each time it has requested the Special Committee to continue its work and has called upon Israel to co-operate with the Special Committee and to facilitate its tasks (resolutions 2727 (XXV) of 15 December 1970, 2851 (XXVI) of 20 December 1971 and 3005 (XXVII) of 15 December 1972). In this connexion the Assembly has also called upon Israel to rescind forthwith and desist from all policies and practices affecting the human rights of the population of the occupied territories and reaffirmed that all measures to settle the occupied territories, including Jerusalem, were null and void.

21. The Commission on Human Rights considered matters relating to human rights in the occupied territories at each of its sessions since the beginning of 1968 and has adopted six resolutions on the subject (resolutions 6 (XXIV) of 27 February 1968, 6 (XXV) of 4 March 1969, 10 (XXVI) of 23 March 1970, 9 (XXVII) of 15 March 1971, 3 (XXVIII) of 22 March 1972 and 4 (XXIX) of 14 March 1973). In particular, the Commission, in its resolution 6 (XXV), entrusted a Special Working Group of Experts with the mandate to investigate allegations concerning Israel's

violations of the fourth Geneva Convention and endorsed the conclusions of the Special Working Group (see E/CN.4/1016/Add.2) in its resolution 10 (XXVI).

22. The question of the return of displaced persons who had fled the occupied territories has also been dealt with by the General Assembly in conjunction with the problem of Palestine refugees (see paragraph 41 below).

C. Question of Jerusalem

23. Following the June 1967 hostilities the question of Jerusalem was first considered by the General Assembly at its fifth emergency special session. By its resolution 2253 (ES-V) of 4 July 1967 and resolution 2254 (ES-V) of 14 July 1967, the Assembly considered that the measures taken by Israel to change the status of the city were invalid, called upon Israel to rescind all measures already taken and to desist forthwith from taking any action which would alter the status of Jerusalem, and requested the Secretary-General to report to it and to the Security Council on the situation.

24. In pursuance of General Assembly resolution 2253 (ES-V) the Secretary-General submitted a report (A/6753-S/8052) on 10 July 1967 based on the information he had obtained from the Israeli Government. In his message to the Secretary-General the Israeli Foreign Minister indicated that the measures referred to in the General Assembly's resolution related to the integration of Jerusalem in the administrative and municipal spheres and furnished a legal basis for the protection of the Holy Places in Jerusalem.

25. After the adoption of Assembly resolution 2254 (ES-V), the Secretary-General appointed Ambassador A. Thalmann of Switzerland as his Personal Representative in Jerusalem in order to obtain information on the situation in the city. The Secretary-General's report on the activities of the Thalmann mission was submitted on 12 September 1967 (A/6793-S/8146). The report contained a description of the measures taken by the Israeli Government in order to integrate the parts of the city which had not been under Israeli control before June 1967. In particular, it referred to a law passed on 27 June 1967 providing that the law, jurisdiction and administration of the State should apply in any area of the State of Israel designated by the Government by order, as well as to an order issued by the Government on 28 June declaring the law, jurisdiction and administration of the State of Israel to be in force in the Old City and certain surrounding areas previously under Jordanian control.

26. On 27 April 1968 the Security Council adopted resolution 250 (1968) in which it called upon Israel to refrain from holding the military parade in Jerusalem which was contemplated for 2 May 1968. When the military parade was held as scheduled, the Security Council, on 2 May 1968, adopted resolution 251 (1968) in which the Council "deeply deplores the holding by Israel of the military parade in Jerusalem on 2 May 1968 in disregard of the unanimous decision adopted by the Council on 27 April 1968".

27. On 21 May the Security Council adopted resolution 252 (1968) in which it considered that all legislative and administrative measures and actions taken by Israel, including expropriation of land and properties thereon, which tended to change the legal status of Jerusalem were invalid and could not change that status. It also urgently called on Israel to rescind all such measures already taken and to desist forthwith from taking any further action which tended to change the status of Jerusalem and requested the Secretary-General to report to the Security Council on the implementation of the resolution. On 11 April 1969 the Secretary-General submitted a report (S/9149) in pursuance of Security Council

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resolution 252 (1968), which indicated that the Israeli Government's position in the matter remained the same. In this and a subsequent report dated 30 June 1969 (S/9149/Add.1) the Secretary-General circulated an unofficial translation of certain Israeli legislative and regulatory texts published in the Israel Official Gazette, which are relevant to the situation in Jerusalem.

28. At the request of Jordan the Council met on 30 June 1969 and adopted on 3 July resolution 267 (1969) in which it censured all measures taken to change the status of the city of Jerusalem, confirmed that all legislative and administrative measures and actions taken by Israel which purported to alter the status of Jerusalem, including expropriation of land and properties thereon, were invalid and urgently called once more upon Israel to rescind forthwith all measures taken by it which might tend to change the status of the city and to refrain from all actions likely to have such an effect. The Council also requested Israel to inform it without any further delay of its intentions with regard to the implementation of the provisions of the resolution and requested the Secretary-General to report to it on the matter. In pursuance of resolution 267 (1969) the Secretary-General submitted a report on 5 December 1969 (S/9537) in which he transmitted the information he had obtained from the Israeli Government. Israel took the position that it was inconceivable that Jerusalem should be torn apart again or that any international interest could be served by pressing for the dismemberment of the city.

29. On 21 August 1969 a fire occurred at the Al Aqsa Mosque in the Old City of Jerusalem and caused extensive damage to the building. At the request of the Arab Governments and others, the Security Council met to discuss the matter. In its resolution 271 (1969) of 15 September 1969, the Council recognized that any act of destruction or profanation of the Holy Places, religious buildings and sites in Jerusalem or any encouragement of, or connivance at, any such act might seriously endanger international peace and security. It determined that the execrable act of desecration and profanation of the Holy Al Aqsa Mosque emphasized the immediate necessity of Israel's desisting from acting in violation of United Nations resolutions and rescinding forthwith all measures and actions taken by it designed to alter the status of Jerusalem, and it called upon Israel scrupulously to observe the provisions of the Geneva Conventions and international law governing military occupation and to refrain from causing any hindrance to the discharge of the established functions of the Supreme Muslim Council of Jerusalem, including any co-operation that that Council might desire from countries with predominantly Muslim populations and from Muslim communities in relation to its plans for the maintenance and repair of the Islamic Holy Places in Jerusalem. The Council further condemned the failure of Israel to comply with its resolutions on the question of Jerusalem and called upon it to implement them forthwith. It also requested the Secretary-General to follow the implementation of the resolution and report thereon to the Council.

30. In compliance with this request, the Secretary-General submitted a report (S/9559) on 16 December 1969 based on information obtained from Israel. The Israeli Government charged that the genesis of the Council's resolution was the attempt of Arab States to exploit the fire in the Al Aqsa Mosque for propoganda purposes and to excite religious passions throughout the Moslem World. It went

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on to say that the report of the Commission of Enquiry appointed by the President of the Israel Supreme Court was published on 23 September 1969 and that the trial of the person accused of arson in connexion with the fire was in progress. In the meantime the Mosque had been temporarily repaired and prayers were being conducted as usual.

31. In a report dated 18 February 1971 and subsequent addenda (A/8282-S/10124 and Add.1 and 2) the Secretary-General brought to the attention of the Security Council an exchange of correspondence between him and the Permanent Representative of Israel concerning a master plan for the construction of housing developments in an area within and outside the Old City walls.

32. At the request of Jordan, the Security Council met again on 16 September 1971 to consider the question of Jerusalem. By its resolution 298 (1971) of 25 September 1971 the Council reaffirmed its resolutions 252 (1968) and 267 (1969). It confirmed that all legislative and administrative actions taken by Israel to change the status of the city of Jerusalem, including expropriation of land and properties, transfer of populations and legislation aimed at the incorporation of the occupied section, were totally invalid and could not change that status. The Council urgently called upon Israel to rescind all previous measures and actions and to take no further steps in the occupied section of Jerusalem which might purport to change the status of the city and requested the Secretary-General, in consultation with the President of the Council, to report to it within 60 days on the implementation of the resolution. In his report dated 19 December 1971 (S/10392), the Secretary-General stated that after consultation with the President of the Security Council, it had been agreed that the best way of fulfilling his responsibilities under resolution 298 (1971) was through a mission of three members of the Security Council. He had in mind as members of the mission the representatives of Argentina, Italy and Sierra Leone. However, an exchange of letters with the Government of Israel had provided no indication that Israel was willing to comply with the Council's resolution. Consequently, it was not possible for the Secretary-General to fulfil his mandate.

33. On 23 April 1973 the Permanent Representative of Jordan addressed a letter to the Secretary-General (A/9059-S/10919), in which he drew attention to reports that the Israeli Government intended to hold a large military parade in Jerusalem on 7 May 1973 to celebrate the twenty-fifth anniversary of the establishment of Israel and that the parade would extend to the Arab sector of Jerusalem. In that connexion, the President of the Security Council, after consulting all members of the Council, drew the attention of the Permanent Representative of Israel on 27 April 1973 to the provisions of Security Council resolutions 250 (1968) and 251 (1968) concerning the holding by Israel of a military parade in Jerusalem on 2 May 1968 (S/10922). In a second letter to the Secretary-General dated 8 May 1973 (A/9064-S/10924) the Permanent Representative of Jordan complained that the Israeli Government had held the parade, and he stated that this action was, "besides being an open defiance of the Security Council's most recent and direct pronouncement, a flagrant violation of the spirit and intent of the Council's unanimously adopted resolutions 250 (1968) of 27 April 1968 and 251 (1968) of 2 May 1968".

34. In connexion with the question of Jerusalem a reference should be made to the status of Government House, which serves as headquarters of UNTSO. A controversy on this matter has arisen between the Israeli Government and the United Nations after the hostilities of June 1967. In exchanges of correspondence with the Israeli Permanent Representative (S/7930/Add.27 and 29 and A/8282-S/10124 and Add.1 and 2), the Secretary-General has made clear his position that the United Nations had the right to the exclusive and undisturbed occupancy and possession of the full Government House compound as it was constituted on 5 June 1967.

D. Palestine refugee problem

35. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), established by the General Assembly in 1949, has continued to provide assistance to Palestine refugees in the form of food, shelter and health and educational services after the hostilities of June 1967, but as a result of those hostilities the Agency has been confronted with new responsibilities and new problems.

36. At the beginning of June 1967 there were 1,344,576 Palestine refugees registered with UNRWA. Of these 722,687 were living in Jordan, 144,390 in Syria, 160,723 in Lebanon and 316,776 in the Gaza Strip. As a result of the hostilities about 180,000 refugees and 200,000 newly displaced persons fled from the West Bank and the Gaza Strip to east Jordan, and about 17,000 refugees and 100,000 Syrians left the occupied Golan Heights for other parts of Syria. Many of the displaced persons were in dire need of assistance, and UNRWA provided them with emergency relief, mainly in the form of rations, blankets and temporary shelters. In occupied territories UNRWA has continued to provide assistance to the refugees who remained there, but adjustments have had to be made to deal with the new situation. While the Agency's relationship with the Governments in the Arab host countries has remained unchanged, its activities have been affected in some areas by the military and political situation arising from the intensification of the Middle East conflict.

37. In its resolution 2252 (ES-V) adopted on 4 July 1967 during the fifth emergency special session, the General Assembly commended the Commissioner-General of UNRWA for continuing the activities of the Agency in the prevailing situation and endorsed his efforts to provide temporary emergency assistance to the newly displaced persons. The Assembly also welcomed Security Council resolution 237 (1967) of 14 June 1967, in which the Council, among other things, called for the return of those inhabitants who had fled the areas of military operations since the outbreak of hostilities.

38. Since the fifth emergency special session, the General Assembly has periodically considered the annual reports of the Commissioner-General on the activities of UNRWA (A/6713, A/7213, A/7614, A/8013, A/8413 and A/8713 and Corr.1) and has invariably given its support to the Agency whose mandate has been extended until 30 June 1975 (resolutions 2341 A (XXII) of 19 December 1967, 2452 B (XXIII) of 19 December 1968, 2535 A (XXIV) of 10 December 1969, 2672 A (XXV) of 8 December 1970, 2792 A (XXVI) of 6 December 1971 and 2963 A (XXVII) of 13 December 1972). In this connexion the General Assembly has given special attention to the financial difficulties of UNRWA and has called for increased voluntary contributions to meet the needs of the Agency. When the financial situation became critical in 1970, the Assembly established a working group to study all aspects of the financing of UNRWA (resolution 2656 (XXV) of 7 December 1970). At the twenty-seventh session the Assembly endorsed the conclusion of the Working Group that further vigorous and constant fund-raising activities on behalf of UNRWA were essential and requested it to continue its efforts, in co-operation with the Secretary-General and the Commissioner-General, for the financing of the Agency for a further period of one year (resolution 2964 (XXVII) of 13 December 1972).

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39. When considering the refugee problem, the General Assembly has repeatedly noted with regret that the repatriation or compensation of the refugees as provided for by paragraph 11 of its resolution 194 (III) has not been effected, that no substantial progress has been made in the programme endorsed by its resolution 513 (VI) for the reintegration of refugees, either by repatriation or resettlement, and that therefore the situation of the refugees has continued to be a matter of serious concern. The Assembly has also noted with regret that the United Nations Conciliation Commission for Palestine was unable to find a means of achieving progress in the implementation of paragraph 11 of resolution 194 (III) and has requested the Commission to exert continued efforts towards this objective. In its last report to the Assembly, dated 29 September 1972 (A/8830), the Conciliation Commission indicated that the situation which had prevented all progress towards implementation of paragraph 11 of resolution 194 (III) remained essentially unchanged. The Commission expressed its determination to resume its endeavours as soon as it was possible to carry forward its work, while pointing out that its ability to do so would depend not only on an amelioration of the situation but also on the willingness of the parties to co-operate with it.

40. In conjunction with its consideration of the problem of the Palestine refugees the General Assembly has also adopted in 1969, 1970, 1971 and 1972 resolutions in which it recognizes that the problem arose from the denial of the inalienable rights of the Palestinian refugees under the United Nations Charter and the Universal Declaration of Human Rights and that the full respect for the inalienable rights of the people of Palestine is indispensable for the establishment of a just and lasting peace in the Middle East (resolutions 2535 B (XXIV), 2672 C (XXV), 2792 D (XXVI) and 2963 E (XXVII)).

41. The plight of the displaced persons who have fled from the occupied territories since June 1967 has also received the continued attention of the General Assembly. The Assembly has repeatedly called upon the Government of Israel to take effective and immediate steps for the return without delay of the displaced persons to their homes and camps (resolutions 2252 (ES-V), 2452 A (XXIII), 2672 D (XXV), 2792 E (XXVI) and 2693 D (XXVII)). In his reports to the Assembly on this subject (A/7665, A/8366 and A/8786) the Secretary-General has transmitted the information he has received from the Government of Israel. According to the latest information received, which was dated 8 August 1972 (A/8786), more than 40,000 displaced persons have returned to their homes since 1967. The Israeli Government also indicated that the conditions prevailing in the area did not permit a large-scale return of displaced persons and that the extent and rapidity with which the return could be facilitated was inevitably affected by political and security conditions. The Commissioner-General in his statement to the Special Political Committee during the twenty-seventh session of the General Assembly indicated that among the approximately 40,000 displaced persons who had returned some 3,000 were UNRWA refugees.

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42. Another specific question considered by the General Assembly concerns the refugees in the Gaza Strip. In 1971 the Commissioner-General of UNRWA submitted a special report (A/8383 and Add.1) on operations carried out by the Israeli military authorities in the Gaza Strip that had resulted in the demolition of large numbers of shelters in refugee camps and the removal of approximately 15,000 refugees from those camps. The General Assembly has twice called upon Israel to desist from further destruction of refugee shelters and from further removal of refugees from their present places of residence and to take immediate and effective steps for the return of the refugees concerned to the camps from which they were removed and to provide adequate shelters for their accommodation (resolutions 2792 C (XXVI) and 2963 C (XXVII)). The Assembly has also called upon Israel to desist from all measures that affect the physical structure and the demographic composition of the Gaza Strip. On 15 September 1972 the Secretary-General submitted a report on the subject (A/8814) to the General Assembly, based on the information that he had received from the Israeli Government and the Commissioner-General of UNRWA. The Israeli Government indicated that the measures taken by the Israeli authorities were necessitated by security considerations and that where shelters had to be demolished all possible safeguards were taken to avoid undue hardship to the inhabitants of the affected shelters. The Commissioner-General of UNRWA reported that no further demolitions with their attendant removal of refugees had taken place since August 1971, although there had been some demolitions of individual shelters as a punitive or deterrent measure. The Commissioner-General also indicated that according to the Agency's information many refugees affected by the demolitions were still living in unsatisfactory conditions and that he was pursuing the matter with the Israeli authorities.

II. THE SEARCH FOR A SETTLEMENT

Adoption of Security Council resolution 242 (1967)

43. In the discussions in the Security Council and in the General Assembly at its fifth emergency special session following the hostilities of June 1967, the view was widely held that not only should the immediate effects of those hostilities be dealt with, but that the time had come for a peaceful settlement of all aspects of the Middle East situation. Several proposals giving recognition to that view in one form or another were put forward, but none obtained the necessary majority.

44. In November 1967, the Security Council considered several proposals relating to the establishment of a just and lasting peace in the Middle East and on 22 November 1967 adopted resolution 242 (1967), the text of which reads as follows:

"The Security Council,

"Expressing its continuing concern with the grave situation in the Middle East,

"Emphasizing the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in which every State in the area can live in security,

"Emphasizing further that all Member States in their acceptance of the Charter of the United Nations have undertaken a commitment to act in accordance with Article 2 of the Charter,

"1. Affirms that the fulfilment of Charter principles requires the establishment of a just and lasting peace in the Middle East which should include the application of both the following principles:

- (i) Withdrawal of Israeli armed forces from territories occupied in the recent conflict;
- (ii) Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force;

"2. Affirms further the necessity

(a) For guaranteeing freedom of navigation through international waterways in the area;

(b) For achieving a just settlement of the refugee problem;

(c) For guaranteeing the territorial inviolability and political independence of every State in the area, through measures including the establishment of demilitarized zones;

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"3. Requests the Secretary-General to designate a Special Representative to proceed to the Middle East to establish and maintain contacts with the States concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement in accordance with the provisions and principles in this resolution;

"4. Requests the Secretary-General to report to the Security Council on the progress of the efforts of the Special Representative as soon as possible."

As I stated in the Security Council on 20 April 1973 (S/PV.1710, page 12), the activities of the Special Representative in pursuance of resolution 242 (1967) have been described in a series of reports by the Secretary-General, notably the detailed reports of my predecessor dated 4 January 1971 (S/10070) and 30 November 1971 (A/8541-S/10403). The information in the sections covering activities up to November 1971 has been taken from those reports, for the most part verbatim.

Activities of the Special Representative from December 1967 to May 1968

45. On 23 November 1967 the Secretary-General reported to the Council (S/8259) that he had invited Ambassador Gunnar Jarring of Sweden to accept the designation as the Special Representative mentioned in paragraph 3 of the Council's above-mentioned resolution. Ambassador Jarring accepted this designation and arrived at United Nations Headquarters on 26 November, where he entered into consultation with the representatives of Israel, Jordan, Lebanon and the United Arab Republic (Syria, the other State concerned, did not at that stage or later accept the Security Council resolution). After those consultations with the parties, Ambassador Jarring established the headquarters of the United Nations Middle East Mission in Cyprus.

46. When the Special Representative first met with the parties in December 1967, he found that the Israeli Government was of the firm view that a settlement of the Middle East question could be reached only through direct negotiations between the parties culminating in a peace treaty and that there could be no question of withdrawal of their forces prior to such a settlement. In a letter dated 27 December, the Minister for Foreign Affairs of Israel communicated to the Special Representative a proposal that Israel and the United Arab Republic representatives should, as a first step, discuss an agenda for peace. The Israeli proposals for such an agenda were:

"1. Political and juridical problems: The replacement of cease-fire arrangements by peace treaties ending the state of belligerency, ending all hostile acts and threats and embodying a permanent undertaking of mutual non-aggression.

"2. Territorial and security problems: The determination of agreed territorial boundaries and security arrangements. Agreement on this measure would determine the deployment of armed forces after the cease-fire.

"3. Navigation problems: Practical methods should be discussed for ensuring free navigation for all States including Israel in the Suez Canal and the Gulf of Aqaba when the cease-fire is replaced by peace. In the light of tragic experience, it is evident that international declarations cannot by themselves solve this problem. Concrete measures and guarantees are required.

"4. Economic problems: Proposals for terminating boycott practices and instituting normal economic relations."

47. The United Arab Republic and Jordan, for their part, insisted that there could be no question of discussions between the parties until the Israeli forces had been withdrawn to the positions occupied by them prior to 5 June 1967. Reacting specifically to the Israeli proposals for discussing an agenda for peace, the Minister for Foreign Affairs of the United Arab Republic, in an aide-mémoire presented on 30 December 1967, stated that the withdrawal of Israel's forces to the positions held prior to June 1967 was a basic and preliminary step to a peaceful settlement in the Middle East.

48. An Israeli proposal for discussions on an agenda for peace with Jordan was submitted to the Special Representative in a letter dated 7 January 1968. It followed the same general lines as the proposal for the United Arab Republic but contained more detailed suggestions for economic co-operation, as well as the following new topics:

"Humanitarian problems: In the proposed negotiation, high priority should be given to a solution of the refugee problem with international and regional co-operation.

"Religious and historical sites: Access to sites of special religious significance should be discussed. The Government of Israel clarified its views on this subject in several verbal and written communications to the United Nations."

It was also stated:

"In the meantime, it is urgent that breaches of the cease-fire and activities by El Fatah and other such organizations should be suppressed and every effort made on both sides to avoid exchanges of fire."

49. The proposals, when communicated to the Jordanian authorities by the Special Representative, were objected to in the same way as the proposals to the United Arab Republic had been.

50. Faced with these conflicting positions, the Special Representative sought to obtain from the parties an assurance that they would implement Security Council resolution 242 (1967), in the hope that such a declaration would be regarded as a basis for subsequent discussions between the parties. The Special Representative received from the Israeli Foreign Minister a number of written formulations of Israel's position on the Security Council resolution, of which the last, dated 19 February 1968, read as follows:

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"1. The Government of Israel, out of respect for the Security Council's resolution of 22 November 1967 and responding affirmatively thereto, assures you of its full co-operation in your efforts with the States concerned to promote agreement and to achieve an accepted settlement for the establishment of a just and lasting peace, in accordance with your mandate under the resolution.

"2. Israel's position has throughout been that the best way to achieve the objective of the Security Council resolution is through direct negotiations. However, as a further indication of Israel's co-operation, we are willing that this be done in a meeting convened by the Special Representative of the Secretary-General.

"3. On 12 February 1968, I informed you of Israel's acceptance of the Security Council's call in its resolution of 22 November 1967 for the promotion of agreement on the establishment of peace. The United Arab Republic is also aware of Israel's willingness as explained on 1 February to negotiate on all matters included in the Security Council's resolution. We accept the sponsor's view that the principles recommended for inclusion in the peace settlement are integrally linked and interdependent.

"4. We have noted the United Arab Republic's willingness to 'implement' the Security Council's resolution and fulfil its obligations thereunder. It is a matter of concern that the United Arab Republic statements, unlike those of Israel, do not specifically use the precise terms of the resolution in such crucial matters as 'agreement' and the 'establishment of a just and lasting peace', and that the United Arab Republic has not yet agreed to a process of negotiation without which, of course, a declaration of willingness to fulfil the resolution is of no substantive effect. The resolution is a framework for agreement. It cannot be fulfilled without a direct exchange of views and proposals leading to bilateral contractual commitments. The United Arab Republic position is, therefore, still deficient in important respects. We are, however, conscious of the importance of the fact that the United Arab Republic and Israel have both responded affirmatively to the call for co-operating with you in the mission laid upon you by the Security Council. At the same time, it would be unrealistic to ignore that there have been sharp differences of interpretation of what the resolution entails. To subscribe to similar declarations does not of itself solve practical issues at stake.

"5. It is accordingly urgent to move forward to a more substantive stage and to embark on a meaningful negotiation for achieving the just and lasting peace called for by the Security Council."

In discussions with the Special Representative on that date, the Foreign Minister stated that Israel would not object to an indirect approach to negotiations provided that it was designed to lead to a later stage of direct negotiations and agreement.

51. In a series of meetings with Ambassador Jarring over this period, the United Arab Republic Foreign Minister gave assurances that the United Arab Republic was ready to implement the Security Council resolution as a whole and to fulfil its obligations under it, but stated that it would not accept direct negotiations. As the Foreign Minister stated in a meeting held on 20 February 1968, the United Arab Republic accepted indirect negotiations; however, the first step must be an Israeli declaration "in clear language" that it would implement the Security Council resolution.

52. The Jordanian authorities expressed a similar point of view to the Special Representative.

53. The Special Representative then proceeded to United Nations Headquarters for consultations with the Secretary-General. Returning to the area at the beginning of March, he informally presented to the parties, to ascertain their reactions, a draft letter from himself to the Secretary-General, which would be worded as follows:

"The Governments of Israel and the United Arab Republic Jordan have both indicated to me that they accept Security Council resolution 242 (1967) of 22 November 1967 for achieving a peaceful and accepted settlement of the Middle East question and intend to devise arrangements, under my auspices, for the implementation of the provisions of the resolution.

"The two Governments have expressed their willingness to co-operate with me in my capacity as Special Representative of the Secretary-General in the discharge of my tasks of promoting agreement and achieving such a settlement.

"In view of the urgency of the situation and with a view to expediting efforts to reach settlement, I have invited the two Governments to meet with me, for conferences within the framework of the Security Council resolution, in Nicosia. I have pleasure in informing you that the two Governments have responded favourably to this invitation."

54. In the ensuing two months, Ambassador Jarring paid repeated further visits to the countries concerned with a view to obtaining their acceptance of the idea of meetings under his auspices. Israel eventually accepted, without conditions, the text proposed by the Special Representative. Jordan and the United Arab Republic continued to press for a more precise declaration by Israel of its willingness to implement the resolution.

55. Eventually the Jordanian authorities indicated that they would accept the text of the Special Representative's draft letter provided the invitation was to meetings in New York, a change of venue that was not acceptable to Israel. Finally, in a written statement dated 9 May, the United Arab Republic Foreign Minister reaffirmed the readiness of his country's Permanent Representative to the United Nations in New York to meet with the Special Representative to continue the contacts which the latter had been having with the parties for the implementation of resolution 242 (1967). In that connexion, he referred to previous suggestions

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for a time-table for the implementation of the resolution. The United Arab Republic Foreign Minister repeated that the United Arab Republic was ready to implement the resolution as a whole and as a "package deal". He insisted, however, that Israel should do likewise, including complete withdrawal.

56. Ambassador Jarring was faced with a position where there was agreement, though clearly with considerable differences of interpretation, on the first two paragraphs of his proposed invitation, but where there was disagreement on the third paragraph containing the actual invitation. Further journeying backwards and forwards between the various countries was unlikely to be productive. In consultation with the Secretary-General, Ambassador Jarring therefore decided that talks should take place in New York without a formal invitation.

57. During his stay in the Middle East from December 1967 to May 1968, the Special Representative also visited Beirut on three occasions. The Lebanese Government expressed its full support for a solution according to Security Council resolution 242 (1967). Lebanon, however, had no territory under occupation and therefore did not have the same detailed involvement in the settlement as the United Arab Republic and Jordan. The Special Representative did not visit Syria, whose Government, as noted above, had not accepted the Security Council resolution.

58. Ambassador Jarring left the area on 10 May 1968 and arrived at Headquarters on 15 May 1968.

Activities of the Special Representative from May 1968 to June 1970

59. Ambassador Jarring held inconclusive discussions with the Permanent Representatives in New York in May and June 1968, resumed direct contact with the parties in the Middle East in August and September and held discussions in New York with the Foreign Ministers of the parties during the 1968 session of the General Assembly. In the course of these discussions, the positions of the Governments of Israel and the United Arab Republic were set out in written statements, which made clear the essential differences between them. On the one hand, Israel regarded the Security Council resolution as a statement of principles in the light of which the parties should negotiate peace and, on the other hand, the United Arab Republic considered that the resolution provided a plan for settlement of the Middle East dispute to be implemented by the parties according to modalities to be established by the Special Representative. It was also abundantly clear that there was a crucial difference of opinion over the meaning to be attached to the withdrawal provisions of the Security Council resolution, which according to the Arab States applied to all territories occupied since 5 June 1967 and according to Israel applied only to the extent required when agreement had been reached between the parties on secure and recognized borders between them.

60. The Special Representative made two further visits to the Middle East; first in December 1968 and secondly in March and April 1969. On the latter occasion, he submitted a series of questions to the parties and received detailed replies giving their attitudes towards the various provisions of resolution 242 (1967). 1/

1/ For the texts of the questions and replies, see annex I.

61. It had been the hope of Ambassador Jarring, in submitting his questions, that the replies might show certain encouraging features that might make it possible to invite the parties for a series of meetings between them and him at some mutually convenient place. However, the replies were in general a repetition of attitudes already expressed to Ambassador Jarring on numerous occasions from the beginning of his mission. They showed continued serious divergencies between the Arab States and Israel both as regards the interpretation to be given to the Security Council resolution and as to the procedures for putting its provisions into effect.

62. Ambassador Jarring returned to Headquarters from 12 September to 8 October 1969 and from 10 to 26 March 1970, but found no new elements that would permit him to organize active discussions with the parties.

63. On 3 April 1969, the Permanent Representatives of France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America began a series of meetings on the Middle East question aimed at arriving at a common interpretation of Security Council resolution 242 (1967) and a common formulation of the general provisions of a peaceful settlement. The meetings continued at various intervals up to September 1971. After each such meeting, the Chairman conveyed the substance of the discussions to the Secretary-General, who kept Ambassador Jarring informed.

Attempt to hold discussions under the Special Representative's auspices
(June-September 1970)

64. In June 1970, the Government of the United States of America proposed to the Governments of Israel, Jordan and the United Arab Republic that they should each advise Ambassador Jarring as follows:

"(a) that having accepted and indicated their willingness to carry out resolution 242 in all its parts, they will designate representatives to discussions to be held under his auspices, according to such procedure and at such places and times as he may recommend, taking into account as appropriate each side's preference as to method of procedure and previous experience between the parties;

"(b) that the purpose of the aforementioned discussions is to reach agreement on the establishment of a just and lasting peace between them based on (1) mutual acknowledgement by the United Arab Republic, Jordan and Israel of each other's sovereignty, territorial integrity and political independence, and (2) Israeli withdrawal from territories occupied in the 1967 conflict, both in accordance with resolution 242;

"(c) that, to facilitate his task of promoting agreement as set forth in resolution 242, the parties will strictly observe, effective 1 July at least until 1 October, the cease-fire resolutions of the Security Council."

65. Having been informed by the United States Government that the States concerned had accepted its peace initiative, the Secretary-General invited Ambassador Jarring to return immediately to Headquarters, where he arrived on 2 August. On

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3 August 1970, the United States Secretary of State briefed the Secretary-General and the Special Representative on the initiative and communicated the text quoted above.

66. The Secretary-General informed the Security Council in a note dated 7 August (S/9902) that Ambassador Jarring had received confirmation from the Permanent Representatives of those States of their acceptance and that he had addressed to the Secretary-General a letter as described above. The Secretary-General was informed by the United States Representative that his Government had received the acceptance of the Governments of the United Arab Republic and Israel to a standstill cease-fire for a period of 90 days from 2200 GMT on the same day. The Secretary-General and Ambassador Jarring had previously been informed by the United States Secretary of State that his Government would take responsibility for organizing the standstill cease-fire.

67. Ambassador Jarring at once entered into contact with the parties and, after considering their views on the time and place of the discussions, on 21 August 1970 addressed to them invitations to take part in discussions opening at New York on 25 August 1970. He met on the appointed day with representatives of each of the parties. However, the Permanent Representative of Israel, who had been designated by Israel as its representative for the initial phase of the talks, then stated that he had been instructed by his Government to return to Israel for consultations. On his return on 8 September, he communicated to Ambassador Jarring the decision of his Government not to participate in the talks under Ambassador Jarring's auspices so long as the cease-fire standstill agreement was not observed in its entirety. Israel claimed that the Government of Egypt had gravely violated the agreement. The discussions were thus terminated for the time being.

The General Assembly debate of October-November 1970

68. On 26 October 1970, the General Assembly, which had had the situation in the Middle East on its agenda since 1967, but had not discussed it, resumed consideration of the question at the request of the United Arab Republic.

69. On 4 November 1970, the General Assembly adopted resolution 2628 (XXV), the operative part of which read as follows:

"1. Reaffirms that the acquisition of territories by force is inadmissible and that, consequently, territories thus occupied must be restored;

"2. Reaffirms that the establishment of a just and lasting peace in the Middle East should include the application of both the following principles:

(a) Withdrawal of Israeli armed forces from territories occupied in the recent conflict;

(b) Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and its right to live in peace within secure and recognized boundaries free from threats or acts of force;

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"3. Recognizes that respect for the rights of the Palestinians is an indispensable element in the establishment of a just and lasting peace in the Middle East;

"4. Urges the speedy implementation of Security Council resolution 242 (1967), which provides for the peaceful settlement of the situation in the Middle East, in all its parts;

"5. Calls upon the parties directly concerned to instruct their representatives to resume contact with the Special Representative of the Secretary-General in order to enable him to carry out, at the earliest possible date, his mandate for the implementation of the Security Council resolution in all its parts;

"6. Recommends to the parties that they extend the cease-fire for a period of three months in order that they may enter into talks under the auspices of the Special Representative of the Secretary-General with a view to giving effect to Security Council resolution 242 (1967);

"7. Requests the Secretary-General to report to the Security Council within a period of two months, and to the General Assembly as appropriate, on the efforts of the Special Representative and on the implementation of Security Council resolution 242 (1967);

"8. Requests the Security Council to consider, if necessary, making arrangements, under the relevant Articles of the Charter of the United Nations, to ensure the implementation of its resolution."

The resumption of the discussions

70. Immediately following the adoption of General Assembly resolution 2628 (XXV), Ambassador Jarring entered into contact with the representatives of the parties in order to invite them to re-enter into talks under his auspices for the purpose of reaching agreement on the establishment of a just and lasting peace. The representatives of Jordan and the United Arab Republic informed him that their Governments continued to be willing to do so; the representative of Israel stated that the matter was under consideration in the Israeli Cabinet.

71. On 30 December, Ambassador Jarring received in Moscow a message from the Foreign Minister of Israel in which the latter informed him of the readiness of the Government of Israel to resume its participation in the talks.

72. On 4 January 1971, the Secretary-General issued a comprehensive report (S/10070) covering the activities of his Special Representative up to that date.

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The holding of discussions under the Special Representative's auspices
(January-March 1971)

73. Ambassador Jarring resumed his discussions with the parties at Headquarters on 5 January 1971 and pursued them actively. He held a series of meetings with the representatives of Israel (including meetings with the Prime Minister and Foreign Minister during a brief visit to Israel made from 8 to 10 January 1971 at the request of that Government), of Jordan, and of the United Arab Republic. In addition, he held meetings with the Permanent Representative of Lebanon, which is also one of the States directly concerned with the Middle East settlement.

74. At an early stage in those meetings Israel presented to Ambassador Jarring, for transmission to the Governments concerned, papers containing its views on the "Essentials of Peace". Subsequently, the United Arab Republic and Jordan having received the respective Israeli papers, presented papers containing their own views concerning the implementation of the provisions of Security Council resolution 242 (1967).

75. During the remainder of January, Ambassador Jarring held further meetings with the representatives of Israel, Jordan and the United Arab Republic, in the course of which he received further memoranda elaborating the positions of the parties. The memoranda indicated that the parties held differing views on the order in which items should be discussed. More important, each side was insisting that the other should be ready to make certain commitments before being ready to proceed to the stage of formulating the provisions of a peace settlement.

76. On the Israeli side there was insistence that the United Arab Republic should give specific, direct and reciprocal commitments towards Israel that it would be ready to enter into a peace agreement with Israel and to make towards Israel the various undertakings referred to in paragraph 1 (ii) of Security Council resolution 242 (1967). When agreement was reached on those points, it would be possible to discuss others, including the refugee problem; such items as secure and recognized boundaries, withdrawal and additional arrangements for ensuring security should be discussed in due course.

77. The United Arab Republic continued to regard the Security Council resolution as containing provisions to be implemented by the parties and to express its readiness to carry out its obligations under the resolution in full, provided that Israel did likewise. However it held that Israel persisted in its refusal to implement the Security Council resolution, since it would not commit itself to withdraw from all Arab territories occupied in June 1967. Furthermore in the view of the United Arab Republic Israel had not committed itself to the implementation of the United Nations resolutions relevant to a just settlement to the refugee problem.

78. The papers received by Ambassador Jarring from Israel and Jordan relating to peace between those two countries showed a similar divergence of views. Israel stressed the importance of Jordan's giving an undertaking to enter into a peace agreement with it that would specify the direct and reciprocal obligations

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undertaken by each of them. Jordan emphasized the inadmissibility of the acquisition of territory by war and expressed the view that the essential first step towards peace lay in an Israeli commitment to evacuate all Arab territories.

79. Ambassador Jarring felt that at that stage of the talks he should make clear his views on what he believed to be the necessary steps to be taken in order to achieve a peaceful and accepted settlement in accordance with the provisions and principles of Security Council resolution 242 (1967), which the parties had agreed to carry out in all its parts. He then reached the conclusion, which was shared by the Secretary-General, that the only possibility of breaking the imminent deadlock arising from the differing views of Israel and the United Arab Republic as to the priority to be given to commitments and undertakings - which seemed to him to be the real cause for the existing immobility in the talks - was for him to seek from each side the parallel and simultaneous commitments that seemed to be inevitable prerequisites of an eventual peace settlement between them. It should thereafter be possible to proceed at once to formulate the provisions and terms of a peace agreement not only for those topics covered by the commitments but with equal priority for other topics, in particular, the refugee question.

80. In identical aide-mémoires handed to the representatives of the United Arab Republic and Israel on 8 February 1971 Ambassador Jarring requested those Governments to make to him certain prior commitments. Ambassador Jarring's initiative was on the basis that the commitments should be made simultaneously and reciprocally and subject to the eventual satisfactory determination of all other aspects of a peace settlement, including in particular a just settlement of the refugee problem. Israel would give a commitment to withdraw its forces from occupied United Arab Republic territory to the former international boundary between Egypt and the British Mandate of Palestine. The United Arab Republic would give a commitment to enter into a peace agreement with Israel and to make explicitly therein to Israel, on a reciprocal basis, various undertakings and acknowledgements arising directly or indirectly from paragraph 1 (ii) of Security Council resolution 242 (1967). (For the full text of the aide-mémoires, see annex II.)

81. On 15 February, Ambassador Jarring received from the representative of the United Arab Republic an aide-mémoire in which it was indicated that the United Arab Republic would accept the specific commitments requested of it, as well as other commitments arising directly or indirectly from Security Council resolution 242 (1967). If Israel would likewise give commitments covering its own obligations under the Security Council resolution, including commitments for the withdrawal of its armed forces from Sinai and the Gaza Strip and for the achievement of a just settlement of the refugee problem in accordance with United Nations resolutions, the United Arab Republic would be ready to enter into a peace agreement with Israel. Finally the United Arab Republic expressed the view that a just and lasting peace could not be realized without the full and scrupulous implementation of Security Council resolution 242 (1967) and the withdrawal of the Israeli armed forces from all the territories occupied since 5 June 1967. (For the full text of the United Arab Republic reply, see annex III.)

82. On 17 February, Ambassador Jarring informed the Israeli representative of the contents of the United Arab Republic reply to his aide-mémoire.

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83. On 26 February, Ambassador Jarring received a communication from the representative of Israel, in which, without specific reference to the commitment which he had sought from that Government, Israel stated that it viewed favourably "the expression by the United Arab Republic of its readiness to enter into a peace agreement with Israel" and reiterated that it was prepared for meaningful negotiations on all subjects relevant to a peace agreement between the two countries. Israel gave details of the undertakings which in its opinion should be given by the two countries in such a peace agreement, which should be expressed in a binding treaty in accordance with normal international law and precedent. Israel considered that both parties, having presented their basic positions, should now pursue the negotiations in a detailed and concrete manner without prior conditions.

84. On the crucial question of withdrawal on which Ambassador Jarring had sought a commitment from Israel, the Israeli position was that it would give an undertaking covering withdrawal of Israeli armed forces from "the Israeli-United Arab Republic cease-fire line" to the secure, recognized and agreed boundaries to be established in the peace agreement; Israel would not withdraw to the pre-5 June 1967 lines. (For the full text of the Israeli paper, see annex IV.)

85. On 28 February, Ambassador Jarring informed the United Arab Republic representative of the contents of the Israeli communication. The latter held that it was improper for the Israeli authorities to have responded to his Government's reply, which had been addressed to Ambassador Jarring and would have full effect only if the Israeli authorities would give the commitment requested of them by Ambassador Jarring.

86. In accepting the United States proposal for renewed discussions under Ambassador Jarring's auspices (see S/10070, paragraphs 33 and 34), the parties had agreed that they would observe strictly, for a period of 90 days from 7 August 1970, the cease-fire resolutions of the Security Council. In response to the recommendation of the General Assembly in resolution 2628 (XXV), the cease-fire had been extended for a further period of three months. In a report of 1 February submitted as that period was expiring, the Secretary-General appealed to the parties at that stage of the discussions to withhold fire, to exercise military restraint and to maintain the quiet that had prevailed in the area since August 1970.

87. In response to that appeal, the Foreign Ministry of Israel, in a communiqué released in Jerusalem on 2 February, announced that Israel would observe the cease-fire on a mutual basis; in a speech to the National Assembly on 4 February, the President of the United Arab Republic declared the decision of the United Arab Republic to refrain from opening fire for a period of 30 days ending on 7 March.

88. In a report dated 5 March 1971 (S/10070/Add.2), Secretary-General U Thant made the following statement:

"Ambassador Jarring has been very active over the past month and some further progress has been made towards a peaceful solution of the Middle East question. The problems to be settled have been more clearly identified

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and on some there is general agreement. I wish moreover to note with satisfaction the positive reply given by the United Arab Republic to Ambassador Jarring's initiative. However, the Government of Israel has so far not responded to the request of Ambassador Jarring that it should give a commitment on withdrawal to the international boundary of the United Arab Republic.

"While I still consider that the situation has considerable elements of promise, it is a matter for increasing concern that Ambassador Jarring's attempt to break the deadlock has not so far been successful. I appeal, therefore, to the Government of Israel to give further consideration to this question and to respond favourably to Ambassador Jarring's initiative.

"To give time for further consideration and in the hope that the way forward may be reopened, I once more appeal to the parties to withhold fire, to exercise military restraint and to maintain the quiet which has prevailed in the area since August 1970."

Further developments (March-November 1971)

89. In response to the Secretary-General's appeal, the Israeli Government once again made clear its willingness to continue to observe the cease-fire on a basis of reciprocity. The President of the United Arab Republic, in a statement to the nation on 7 March 1971, declared that his country no longer considered itself further committed to a cease-fire or to withholding fire. That, however, did not mean that political action would cease.

90. On 11 March, the Israeli representative informed Ambassador Jarring that his Government was awaiting the reaction of the United Arab Republic Government to the Israeli invitation in its reply of 26 February to enter into detailed and concrete discussions (see paragraph 83 above). When that statement of the Israeli representative was brought to the attention of the United Arab Republic representative, he maintained that his Government was still awaiting an Israeli reply to Ambassador Jarring's aide-mémoire.

91. Subsequently, the talks under Ambassador Jarring's auspices lapsed. He therefore left Headquarters to resume his post as Ambassador of Sweden in Moscow on 25 March.

92. Although he returned to Headquarters from 5 to 12 May and from 21 September to 27 October 1971 and held certain consultations elsewhere, Ambassador Jarring found himself faced with the same deadlock and with no possibility of actively pursuing his mission.

93. Indeed, during much of that time the promotion of agreement between the parties was the object of two separate initiatives. The first was an effort by the United States of America to promote an interim agreement providing for the reopening of the Suez Canal, and the second a mission of inquiry conducted by

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certain African Heads of States on behalf of the Organization of African Unity. Both initiatives were described to Ambassador Jarring and the Secretary-General by the sponsors as designed to facilitate the resumption of Ambassador Jarring's mission. Nevertheless, while they were being pursued, they obviously constituted an additional reason for him not to take personal initiatives.

94. The Secretary-General and his Special Representative were briefed by the United States Secretary of State on his Government's initiative after his trip to the Middle East in April 1971. However, there has been no subsequent indication of positive results.

95. The Organization of African Unity mission of inquiry, consisting of the Heads of State of the Cameroon, the Democratic Republic of the Congo (Zaire), Nigeria and Senegal, under the chairmanship of the President of Senegal, visited Israel and Egypt on two occasions in November 1971. The report of that mission was communicated to the Secretary-General and to the Special Representative by the President of Mauritania, Chairman of the Committee of 10 African Heads of State to which the mission had reported.

96. The mission noted certain positive elements in the replies it had received from the two Governments. Both parties had renewed their acceptance of Security Council resolution 242 (1967) and were ready to resume indirect negotiations under the auspices of Ambassador Jarring. The mission came to the conclusion that the success of renewed negotiations could be regarded as assured, if the practical application of the concept of secure and recognized boundaries did not oblige Egypt to alienate part of its national territory and that it was necessary to obtain Israel's agreement to the putting into effect (without territorial annexation) of arrangements offering sufficient guarantees to ensure its security.

Discussion at the twenty-sixth session of the General Assembly

97. On 30 November 1971, the Secretary-General submitted to the Security Council and to the General Assembly a comprehensive report (A/8541-S/10403) on the activities of the Special Representative from 4 January 1971. This report contained, inter alia, a call by Secretary-General U Thant for the appropriate organs of the United Nations to review the situation once again and to find ways and means to enable the Jarring Mission to move forward.

98. The report was before the General Assembly when it debated the situation in the Middle East at its twenty-sixth session. On 13 December 1971, the General Assembly adopted resolution 2799 (XXVI), the operative part of which read as follows:

"1. Reaffirms that the acquisition of territories by force is inadmissible and that, consequently, territories thus occupied must be restored;

"2. Reaffirms that the establishment of a just and lasting peace in the Middle East should include the application of both the following principles:

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(a) Withdrawal of Israeli armed forces from territories occupied in the recent conflict;

(b) Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and its right to live in peace within secure and recognized boundaries free from threats or acts of force;

"3. Requests the Secretary-General to take the necessary measures to reactivate the mission of the Special Representative of the Secretary-General to the Middle East in order to promote agreement and assist efforts to reach a peace agreement as envisaged in the Special Representative's aide-mémoire of 8 February 1971;

"4. Expresses its full support for all the efforts of the Special Representative to implement Security Council resolution 242 (1967);

"5. Notes with appreciation the positive reply given by Egypt to the Special Representative's initiative for establishing a just and lasting peace in the Middle East;

"6. Calls upon Israel to respond favourably to the Special Representative's peace initiative;

"7. Further invites the parties to the Middle East conflict to give their full co-operation to the Special Representative in order to work out practical measures for:

(a) Guaranteeing freedom of navigation through international waterways in the area;

(b) Achieving a just settlement of the refugee problem;

(c) Guaranteeing the territorial inviolability and political independence of every State in the area;

"8. Requests the Secretary-General to report to the Security Council and to the General Assembly, as appropriate, on the progress made by the Special Representative in the implementation of Security Council resolution 242 (1967) and of the present resolution;

"9. Requests the Security Council to consider, if necessary, making arrangements, under the relevant Articles of the Charter of the United Nations, with regard to the implementation of its resolution."

Further attempts to reactivate the Jarring Mission

99. In consultation with my predecessor, Ambassador Jarring immediately after the adoption of Assembly resolution 2799 (XXVI) held meetings with the Foreign Ministers of Egypt and Israel, who were still in New York, and with the Permanent Representative of Jordan to discuss arrangements for the reactivation of his mission. On assuming office, I invited Ambassador Jarring to come to New York, where further talks took place from 10 to 27 January 1972. After extensive consultations with me, Ambassador Jarring went to west Africa on 28 January and met the President of Senegal, who had been the Chairman of the group of four African Heads of State which had visited Egypt and Israel towards the end of 1971. He also visited the President of Mauritania, who had been Chairman of the Committee of Ten, to which the group of four had reported, and received further information about the results of that visit.

100. After consulting further with me, Ambassador Jarring paid a visit to Cairo, where he met with the Egyptian Foreign Minister on 19 and 20 February 1972. He held discussions with the Jordanian authorities in Amman on 23 February and with the Israeli authorities in Jerusalem on 25 February. After reporting to me at Geneva on 27 February, Ambassador Jarring returned to New York, where he continued to see representatives of the parties.

101. In their initial contacts with Ambassador Jarring in New York, the Egyptian representatives took the view that in reactivating his mission, he should ask the Israeli authorities for a commitment to withdraw their troops from occupied Egyptian territory as requested by Ambassador Jarring in his aide-mémoire of 8 February 1971 and as called for in General Assembly resolution 2799 (XXVI). They were not prepared, in the absence of such a commitment, to take part in discussions with the Israeli authorities.

102. On the other hand, the Israeli authorities made it clear that they were not prepared to give the commitment requested or to give any other form of statement of equivalent effect on the question of withdrawal. They reiterated their public statements that they did not consider themselves bound by General Assembly resolution 2799 (XXVI). They stated that they continued to be ready to take part in negotiations with Egypt without prior conditions on all the points raised by each side, which on the Israeli side included the determination of secure and recognized boundaries. However, they held that before discussions could take place under Ambassador Jarring's auspices, he should give an assurance that he considered his mandate to be based solely on Security Council resolution 242 (1967) and that he did not consider himself bound by General Assembly resolution 2799 (XXVI) or by his aide-mémoire of 8 February 1971.

103. Despite this continuing deadlock, Ambassador Jarring persevered in his attempt to reactivate his mission. In the meetings in Cairo, the idea was put forward that, as a means of getting round the deadlock, the parties should exchange, through him, clarifications of their positions on the various subjects dealt with in resolution 242 (1967) with a view to formulating provisions for inclusion in a peace treaty. The Egyptian authorities continued to hold the view that progress

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towards a settlement lay through the acceptance by Israel of the principle of withdrawal according to Security Council resolution 242 (1967) and of General Assembly resolution 2799 (XXVI); nevertheless, in an effort to break the impasse, they were prepared to take part in the process of clarification.

104. Ambassador Jarring brought the same idea to the attention of the Israeli authorities in Jerusalem and they agreed to give the matter serious consideration. However, when he resumed his discussions with the Israeli representative in New York on 8 March, he was asked to give assurances, which he should also bring to the attention of the Egyptian authorities, that he would be guided solely by Security Council resolution 242 (1967) and that he did not consider himself bound by his aide-mémoire of 8 February 1971 and General Assembly resolution 2799 (XXVI).

105. Ambassador Jarring, after consulting with me, assured the Israeli Government that his mandate was defined in Security Council resolution 242 (1967). However, General Assembly resolution 2799 (XXVI), which endorsed Ambassador Jarring's aide-mémoire of 8 February 1971, represented the constitutionally adopted judgement of a major organ of the United Nations and had to be regarded as such. It was indicated to the Israeli authorities that their acceptance of the Assembly resolution was not a condition for the clarification procedure that had been suggested.

106. In the event, it was not possible to reactivate the mission of Ambassador Jarring with regard to Egypt and Israel.

107. In his discussions with the Jordanian authorities, Ambassador Jarring found them concerned about lack of progress. In their view, the withdrawal of Israeli forces in their sector was a highly important matter, inasmuch as it affected a very large population living under occupation or as refugees. If talks were reactivated with regard to Egypt and Israel, they were anxious that they should be carried out simultaneously as regards Israel and Jordan.

108. In view of the continuing deadlock, Ambassador Jarring returned to his post in Moscow on 24 March. Subsequently, he returned to Headquarters from 1 to 4 May and from 1 to 12 August for a further review of the positions of the parties and consultations with all concerned. He also had other contacts elsewhere with representatives of the parties and met twice with me in July 1972 in Geneva to discuss what further useful action might be taken. He also returned to Headquarters at the beginning of the twenty-seventh session of the General Assembly and again just prior to the Assembly debate on the situation in the Middle East.

109. However, as I stated in my report dated 15 September 1972 on the activities of the Special Representative (A/8815-S/10792):

"In spite of our continued efforts, it has not been possible to make any substantial progress. As can be seen from published statements of the parties, an agreed basis for discussions under Ambassador Jarring's auspices does not seem to exist at the present time. Despite this situation, we shall continue our efforts."

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Discussion at the twenty-seventh session of the General Assembly

110. The General Assembly held a further discussion of the situation in the Middle East from 29 November to 8 December 1972. (For the records of this discussion see documents A/PV.2092, 2094-2103 and 2105.) At the conclusion of the discussion, the General Assembly adopted resolution 2949 (XXVII), the operative part of which read as follows:

"1. Reaffirms its resolution 2799 (XXVI);

"2. Deplores the non-compliance by Israel with General Assembly resolution 2799 (XXVI), which in particular called upon Israel to respond favourably to the peace initiative of the Special Representative of the Secretary-General to the Middle East;

"3. Expresses its full support for the efforts of the Secretary-General and his Special Representative;

"4. Declares once more that the acquisition of territories by force is inadmissible and that, consequently, territories thus occupied must be restored;

"5. Reaffirms that the establishment of a just and lasting peace in the Middle East should include the application of both the following principles:

(a) Withdrawal of Israeli armed forces from territories occupied in the recent conflict;

(b) Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and its right to live in peace within secure and recognized boundaries free from threats or acts of force;

"6. Invites Israel to declare publicly its adherence to the principle of non-annexation of territories through the use of force;

"7. Declares that changes carried out by Israel in the occupied Arab territories in contravention of the Geneva Conventions of 1949 are null and void, and calls upon Israel to rescind forthwith all such measures and to desist from all policies and practices affecting the physical character or demographic composition of the occupied Arab territories;

"8. Calls upon all States not to recognize any such changes and measures carried out by Israel in the occupied Arab territories and invites them to avoid actions, including actions in the field of aid, that could constitute recognition of that occupation;

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"9. Recognizes that respect for the rights of the Palestinians is an indispensable element in the establishment of a just and lasting peace in the Middle East;

"10. Requests the Security Council, in consultation with the Secretary-General and his Special Representative, to take all appropriate steps with a view to the full and speedy implementation of Security Council resolution 242 (1967), taking into account all the relevant resolutions and documents of the United Nations in this connexion;

"11. Requests the Secretary-General to report to the Security Council and the General Assembly on the progress made by him and his Special Representative in the implementation of Security Council resolution 242 (1967) and of the present resolution;

"12. Decides to transmit the present resolution to the Security Council for its appropriate action and requests the Council to keep the General Assembly informed."

Situation since the adoption of General Assembly resolution 2949 (XXVII)

111. The General Assembly in its resolution envisaged further action by the Secretary-General and his Special Representative, for whose efforts it expressed full support. However, the parties have continued to maintain their respective positions as previously explained.

112. Thus the basic deadlock remains. In the circumstances, Ambassador Jarring concluded, and I concurred, that there was no useful action that he could take following adoption of General Assembly resolution 2949 (XXVII), and he remained at his post as Swedish Ambassador in Moscow until after the adoption of Security Council resolution 331 (1973).

113. The problem of the Middle East has preoccupied me ever since I became Secretary-General. In an effort to find any ways of making progress toward a settlement I have engaged in continuous discussions not only with the Foreign Ministers and representatives of the parties themselves, but also with numerous other Governments that are concerned with the problem. I have also been in continuous touch with the members of the Security Council on the question, and I have been alert to any changes of attitude or of procedures that might lead to progress in achieving a peaceful settlement.

III. OBSERVATIONS

114. Although the Security Council has in the last six years dealt with a number of different aspects of the Middle East problem, it has not considered the problem as a whole since the adoption of resolution 242 (1967) on 22 November 1967. In its forthcoming meetings the Council will therefore, in a sense, be taking up the consideration of the Middle East question where it left off at that time.

115. For more than 25 years, the United Nations, and in particular the Security Council, has had a major and universally recognized responsibility in relation to the Middle East question. It should not be forgotten that although the United Nations has not proved able, in this very difficult situation, to bring about a just and lasting settlement, various instrumentalities of the United Nations set up by the Security Council and by the General Assembly have, throughout this period, played an important role in limiting conflict and in preserving the tenuous truce which has prevailed in the area for most of the time.

116. The problem before the Council is an extremely complex and difficult one, which no Government or group of Governments has been able to solve outside the framework of the United Nations. But the procedures of the Council still offer valuable possibilities for limiting conflict and also for assisting the countries of the region to find the way to a solution to their problems, if they so wish. The Security Council is, as far as I know, the only forum where all the parties to the conflict have been able to meet together in the same room. In the forthcoming debate it is to be hoped that this advantage may be used for constructive moves toward a settlement.

117. Five and a half years have passed since the adoption of resolution 242 (1967), and, after many and various attempts to pursue the aims of that resolution, the Council itself is now resuming the search for peace in the Middle East. It goes without saying that I as Secretary-General, my Special Representative, Ambassador Jarring, the Secretariat, and the various instrumentalities of the United Nations in the Middle East are at the disposal of the Governments concerned and of the Council itself to assist in whatever way we can in the Council's efforts. Obviously these efforts can only be useful if the parties concerned wish to avail themselves of them. But if that wish is present, the new effort to find a way to a settlement in the Middle East need not be futile. That effort should include a new appraisal of the possibilities and procedures of the Council itself for conciliation and an exploration of all of the means by which the framework of the United Nations might be used to assist the parties in reaching a just and lasting settlement.

118. Certainly both reason and self-interest indicate that such a settlement is long overdue. The tensions and conflicts of the Middle East are a heavy burden not only on the countries of the area, but also on the international community itself. It is my earnest hope that in embarking on this new effort all those concerned will find it possible to look to the future and to take advantage of the international instrumentalities at their disposal and of the general and fervent desire of the international community to open a new and more harmonious chapter in the history of the Middle East.

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ANNEX I

QUESTIONS SUBMITTED IN MARCH 1969 BY THE SPECIAL REPRESENTATIVE
TO THE GOVERNMENTS CONCERNED AND THEIR REPLIES

Note: Ambassador Jarring submitted his questions to the States concerned in the form of separate lists specifically addressed to each Government. Those lists were, however, prepared from a general list applicable to all the parties and that list is, to save repetition, reproduced here. As some questions related to provisions of Security Council resolution 242 (1967) which applied to only one or some of the parties, the numbers of questions in the specific lists were not always the same as those in the general list. Where the number of the answer differs from that of the question in the general list, the latter number is added in square brackets.

Specific lists of questions based on the following general list were submitted by Ambassador Jarring to the Governments of the United Arab Republic on 5 March, of Jordan on 8 March, of Israel on 9 March and of Lebanon on 14 March 1969.

A. QUESTIONS SUBMITTED BY THE SPECIAL REPRESENTATIVE

Security Council resolution 242 (1967) sets out provisions and principles in accordance with which a peaceful and accepted settlement of the Middle East Question should be achieved. Some of these provisions would impose obligations on both sides, some on one side, and some on the other. It has generally been accepted that they should be regarded as a whole. The following questions designed to elicit the attitude of the parties towards the provisions of the Security Council resolution are based on this assumption and are to be understood in the context that each provision is regarded as part of a "package deal".

1. Does Israel (Jordan, Lebanon, United Arab Republic) accept Security Council resolution 242 (1967) for implementation for achieving a peaceful and accepted settlement of the Middle East Question in accordance with the provisions and principles contained in the resolution?
2. Does Israel (Jordan, Lebanon, United Arab Republic) agree to pledge termination of all claims or states of belligerency with Jordan, Lebanon and the United Arab Republic (Israel)?

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3. Does Israel (Jordan, Lebanon, United Arab Republic) agree to pledge respect for and acknowledgement of the sovereignty, territorial integrity and political independence of Jordan, Lebanon and the United Arab Republic (Israel)?
4. Does Israel (Jordan, Lebanon, United Arab Republic) accept the right of Jordan, Lebanon and the United Arab Republic (Israel) to live in peace within secure and recognized boundaries free from threats or acts of force?
5. If so, what is the conception of secure and recognized boundaries held by Israel (Jordan, Lebanon, United Arab Republic)?
6. Does Israel agree to withdraw its armed forces from territories occupied by it in the recent conflict?
7. Does the United Arab Republic agree to guarantee freedom of navigation for Israel through international waterways in the area, in particular:
 - (a) through the Straits of Tiran, and
 - (b) through the Suez Canal?
8. Does Israel (Jordan, Lebanon, United Arab Republic) agree that, if a plan for the just settlement of the refugee problem is worked out and presented to the parties for their consideration, the acceptance in principle of such a plan by the parties and the declaration of their intention to implement it in good faith constitute sufficient implementation of this provision of the Security Council resolution to justify the implementation of the other provisions?
9. Does Israel (Jordan, Lebanon, United Arab Republic) agree that the territorial inviolability and political independence of the States in the area should be guaranteed:
 - (a) by the establishment of demilitarized zones;
 - (b) through additional measures?
10. Does Israel agree that such demilitarized zones should include areas on its side of its boundaries?
11. Does Jordan agree that a demilitarized zone should be established in Jordanian territory from which Israel armed forces have been withdrawn?
12. Does the United Arab Republic agree that a demilitarized zone should be established:
 - (a) at Sharm-el-Sheikh;
 - (b) in other parts of the Sinai peninsula?

/...

13. Does Israel (Jordan, Lebanon, United Arab Republic) agree that demilitarization of such zones should be supervised and maintained by the United Nations?

14. Would Israel (Jordan, Lebanon, United Arab Republic) accept as a final act of agreement on all provisions a mutually signed multilateral document which would incorporate the agreed conditions for a just and lasting peace?

B. REPLY OF THE GOVERNMENT OF ISRAEL

(Handed to Ambassador Jarring in Jerusalem by the Minister for Foreign Affairs on 2 April 1969)

Jerusalem, 2 April 1969

Dear Ambassador Jarring,

Israel's position on all the subjects raised in your eleven questions has been stated in detail in my address to the General Assembly of 8 October 1968, and in the memoranda presented to you on 15 October 1968 and 4 November 1968.

I now enclose specific replies in an affirmative spirit to the questions as formulated. It is my understanding that on the basis of the answers received from the three governments you propose to pursue further mutual clarifications in an effort to promote agreement on all the matters at issue in accordance with your mandate. We are ready to join in this process at any appropriate place.

Israel's statements of attitude, including her replies to these questions, has taken into account recent developments in Arab policy including the speeches recently delivered by President Nasser and other Arab leaders. We have noted the specific and emphatic reiteration of their refusal to make peace with Israel, to recognize Israel, to negotiate with Israel, to cease terrorist attacks on Israel or to admit the possibility of sovereign co-existence in any field. It would appear at this time that the effective negation by the UAR of the principles of the Charter and of the Security Council's Resolution is obvious and vehement. We hope that this policy, to which effect is given every day, will change; but these authoritative statements have caused deep concern and have intensified the tension which we would have wished to see relieved.

It is also our view that highly publicized encounters by four member States have weakened the attention which should have been concentrated on the efforts of the parties themselves to move towards agreement. They are causing a duplication and dispersal of effort. They have also encouraged a wrong impression in some quarters that a solution can be sought outside the region and without its governments. Israel recognizes your mission as the authoritative international framework within which peace between the States in the Middle East should be promoted.

/...

I recall the idea which we discussed some weeks ago that the Foreign Ministers of the three governments should meet with you soon at a suitable place to pursue the promotion of agreement. As you will remember, I reacted positively to this idea. I wish to reaffirm that Israel will continue to co-operate with you in the fulfilment of your mission.

Yours sincerely,

(Signed) Abba EBAN

Answer to Question One:

Israel accepts the Security Council resolution (242) for the promotion of agreement on the establishment of a just and lasting peace, to be reached by negotiation and agreements between the governments concerned. Implementation of agreements should begin when agreement has been concluded on all their provisions.

Answer to Question Two:

It is the Arab States, not Israel which claimed and originated states of belligerency. They declared themselves for two decades to be in a state of unilateral war with Israel. It is therefore primarily incumbent upon them to terminate the state of war with Israel.

On the establishment of peace with her Arab neighbours, Israel agrees to the termination, on a reciprocal basis, of all claims or states of belligerency with each State with which peace is established. A declaration specifying each State by name would be made by Israel in each case.

The corresponding statement by any Arab State must specifically renounce belligerency "with Israel" and not "with any state in the area". Legal obligations must be specific in regard to those by whom they are bound.

Renunciation of belligerency includes the cessation of all maritime interference, the cessation of boycott measures involving third parties; the annulment of reservations made by Arab States on the applicability to Israel of their obligations under international conventions to which they have adhered; non-adherence to political and military alliances and pacts directed against

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Israel or including States unwilling to renounce claims or states of belligerency with Israel and maintain peaceful relations with it; the non-stationing of armed forces of such other States on the territory of the contracting States and the prohibition and prevention in the territory of Arab States of all preparations, actions or expeditions by irregular or para-military groups or by individuals directed against the lives, security or property of Israel in any part of the world.

The last stipulation is without prejudice to the fact that the responsibility of Arab governments for preventing such activities is legally binding under the cease-fire established by the parties in June 1967.

Answer to Question Three:

Israel agrees to respect and acknowledge the sovereignty, territorial integrity and political independence of neighbouring Arab States; this principle would be embodied in peace treaties establishing agreed boundaries.

Answer to Question Four:

Israel accepts the right of Jordan, Lebanon, the United Arab Republic and other neighbouring States to live in peace within secure and recognized boundaries, free from threats or acts of force. Explicit and unequivocal reciprocity is Israel's only conditions for this acceptance. "Acts of force" include all preparations, actions or expeditions by irregular or para-military groups or by individuals directed against the life, security or property of Israel in any part of the world.

Answer to Question Five:

Secure and recognized boundaries have never yet existed between Israel and the Arab States; accordingly, they should now be established as part of the peace-making process. The cease-fire should be replaced by peace treaties establishing permanent, secure and recognized boundaries as agreed upon through negotiation between the governments concerned.

/...

Answer to Question Six:

When permanent, secure and recognized boundaries are agreed upon and established between Israel and each of the neighbouring Arab States, the disposition of forces will be carried out in full accordance with the boundaries determined in the peace treaties.

Answer to Question Seven: /general question 8/

The refugee problem was caused by the wars launched against Israel by Arab States, and has been perpetuated through the refusal of Arab States to establish peaceful relations with Israel. In view of the human problems involved in this issue Israel has expressed its willingness to give priority to the attainment of an agreement for the solution of this problem through regional and international co-operation. We believe that agreement could be sought even in advance of peace negotiations. We suggest that a conference of Middle Eastern States should be convened, together with the Governments contributing to refugee relief and the Specialized Agencies of the United Nations, in order to chart a five-year plan for the solution of the refugee problem in the framework of a lasting peace and the integration of refugees into productive life. This conference can be called in advance of peace negotiations.

Joint refugee integration and rehabilitation commissions should be established by the governments concerned in order to work out agreed projects for refugee integration on a regional basis with international assistance.

In view of the special humanitarian nature of this issue we do not make agreement on plans for a solution of the refugee problem contingent on agreement on any other aspect of the Middle Eastern problem. For the same reason it should not be invoked by Arab States to obstruct agreement on other problems.

Answer to Question Eight: /general question 9/

The effective guarantee for the territorial inviolability and political independence of States lies in the strict observance by the governments of their treaty obligations. In the context of peace providing for full respect for the sovereignty of States and the establishment of agreed boundaries, other security measures may be discussed by the contracting governments.

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Answer to Questions Nine and Ten: /general questions 10 and 13/

Without prejudice to what is stated in answer to Question Eight, it is pointed out that experience has shown that the measures mentioned in Questions Nine and Ten have not prevented the preparation and carrying out of aggression against Israel.

Answer to Question Eleven: /general question 14/

Peace must be juridically expressed, contractually defined and reciprocally binding in accordance with established norms of international law and practice. Accordingly, Israel's position is that the peace should be embodied in bilateral peace treaties between Israel and each Arab State incorporating all the agreed conditions for a just and lasting peace. The treaties, once signed and ratified, should be registered with the Secretariat of the United Nations in accordance with Article 102 of the United Nations Charter.

2 April 1969

C. REPLY OF THE GOVERNMENT OF JORDAN

(Received by Ambassador Jarring in Nicosia on 24 March 1969)

23 March 1969

Your Excellency,

Following are the answers of my Government to the questions which you presented to us in Amman, on Saturday, 8 March 1969. The answers as numbered, hereunder, correspond to your questions.

These answers explain my Government's position, which position has repeatedly been stated to Your Excellency throughout our past meetings.

May I take this opportunity to express to you my continued sincere wishes for your success in the important mission with which you are entrusted.

Yours sincerely,

(Signed) Abdul Monem RIFA'I
Minister of Foreign Affairs

His Excellency,
Ambassador Gunnar Jarring
Special Representative to
The Secretary-General of
The United Nations.

/...

Answer (1)

Jordan, as it has declared before, accepts the Security Council resolution 242 (1967) and is ready to implement it in order to achieve a peaceful and accepted settlement in accordance with the provisions and principles contained in the resolution.

Answer (2)

Jordan agrees to pledge termination of all claims or states of belligerency. Such a pledge becomes effective upon withdrawal of Israeli forces from all Arab territories which Israel occupied as a result of its aggression of 5 June 1967.

A pledge by Israel to terminate the state of belligerency would be meaningful only when Israel withdraws its forces from all Arab territories it occupied since 5 June 1967.

Answer (3)

On 5 June 1967 Israel launched its aggression against three Arab States, violating their sovereignty and territorial integrity. Agreement to pledge respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area requires the termination by Israel of its occupation and the withdrawal of its forces from all the Arab territories it occupied as a result of its aggression of 5 June.

Answer (4)

Jordan accepts the right of every State in the area to live in peace within secure and recognized boundaries free from threats or acts of force, provided that Israel withdraws its forces from all Arab territories it occupied since 5 June 1967, and implements the Security Council resolution of 22 November 1967.

Answer (5)

When the question of Palestine was brought before the United Nations in 1947, the General Assembly adopted its resolution 181 (II) of 29 November 1947 for the partition of Palestine and defined Israel's boundaries.

/...

Answer (6) /general question 8/

It has always been our position that the just settlement of the refugee problem is embodied in paragraph 11 of the General Assembly resolution 194 of December 1948 which has been repeatedly reaffirmed by each and every General Assembly session ever since its adoption.

If a plan on the basis of that paragraph is presented for consideration to the parties concerned, its acceptance by the parties and the declaration of their intention to implement it in good faith, with adequate guarantees for its full implementation, would justify the implementation of the other provisions of the resolution.

Answer (7) (8) /general questions 9 and 11/

We do not believe that the establishment of demilitarized zones is a necessity. However, Jordan shall not oppose the establishment of such zones if they are astride the boundaries.

Answer (9) /general question 13/

In case demilitarized zones are established Jordan accepts that such zones be supervised and maintained by the United Nations.

Answer (10) /general question 14/

In view of our past experience with Israel and her denunciation of four agreements signed by her with Arab States we consider that the instrument to be signed by Jordan engaging her to carry out her obligations, would be addressed to the Security Council. Israel would likewise sign and address to the Security Council an instrument engaging her to carry out her obligations emanating from the Security Council resolution of 22 November 1967. The endorsement by the Security Council of these documents would constitute the final multilateral act of agreement.

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D. REPLY OF THE GOVERNMENT OF LEBANON

(Received by Ambassador Jarring in Moscow on 21 April 1969)

[Translated from French]

...

In reply to the questionnaire which Your Excellency addressed to me on 14 March 1969, I have the honour, on behalf of the Lebanese Government, to inform you of the following:

Lebanon is essentially involved in the general context of the Israeli-Arab conflict - and, therefore, in the consequences of the war launched by Israel on 5 June 1967 - because of its brotherly solidarity with the Arab States and of the threats which are constantly directed at it by Israel.

Lebanon is justified in considering, however, that the armistice agreement which it concluded with Israel on 23 March 1949 remains valid, as indicated in its message of 10 June 1967 to the Chairman of the Mixed Armistice Commission and as confirmed by U Thant, Secretary-General of the United Nations, in his report to the General Assembly of 19 September 1967. In that report, Mr. Thant, referring to the actual text of the agreement, said that it could be revised or suspended only by mutual consent. In view of Lebanon's circumstances, now and in the past, the armistice lines have, of course, never been changed. These lines, it should be noted, correspond to the frontiers of Lebanon which have always been internationally recognized in bilateral and multilateral diplomatic instruments as well as by the League of Nations and the United Nations. Lebanon participated actively in the drafting of the United Nations Charter and was admitted in its present form and structure to membership in the Organization. Its frontiers have not undergone any de facto or de jure alteration as a result of the cease-fire decisions taken by the Security Council after 5 June 1967.

It may be appropriate to state the above-mentioned facts, more particularly with a view to explaining the nature and character of the only reply which we are in a position to give to the questionnaire sent to us by Your Excellency on 14 March 1969.

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In this reply, which reflects the position taken by Lebanon at inter-Arab conferences, we proclaim Lebanon's support of the position of the Arab States whose territory has been occupied by Israel and which have accepted the Security Council's decision of 22 November 1967.

The present note is consistent with the spirit of the talks which you have already held with various Lebanese officials.

Accept, Sir, the assurances of my highest consideration.

(Signed) Yousset SALEM
Minister for Foreign Affairs

E. REPLY OF THE GOVERNMENT OF THE UNITED ARAB REPUBLIC

(Handed to Ambassador Jarring in Cairo by the Minister for Foreign Affairs of the United Arab Republic on 27 March 1969)

The memorandum handed to you on 5 March 1969 during your recent visit to Cairo clearly expresses the realities of the present situation. In its items 1 to 7, the memorandum gives a clear restatement of the position of the United Arab Republic which is based on the acceptance of the Security Council resolution 242 of 22 November 1967, and its readiness to carry out the obligations emanating therefrom.

The memorandum also clearly expounds Israel's persistence in rejecting the Security Council resolution and its refusal to carry out its obligations emanating from it as well as Israel's plans for annexation of Arab lands through war; a policy not only prohibited by the Charter of the United Nations but also violates the Security Council resolution which specifically emphasizes the inadmissibility of the acquisition of territory by war. It has become obvious that Israel, in its endeavour to realize its expansionist aims, is no longer satisfied with the actual rejection of the Security Council resolution but actively works against it.

The same memorandum also states Israel's expansion plan as revealed by the quoted statements of Israeli leaders. This plan aims at:

1. Annexation of Jerusalem;
2. Keeping the Syrian Heights under its occupation;
3. Occupation of the West Bank in Jordan and its complete domination, practically terminating Jordan's sovereignty in that part;
4. Economic and administrative integration of the Gaza strip into Israel and the systematic eviction of its inhabitants;
5. Occupation of Sharm El-Sheikh and the Gulf of Aqaba area as well as the continued military presence in eastern part of Sinai;
6. The establishment of Israeli settlements in occupied territories.

This Israeli position constitutes a flagrant violation and clear rejection of the Security Council resolution of 22 November 1967 and of the peaceful settlement for which it provides.

/...

In the light of these undeniable facts, I find it incumbent upon me to state categorically, at the outset of the replies to the specific questions you addressed to the United Arab Republic on 5 March 1969, that all the answers of the United Arab Republic, which reaffirm its acceptance of the Security Council resolution and its readiness to carry out the obligations emanating from it require, likewise, that Israel accept the resolution and carry out all its obligations emanating from it and in particular withdrawal from all Arab territories it occupied as a result of its aggression of 5 June 1967.

Question (1)

The United Arab Republic, as it has declared before, accepts the Security Council resolution 242 (1967) and is ready to implement it in order to achieve a peaceful and accepted settlement in accordance with the provisions and principles contained therein.

Question (2)

The United Arab Republic agrees to pledge termination of all claims or state of belligerency. Such a pledge becomes effective upon withdrawal of Israel's forces from all Arab territories occupied as a result of Israel's aggression of 5 June 1967.

A declaration by Israel terminating the state of belligerency would be meaningful only when Israel withdraws her forces from all Arab territories it occupied since 5 June 1967.

Question (3)

On 5 June 1967, Israel launched its aggression against three Arab States violating their sovereignty and territorial integrity. Acceptance by the United Arab Republic to pledge respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area requires the termination by Israel of its occupation and the withdrawal of its forces from all the Arab territories it occupied as a result of its aggression of 5 June, and the full implementation of the Security Council resolution of 22 November 1967.

/...

Question (4)

The United Arab Republic accepts the right of every State in the area to live in peace within secure and recognized boundaries free from threats or acts of force, provided that Israel withdraws its forces from all Arab territories occupied as a result of its aggression of 5 June 1967, and implements the Security Council resolution of 22 November 1967.

Question (5)

When the question of Palestine was brought before the United Nations in 1947, the General Assembly adopted its resolution 181 of 29 November 1947, for the partition of Palestine and defined Israel's boundaries.

Question (6) /General question 7/

We have declared our readiness to implement all the provisions of the Security Council resolution covering, inter alia, the freedom of navigation in international waterways in the area; provided that Israel, likewise, implements all provisions of the Security Council resolution.

Question (7) /General question 8/

It has always been our position that the just settlement of the refugee problem is embodied in paragraph 11 of the General Assembly resolution 194 of December 1948, which has been unfailingly reaffirmed by each and every General Assembly session ever since its adoption.

If a plan on the basis of that paragraph is presented for consideration to the parties concerned, its acceptance by the parties and the declaration of their intention to implement it in good faith, with adequate guarantees for its full implementation would justify the implementation of the other provisions of the Security Council resolution.

Questions (8), (9) /General questions 9 and 12/

We do not believe that the establishment of demilitarized zones is a necessity. However, the United Arab Republic will not oppose the establishment of such zones if they are astride the boundaries.

/...

Question (10) [General question 13]

In case demilitarized zones are established the United Arab Republic accepts that such zones be supervised and maintained by the United Nations.

Question (11) [General question 14]

In view of our past experience with Israel and her denunciation of four agreements signed by her with Arab States, we consider that the instrument to be signed by the United Arab Republic engaging her to carry out her obligations, should be addressed to the Security Council. Israel should, likewise, sign and address to the Security Council an instrument engaging her to carry out her obligations emanating from the Security Council Resolution of 22 November 1967. The endorsement by the Security Council of these documents would constitute the final multilateral document.

Cairo, 27 March 1969

ANNEX II

AIDE-MEMOIRE PRESENTED TO ISRAEL AND THE UNITED ARAB REPUBLIC
BY AMBASSADOR JARRING ON 8 FEBRUARY 1971 a/

I have been following with a mixture of restrained optimism and growing concern the resumed discussions under my auspices for the purpose of arriving at a peaceful settlement of the Middle East question. My restrained optimism arises from the fact that in my view the parties are seriously defining their positions and wish to move forward to a permanent peace. My growing concern is that each side unyieldingly insists that the other make certain commitments before being ready to proceed to the stage of formulating the provisions to be included in a final peace agreement. There is, as I see it, a serious risk that we shall find ourselves in the same deadlock as existed during the first three years of my mission.

I therefore feel that I should at this stage make clear my views on what I believe to be the necessary steps to be taken in order to achieve a peaceful and accepted settlement in accordance with the provisions and principles of Security Council resolution 242 (1967), which the parties have agreed to carry out in all its parts.

I have come to the conclusion that the only possibility to break the imminent deadlock arising from the differing views of Israel and the United Arab Republic as to the priority to be given to commitments and undertakings - which seems to me to be the real cause for the present immobility - is for me to seek from each side the parallel and simultaneous commitments which seem to be inevitable prerequisites of an eventual peace settlement between them. It should thereafter be possible to proceed at once to formulate the provisions and terms of a peace agreement not only for those topics covered by the commitments, but with equal priority for other topics, and in particular the refugee question.

Specifically, I wish to request the Governments of Israel and the United Arab Republic to make to me at this stage the following prior commitments simultaneously and on condition that the other party makes its commitment and

a/ In presenting the aide-mémoire, Ambassador Jarring added the following interpretation:

"I interpret practical security measures in the Sharm el Sheikh area for guaranteeing freedom of navigation through the Straits of Tiran to mean arrangements for stationing a United Nations force in the area for this purpose."

/...

subject to the eventual satisfactory determination of all other aspects of a peace settlement, including in particular a just settlement of the refugee problem:

Israel would give a commitment to withdraw its forces from occupied United Arab Republic territory to the former international boundary between Egypt and the British Mandate of Palestine on the understanding that satisfactory arrangements are made for:

- (a) Establishing demilitarized zones;
- (b) Practical security arrangements in the Sharm el Sheikh area for guaranteeing freedom of navigation through the Straits of Tiran; and
- (c) Freedom of navigation through the Suez Canal.

The United Arab Republic would give a commitment to enter into a peace agreement with Israel and to make explicitly therein to Israel, on a reciprocal basis, undertakings and acknowledgements covering the following subjects:

- (a) Termination of all claims or states of belligerency;
- (b) Respect for and acknowledgement of each other's sovereignty, territorial integrity and political independence;
- (c) Respect for and acknowledgement of each other's right to live in peace within secure and recognized boundaries;
- (d) Responsibility to do all in their power to ensure that acts of belligerency or hostility do not originate from or are not committed from within their respective territories against the population, citizens or property of the other party; and
- (e) Non-interference in each other's domestic affairs.

In making the above-mentioned suggestion I am conscious that I am requesting both sides to make serious commitments but I am convinced that the present situation requires me to take this step.

ANNEX III

AIDE-MEMOIRE PRESENTED TO AMBASSADOR JARRING BY THE
UNITED ARAB REPUBLIC ON 15 FEBRUARY 1971

The United Arab Republic has informed Your Excellency, that it accepts to carry out - on a reciprocal basis - all its obligations as provided for in Security Council resolution 242 (1967) with a view to achieving a peaceful settlement in the Middle East. On the same basis, Israel should carry out all its obligations contained in this resolution.

Referring to your aide-memoire of 8 February 1971, the United Arab Republic would give a commitment covering the following:

1. Termination of all claims or states of belligerency;
2. Respect for and acknowledgement of each other's sovereignty, territorial integrity and political independence;
3. Respect for and acknowledgement of each other's right to live in peace within secure and recognized boundaries;
4. Responsibility to do all in their power to ensure that acts of belligerency or hostility do not originate from or are committed from within the respective territories against the population, citizens or property of the other party; and
5. Non-interference in each other's domestic affairs.

The United Arab Republic would also give a commitment that:

6. It ensures the freedom of navigation in the Suez Canal in accordance with the 1888 Constantinople Convention;
7. It ensures the freedom of navigation in the Straits of Tiran in accordance with the principles of international law;
8. It accepts the stationing of a United Nations Peace-keeping Force in the Sharm el Sheikh; and
9. To guarantee the peaceful settlement and the territorial inviolability of every State in the area, the United Arab Republic would accept:
 - (a) The establishment of demilitarized zones astride the borders in equal distances;
 - (b) The establishment of a United Nations Peace-keeping Force in which the four permanent members of the Security Council would participate.

1...

ANNEX IV

COMMUNICATION PRESENTED TO AMBASSADOR JARRING
BY ISRAEL ON 26 FEBRUARY 1971

Pursuant to our meetings on 8 February and 17 February, I am instructed to convey to you, and through you to the United Arab Republic, the following:

Israel views favourably the expression by the United Arab Republic of its readiness to enter into a peace agreement with Israel and reiterates that it is prepared for meaningful negotiations on all subjects relevant to a peace agreement between the two countries.

The Government of Israel wishes to state that the peace agreement to be concluded between Israel and the United Arab Republic should, inter alia, include the provisions set out below.

A. Israel would give undertakings covering the following:

1. Declared and explicit decision to regard the conflict between Israel and the United Arab Republic as finally ended, and termination of all claims and states of war and acts of hostility or belligerency between Israel and the United Arab Republic;
2. Respect for and acknowledgement of the sovereignty, territorial integrity and political independence of the United Arab Republic;
3. Respect for and acknowledgement of the right of the United Arab Republic to live in peace within secure and recognized boundaries;
4. Withdrawal of Israel armed forces from the Israel-United Arab Republic cease-fire line to the secure, recognized and agreed boundaries to be established in the peace agreement. Israel will not withdraw to the pre-5 June 1967 lines;
5. In the matter of the refugees and the claims of both parties in this connexion, Israel is prepared to negotiate with the Governments directly involved on:
 - (a) The payment of compensation for abandoned lands and property;
 - (b) Participation in the planning of the rehabilitation of the refugees in the region. Once the obligation of the parties towards the settlement of the refugee issue have been agreed neither party shall be under claims from the other inconsistent with its sovereignty;
6. The responsibility for ensuring that no war-like act, or act of violence, by any organization, group or individual originates from or is committed in the territory of Israel against the population, armed forces or property of the United Arab Republic;

/...

7. Non-interference in the domestic affairs of the United Arab Republic;

8. Non-participation by Israel in hostile alliances against the United Arab Republic and the prohibition of stationing of troops of other parties which maintain a state of belligerency against the United Arab Republic.

B. The United Arab Republic undertakings in the peace agreement with Israel would include:

1. Declared and explicit decision to regard the conflict between the United Arab Republic and Israel as finally ended and termination of all claims and states of war and acts of hostility or belligerency between the United Arab Republic and Israel;

2. Respect for and acknowledgement of the sovereignty, territorial integrity and political independence of Israel;

3. Respect for and acknowledgement of the right of Israel to live in peace within secure and recognized boundaries to be determined in the peace agreement;

4. The responsibility for ensuring that no war-like act, or act of violence, by any organization, group or individual originates from or is committed in the territory of the United Arab Republic against the population, armed forces or property of Israel;

5. Non-interference in the domestic affairs of Israel;

6. An explicit undertaking to guarantee free passage for Israel ships and cargoes through the Suez Canal;

7. Termination of economic warfare in all its manifestations, including boycott, and of interference in the normal international relations of Israel;

8. Non-participation by the United Arab Republic in hostile alliances against Israel and the prohibition of stationing of troops of other parties which maintain a state of belligerency against Israel.

The United Arab Republic and Israel should enter into a peace agreement with each other to be expressed in a binding treaty in accordance with normal international law and precedent, and containing the above undertakings.

The Government of Israel believes that now that the United Arab Republic has through Ambassador Jarring expressed its willingness to enter into a peace agreement with Israel, and both parties have presented their basic positions, they should now pursue their negotiations in a detailed and concrete manner without prior conditions so as to cover all the points listed in their respective documents with a view to concluding a peace agreement.



UNITED NATIONS
SECURITY
COUNCIL



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NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

At its 1969th meeting, held on 11 November 1976, the Security Council continued its consideration of the situation in the occupied Arab territories, discussion of which had been requested by the Permanent Representative of Egypt to the United Nations in a letter dated 20 October 1976 (S/12218). At that meeting, the President of the Security Council read the following statement, on which the members of the Council had agreed:

"As a result of consultations over which I presided with all members of the Council, I am authorized as President to make the following statement on behalf of the Council.

'Following the request submitted by Egypt on 20 October 1976, the Security Council held four meetings between 1 November and 11 November 1976 to consider the situation in the occupied Arab territories, with the participation of the representative of the Palestine Liberation Organization. After consulting all the members, the President of the Council states that the Council has agreed on the following:

'(1) To express its grave anxiety and concern over the present serious situation in the occupied Arab territories as a result of continued Israeli occupation;

'(2) Reaffirmation of its call upon the Government of Israel to ensure the safety, welfare and security of the inhabitants of the territories and to facilitate the return of those inhabitants who have fled the areas since the outbreak of hostilities;

'(3) Its reaffirmation that the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War is applicable to the Arab territories occupied by Israel since 1967. Therefore, the occupying Power is called upon once again to comply strictly with the provisions of that Convention and to refrain from any measure that violates them. In this regard the measures taken by Israel in the occupied Arab territories that alter their demographic composition or geographical nature and particularly the establishment of settlements are accordingly strongly deplored. Such measures which have no legal validity and cannot prejudice the outcome of the search for the establishment of peace constitute an obstacle to peace;

'(4) It considers once more that all legislative and administrative measures and actions taken by Israel, including expropriation of land and properties thereon and the transfer of populations which tend to change the legal status of Jerusalem, are invalid and cannot change that status, and urgently calls upon Israel once more to rescind all such measures already taken and to desist forthwith from taking any further action which tends to change the status of Jerusalem. In this connexion the Council deplores the failure of Israel to show any regard for Security Council resolutions 237 (1967) of 14 June 1967, 252 (1968) of 21 May 1968 and 298 (1971) of 25 September 1971 and General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) of 4 and 14 July 1967;

'(5) Its recognition that any act of profanation of the Holy Places, religious buildings and sites or any encouragement of, or connivance at, any such act may seriously endanger international peace and security.

'The Council decides to keep the situation under constant attention with a view to meeting again should circumstances require.'"

Kampuchea and Romania to participate, without vote, in the discussion of the question.

At its 2134th meeting, on 22 March 1979, the Council decided to invite the representative of Saudi Arabia to participate, without vote, in the discussion of the question.

Resolution 446 (1979)

of 22 March 1979

The Security Council,

Having heard the statement of the Permanent Representative of Jordan and other statements made before the Council,

Stressing the urgent need to achieve a comprehensive, just and lasting peace in the Middle East,

Affirming once more that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹⁰ is applicable to the Arab territories occupied by Israel since 1967, including Jerusalem,

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

2. *Strongly deplores* the failure of Israel to abide by Security Council resolutions 237 (1967) of 14 June 1967, 252 (1968) of 21 May 1968 and 298 (1971) of 25 September 1971, by the consensus statement made by the President of the Council on 11 November 1976¹¹ and by General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) of 4 and 14 July 1967, 32/5 of 28 October 1977 and 33/113 of 18 December 1978;

3. *Calls once more upon* Israel, as the occupying Power, to abide scrupulously by the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to rescind its previous measures and to desist from taking any action which would result in changing the legal status and geographical nature and materially affecting the demographic composition of the Arab territories occupied since 1967, including Jerusalem, and, in particular, not to transfer parts of its own civilian population into the occupied Arab territories;

4. *Establishes* a commission consisting of three members of the Security Council, to be appointed by the President of the Council after consultation with the members of the Council, to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem;

¹⁰ United Nations, *Treaty Series*, vol. 75, p. 287.

¹¹ *Official Records of the Security Council, Thirty-first Year, 1969th meeting.*

5. *Requests* the Commission to submit its report to the Security Council by 1 July 1979;

6. *Requests* the Secretary-General to provide the Commission with the necessary facilities to enable it to carry out its mission;

7. *Decides* to keep the situation in the occupied territories under constant and close scrutiny and to reconvene in July 1979 to review the situation in the light of the findings of the Commission.

Adopted at the 2134th meeting by 12 votes to none, with 3 abstentions (Norway, United Kingdom of Great Britain and Northern Ireland, United States of America).

Decisions

In a letter dated 13 March 1979,¹² the Secretary-General informed the Security Council that, in accordance with the decision of the Government of Iran, the Iranian battalion would be repatriated from the United Nations Disengagement Observer Force. He proposed to transfer a company of the Finnish battalion of the United Nations Emergency Force to the Force as a stop-gap measure of limited duration. In a letter dated 14 March,¹³ the President of the Council informed the Secretary-General as follows:

“I have brought your letter of 13 March 1979 to the attention of the members of the Security Council. They considered the matter in informal consultations on 14 March and agreed with the proposal contained in your letter.

“The representative of China has informed me that China dissociates itself from the matter.”

In a note dated 3 April 1979,¹⁴ the President of the Council stated that, following consultations with the members of the Council, agreement has been reached that the Commission established under paragraph 4 of resolution 446 (1979) would be composed of Bolivia, Portugal and Zambia.

At its 2141st meeting, on 26 April 1979, the Council proceeded with the discussion of the item entitled:

“The situation in the Middle East:

“Interim report of the Secretary-General under Security Council resolution 434 (1978) concerning the United Nations Interim Force in Lebanon (S/13258);¹⁵

¹² *Ibid.*, *Thirty-fourth Year, Supplement for January, February and March 1979*, document S/13166.

¹³ *Ibid.*, document S/13167.

¹⁴ *Ibid.*, *Supplement for April, May and June 1979*, document S/13218.

¹⁵ *Ibid.*, *Supplement for April, May and June 1979.*



UNITED NATIONS
SECURITY
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REPORT OF THE SECURITY COUNCIL COMMISSION ESTABLISHED UNDER
RESOLUTION 446 (1979)

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- II. Summaries of testimony
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- V. Documentation retained in the custody of the Secretariat

* The annexes are contained in volume II of the present report.

Letter of transmittal

12 July 1979

In our capacity as members of the Security Council Commission established under resolution 446 (1979), we have the honour to submit to you herewith the report prepared by the Commission pursuant to paragraph 5 of the resolution mentioned above.

This report was adopted unanimously today, 12 July 1979.

Accept, Sir, the assurances of our highest consideration.

(Signed) Leonardo MATHIAS, Portugal,
(Chairman)

Julio de ZAVALA, Bolivia,

Kasuka Simwinji MUTUKWA, Zambia

/...

I. INTRODUCTION

A. Establishment of the Commission

1. The Commission was established by Security Council resolution 446 (1979) with the following mandate: "To examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem".
2. By a letter dated 23 February 1979 (S/13115) to the President of the Security Council, the Permanent Representative of Jordan to the United Nations requested the convening of a meeting of the Council to consider the "most ominous and accelerating erosion of the status of Jerusalem and the rest of the occupied Arab territories in consequence of the Israeli occupation authorities' systematic, relentless and deliberate policy and practice of settlements and colonization of those territories which constitute a grave threat to international peace and security".
3. In response to that request, the Security Council considered the item entitled "The situation in the occupied Arab Territories" at its 2123rd to 2128th, 2131st and 2134th meetings held between 9 and 22 March 1979.
4. The relevant documentation before the Council included, inter alia,
 - (a) A letter dated 7 March (document S/13149) from Jordan transmitting a map and a list of Israeli settlements in the occupied West Bank, along with a letter from the Chairman of the Islamic Commission in Jerusalem to the Prime Minister of Jordan, stating that the Israeli authorities were transforming the Mosque of Hebron into a Jewish synagogue;
 - (b) A letter dated 2 March (document S/13132) from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to which were annexed a list of press reports, maps and other documents relating to the situation in the occupied territories.
5. Statements made before the Security Council, including those made by Jordan and Israel, may be found in documents S/PV.2123 to S/PV.2128, S/PV.2131 and S/PV.2134.
6. At the 2134th meeting on 22 March 1979, the Council adopted resolution 446 (1979) which reads as follows:

The Security Council,

Having heard the statement of the Permanent Representative of Jordan and other statements made before the Council,

Stressing the urgent need to achieve a comprehensive, just and lasting peace in the Middle East,

/...

Affirming once more that the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 is applicable to the Arab territories occupied by Israel since 1967, including Jerusalem,

1. Determines that the policy and practices of Israel in establishing settlements in the Palestinian and other Arab Territories occupied since 1967 have no legal validity and constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East;

2. Strongly deplores the failure of Israel to abide by Security Council resolutions 237 (1967) of 14 June 1967, 252 (1968) of 21 May 1968 and 298 (1971) of 25 September 1971 and the consensus statement by the President of the Security Council on 11 November 1976 and General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) of 4 and 14 July 1967, 32/5 of 28 October 1977 and 33/113 of 18 December 1978;

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

4. Establishes a Commission consisting of three members of the Security Council, to be appointed by the President of the Council after consultation with the members of the Council, to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem;

5. Requests the Commission to submit its report to the Security Council by 1 July 1979;

6. Requests the Secretary-General to provide the Commission with the necessary facilities to enable it to carry out its mission;

7. Decides to keep the situation in the occupied territories under constant and close scrutiny and to reconvene in July 1979 to review the situation in the light of the findings of the Commission.

B. Composition, mandate and organization of the work of the Commission

7. In a note dated 3 April (S/13218), the President of the Council stated that following his consultations with the members of the Council, an agreement had been reached, according to which the Commission established under paragraph 4 of resolution 446 (1979) mentioned above would be composed of Bolivia, Portugal and Zambia.

8. At its first meeting held in New York on 10 April 1979, the Commission decided that its chairmanship would be assumed by Portugal.

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9. In organizing its programme of work in order to fulfil its mandate, the Commission considered the modalities it should follow "to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem".
10. The Commission decided, as a first step, to establish direct contacts with the parties involved in the matter with a view to seeking their co-operation in the fulfilment of its mandate and also to enter into consultations with relevant United Nations bodies which might be in a position to supply useful information.

C. Requests to the parties for co-operation

11. On 13 April 1979, letters were sent to the Permanent Representatives of Egypt, Jordan, Lebanon and the Syrian Arab Republic requesting that the Commission be provided as soon as possible with all available information pertinent to its mandate and informing them that the Commission was contemplating to visit the area during the month of May 1979.
12. Also on 13 April, a similar letter was sent to the Permanent Representative Representative of Israel pointing out in addition that his Government's co-operation in facilitating the proposed visit of the Commission to the territories in question would be greatly appreciated.
13. Requests for information were also addressed to the Chairman of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population in the Occupied Territories and the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.
14. On 30 April the Commission sent a letter to the Permanent Observer of the Palestine Liberation Organization, drawing his attention to its mandate and requesting any relevant information.
15. In their replies dated 17, 17 and 25 April respectively, the Permanent Representatives of Lebanon, Jordan and Egypt assured the Commission of their Governments' full co-operation in the implementation of its mandate. The reply from Jordan included a personal message of support from His Royal Highness, Crown Prince Hassan.
16. Assurances of co-operation and assistance were also received from the Committee on the Exercise of the Inalienable Rights of the Palestinian People and from the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories.
17. At the 3rd meeting, on 26 April, the Chairman informed the Commission of the results of his efforts to establish contact with the Permanent Mission of Israel, in order to exchange views on the way in which the Commission intended to fulfil its mandate and on the degree of co-operation it might receive from the Government of Israel. In response, the Representative of Israel had stated to the Chairman that the Israeli Government had nothing to hide concerning its

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actions in the territories under its control; that the situation there had been freely examined by numerous impartial observers who had always confirmed the statements made by the Israeli Government, and that his Mission was not prepared to have any contact with the Commission.

18. After examining the serious consequences which might result from Israeli's attitude concerning its work, the Commission decided that its Chairman should report the matter to the President of the Security Council and draw his attention to the fact that in such circumstances, the Commission would endeavour to implement its mandate in spite of Israel's refusal to allow the Commission to proceed with its planned visit.

19. At the same 3rd meeting, the Chairman also reported on his discussions with the Permanent Observer of the Palestine Liberation Organization (PLO) who had stressed PLO's full co-operation with the Commission.

20. At its 4th meeting on 30 April, the Commission met with members of the office of the Crown Prince of Jordan and with the Jordanian Permanent Representative, who reiterated their Government's support and provided the Commission with documents and maps relating to the question of settlements. The Commission met also with the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, who supplied the Commission with studies prepared by the Committee on the question of the occupied territories. 1/

21. On 8 May, at the 6th meeting, the Chairman informed members that in response to his démarche concerning Israel's attitude, the President of the Council had decided to remind the Permanent Representative in writing that the Commission had not received any answer to its request for co-operation and to ask him of Israel's intentions in that regard.

22. By letters dated 9 May 1979 to the Permanent Representatives of Egypt, Jordan, Lebanon and the Syrian Arab Republic, the Commission indicated its plans for a visit to the area and the type of information it was looking for. By another letter of 11 May 1979, the Commission confirmed to the Permanent Observer of the PLO that it would welcome the opportunity to meet Chairman Yasser Arafat during its visit.

23. On the day of its departure for the area concerned, the Commission received a copy of the reply sent by the Permanent Representative of Israel to the President of the Security Council. In that letter dated 17 May 1979, the Israeli Representative informed the President that, in consideration of the circumstances in which resolution 446 (1979) had been adopted, the Government of Israel had rejected that resolution in its entirety and accordingly could not extend any form of co-operation to a Commission set up under it.

24. When preparing its report at Headquarters, the Commission realized that, in view of the heavy schedule of the Security Council and also the extensive volume of testimony and other documentary information received by the Commission during its visit to the area, it would be difficult for the Commission to report

1/ A summary of the statements made by the Jordanian representatives and by the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People is reproduced in annex I.

to the Security Council by 1 July 1979, as called for in paragraph 5 of the above-mentioned resolution. Accordingly, the Chairman of the Commission requested the President of the Council that the time-limit for the report be postponed until 15 July 1979.

25. Following informal consultations with the other members of the Council, the President informed the Chairman that no member of the Council had any objection to the Commission's request. 2/

26. The present report is based on elements of information which were gathered from various sources both at Headquarters and during the visit to the area.

27. Volume I of this report relates in its first chapter the establishment of the Commission by the Security Council and its work at Headquarters; in chapter II, the Commission's visit to the area including its exchanges of views with Government authorities and with representatives of organizations. Chapter III is devoted to conclusions and recommendations.

28. Volume II consists of the annexes appended to the report, which are as follows:

Annex I: Summary record statements made at the 4th meeting of the Commission;

Annex II: Summaries of testimony;

Annex III: List of settlements;

Annex IV: Map of settlements;

Annex V: Documentation kept in the custody of the Secretariat.

29. The present report was unanimously adopted on 12 July 1979.

2/ See document S/13426.

II. VISIT TO THE AREA

A. Organization of the visit

30. During its visit to the area, the Commission was composed of the following members:

Ambassador Leonardo Mathias (Portugal), Chairman;
Ambassador Julio de Zavala (Bolivia);
Dr. Kasuka Simwinji Mutukwa (Zambia).

31. They were accompanied by two advisers:

Mr. Edgar Pinto (Bolivia);
Mr. Luis Crucho Almeida (Portugal).

32. A team of staff members from the Secretariat was assigned by the Secretary-General to assist the Commission in its work.

33. The Commission decided that during the visit, it would hold consultations with the Government authorities concerned and also receive, at hearings or individual interviews, oral or written statements or testimony by other authorities, organizations or private individuals.

34. It was also decided that while, as a general rule, the Commission considered it preferable for the hearings, interviews and working meetings to be held in camera, it could decide to hold public meetings should circumstances so require. The Commission could also proceed to specific areas within the countries concerned in order to examine the situation on the spot, whenever feasible, to hear statements, to receive testimony and to obtain all possible information relevant to its mandate.

35. It was further agreed that at the beginning of each series of hearings the Chairman would outline the mandate of the Commission and draw attention to the fact that the Commission expected the witnesses to confine their statements as much as possible within the limits of that mandate. Furthermore, the Commission decided to accept requests by witnesses who expressed the wish to remain anonymous for reasons of safety.

36. Finally, a decision was taken that the Commission would keep a record of its inquiry and would consider information particularly relevant to its mandate in preparing its report. It would also decide which documentation it would annex to its report bearing in mind that other elements of information obtained would be kept in the custody of the United Nations Secretariat.

37. The Commission organized its visit to the area as follows: the Hashemite Kingdom of Jordan: 20-26 May 1979; the Syrian Arab Republic: 26-29 May 1979; Lebanon: 29-30 May 1979; the Arab Republic of Egypt: 30 May-1 June 1979.

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38. In accordance with the decisions referred to above, the Commission met in each country with the Government authorities. It also heard a number of witnesses and visited various locations. In Jordan on 23 May, the Commission went to the Jordan River Valley, and on 24 May to a refugee camp. In Syria on 28 May, the Commission went to the location of the town of Quneitra.

39. In the course of its visit, the Commission met with representatives of the Palestine Liberation Organization.

40. The Commission received testimony from 42 witnesses, i.e., 22 in Amman (including a written statement), 13 in Damascus and 7 in Cairo, and met spokesmen from local associations. It received also some written documentation, photographs and maps.

41. The Commission returned to Headquarters on 4 June 1979.

42. The Commission wishes to state that in the course of its visit to the area, it received valuable assistance from the Governments and all those concerned in carrying out its mandate. It benefited in particular from fruitful exchanges of views and received informative replies to the points requiring clarification raised by its members. The Commission therefore wishes to express its gratitude to the aforementioned for the co-operation extended to it.

B. Visit to the Hashemite Kingdom of Jordan (20-26 May 1979)

(a) Meetings with government officials

43. The Commission arrived in Jordan on 20 May 1979.

44. The following day, the Commission had a working meeting in Amman at the Ministry of Foreign Affairs where it was received by Mr. Hassan Ibrahim, Minister of State for Foreign Affairs; Mr. Adnan Abu Odeh, Minister of Information and Head of the Executive Bureau for Occupied Territories Affairs; Mr. Weal Almasri, Director of the Political Affairs Division at the Ministry of Foreign Affairs; Mr. Faleh Attawel, Director, Department of International Organizations; Mr. Akthem Qusus, Director, United Nations Department; Mr. Shawkat Mahmoud, Director, Bureau of Occupied Territories Affairs; and Mr. Georges Shamma, of the Permanent Mission of Jordan to the United Nations.

45. The Minister of State for Foreign Affairs welcomed the members of the Commission, wished them success in their "significant and delicate" mission and expressed the hope that the Commission's efforts would help to bring about effective international action towards a comprehensive, just and lasting peace in the Middle East. Israel's settlement policy, he said, which was repeatedly condemned by the General Assembly, the Security Council and even Israel's own friends, was a challenge to the United Nations and a violation of international law.

46. The Minister of State expressed the view that the task of the Commission was rendered particularly difficult by the refusal of Israel to allow it to visit the

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occupied territories. For its part, his Government was determined to do everything possible to assist the mission in carrying out its mandate.

47. In reply to the statement by the Minister of State for Foreign Affairs, the Chairman of the Commission expressed the members' appreciation for the warm welcome afforded them. As an emanation of the Security Council, the Chairman said, the Commission shared his apprehensions concerning the situation in the area and would faithfully report its findings to the Security Council.

48. The Minister of Information then briefed the Commission on the situation concerning the settlements in the occupied West Bank, which so far had reached a total of 78 settlements, covering an area of approximately 370,000 dunums. ^{3/} That was only a part of the 1.5 million dunums of which Israel had taken possession, and which in turn was 27 per cent of the total area of the occupied West Bank.

49. Speaking of the meaning of the settlements for Israel, Mr. Odeh quoted several Israeli sources, including a recent statement attributed to the Israeli Minister of the Interior, and others to officials of world Jewish organizations which indicated that Israel's policy of settlements was a step towards the realization of the primary Zionist goal, i.e. the creation of a purely Jewish State in the Middle East. That goal required that space be readily provided for new immigrants until the local Arab population could be outnumbered. The settlements, he said, had always been a "value" in the creed of Zionism.

50. As to the methods used by the Israeli authorities to acquire the land, they included acquisition by virtue of the "Restricted area" by-law, which authorized the restriction of land for "security" reasons; the application of the "State domain" policy to the miri lands, which are private lands outside city limits with a different legal status; the application of the "absentee owner" policy, under which any Arab who was absent from the West Bank at the time of the Israeli invasion had his property seized; false transactions with Arab inhabitants; "green zones" policy which permits land to be frozen, and thereby prevents its use by the legal owners; and expropriation for public use, the expropriated property being sold later to private Jewish settlers. Approximately 329,000 dunums have been seized so far under that policy.

51. Turning to the question of policy-making with regard to the settlements, the Minister of Information indicated that for the fiscal year 1979-1980, the Israeli Government had allocated a sum of \$US 200 million for the settlements. Those settlements were under the control of the Government or non-governmental organizations.

52. Concerning governmental settlements, a ministerial committee chaired by the Israeli Minister of Agriculture was in charge of determining the sites for new settlements, finding the financial support and building the infrastructure.

^{3/} 1 dunum = 1,000 square metres; 1,000 dunums = 1 square kilometre.

53. Non-governmental settlements were built under the supervision of various organizations, including the para-military Nahal Movement for agricultural and military settlements built close to the cease-fire lines, the Gush Emunim, the Settlements Department of the Jewish Appeal Fund, the Moshav and other organizations.

54. Mr. Odeh then spoke of Israel's policy on the allotment of water resources in the occupied West Bank. The West Bank, he said, depended mostly on ground water. The policy of Israel in that regard was to consider the area as one geological basin. Accordingly, it had adopted certain restrictive policies against the Arab farmers, such as the interdiction of drilling artesian wells without a special permit. By contrast Israeli authorities had drilled 24 wells for the exclusive use of Jewish settlers, mostly in the Jordan Valley, thus reducing considerably the amount of water available to Arab farmers. Furthermore, Arab farmers were forced to install meters on their own wells to restrict the amount of water they could use.

55. Regarding the work of the Commission, Mr. Odeh said that Israel had resorted to all kinds of intimidation to prevent potential witnesses from coming to Amman from the occupied territories. Nevertheless, a few people from various walks of life had succeeded in coming from the West Bank in spite of threats of reprisals.

56. Finally, Mr. Odeh gave further information in particular regarding Israel's intimidation policies involving school children.

57. On 21 May the Commission also paid a visit to His Excellency the Prime Minister, Mr. Mudar Badran, who expressed Jordan's eagerness to make the mission of the United Nations body a success. Mr. Badran emphasized that Jordan had strong ties binding it with the Palestinians, whose problem was the core of the Middle East conflict. He described Israel's settlement policy as a challenge to the United Nations and a violation of international law. The Prime Minister also emphasized that his Government was adhering to the Security Council resolutions which are relevant to the mandate of the Commission. Finally he stressed that the time had come for a solution to the conflict, a solution which would be just and comprehensive.

58. On 22 May the Commission was granted an audience by His Majesty King Hussein of Jordan. King Hussein emphasized in particular the far-reaching consequences of Israel's settlement policy which, he said, was aimed at the eviction of the Arab inhabitants from their lands. This was also part of Israel's attempts to alter the character of the occupied Arab territory in complete disregard of United Nations principles and decisions.

59. King Hussein also explained Jordan's position vis-à-vis the Middle East question, stressing that a just and comprehensive peace could not be achieved without the restoration of Arab Jerusalem to Arab sovereignty, the withdrawal of Israeli forces from all occupied territories in implementation of United Nations resolutions and the safeguarding of Palestinian rights, including the rights to self-determination in Palestine.

60. The Chairman expressed the gratitude of the Commission for the words of welcome stated by His Majesty and assured him of the Commission's determined will to implement its mandate with total objectivity.

61. On 24 May, His Highness Crown Prince Hassan received the Commission. On that occasion an extensive exchange of views took place, essentially on Jerusalem and its surroundings. In that connexion Prince Hassan recalled that Jerusalem in addition to being a prestigious centre of the world, was spiritually one of the most sacred places of the Moslem faith. Turning to the question of Israeli settlements he pointed out that, through the establishment of three successive belts of settlements, Israel was creating protective pockets between Jerusalem and the Jordan River. As a result of this, it was "compartmenting" the Arab population. That this action was intentional appeared from the fact that the same policy of fragmentation of the Arab population was also being pursued on the Lebanese border in an effort to balkanize the area.

62. The Crown Prince said that since 1967, it had been the official policy of Israel that Jerusalem should stay Jewish, united under Jewish rule. In implementation of that policy many Arab houses had been destroyed and their inhabitants expelled, while settlements had been established all along the Eastern side of the Holy City. This settlement policy had had the result of isolating the Arabs living inside the walls and confining them in a ghetto surrounded by hostile groups of settlers. This was no doubt a powerful means of pressure to make them leave.

63. Other means of pressure were being used, said Prince Hassan, some brutal, other financial, such as a 20-year levy raised from Arabs and used to erect new buildings for the Jews. Israel was also modifying the city limits in order to take full advantage of the composition of the population.

64. Prince Hassan reminded the Commission that the position of Jordan concerning Jerusalem and the West Bank had been repeatedly stated. The question was how to proceed toward the return to "Arab Jerusalem", an expression which defined a situation of mutual respect with freedom of worship for every faith.

65. The case of Jerusalem was a very special one which, once solved, said Prince Hassan, could lead to a comprehensive solution. It should be deplored therefore that the question of Jerusalem at its present stage had not been the subject of any complete and impartial study. This should be remedied.

66. The Crown Prince pointed out that an international organ should be requested to make a survey of the various aspects of the situation of Jerusalem - political, religious, social, demographic, economic and any others.

67. He also indicated that the question of Arab properties confiscated by Israel in that area should be examined in detail. In that connexion, the excellent work done by the Conciliation Commission for Palestine with regard to Arab properties confiscated in territories occupied by Israel before 1967 should be kept in mind, as well as in fact the extensive mandate of that commission which was still in existence.

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68. In conclusion, Prince Hassan emphasized that the road toward a solution might be long and difficult but that, in order to avoid further despair which would inevitably lead to further violence, the present situation should not be allowed to remain frozen.

69. The Chairman thanked His Highness Crown Prince Hassan for his most informative briefing and assured him that the contents of his statement would be reflected in the Commission's report.

(b) Visit to the Jordan River Valley and to a refugee camp

70. On 23 May, the Commission went to the Jordan Valley area. It stopped over at the King Hussein Bridge and, passing through the villages of Shouna and Karamah, it reached the village of Deir Alla, which overlooks the Jordan River Valley.

71. In the course of a briefing given by a spokesman for the Jordan River Valley Authority, the attention of the Commission was drawn to the intensive exploitation by the Israelis of the water resources in the valley. It was stated in particular that the drawing of water from the Lake of Tiberias and from the Jordan River to irrigate Israeli settlements along the valley and southward down to the Negev Desert had not only diminished considerably the flow of the River but noticeably increased its salinity.

72. At the same time, said the spokesman, the intensive pumping of underground water through deep artesian wells dug by Israeli settlers was depleting the water resources of the valley, which is a single geological entity.

73. It should be noted that when the Commission departed from Deir Alla at night the Jordanian authorities pointed out, on the West Bank, lines of lights which they said were successive belts of Israeli settlements.

74. On 24 May 1979, the Commission visited Schneller Refugee Camp, where its members were received by Mr. Abdel Rahim Jarrar, Under-Secretary of the Ministry of Reconstruction; Mr. Mohammed Al-Azzeh, Camp Services Officer; and an official of UNRWA. In his welcoming statement, Mr. Jarrar said that the camp housed 30,000 refugees, some of whom had been displaced three times. Even 31 years after displacement, the refugees and the displaced persons were still steadfast in their resolution to return to their homeland. Mr. Jarrar noted that Israel, on the other hand, was continuing its settlement policy and the judaization of the occupied territories in defiance of the United Nations resolutions on the matter. He cited Jerusalem as the best illustration of that policy.

75. The Chairman of the Commission explained the mandate entrusted to the Commission by the Security Council. He emphasized that the mandate of the Commission was to examine the problems, i.e., to determine what they were, in order to get a better understanding and to report back to the Security Council. The Commission had come to the area, the Chairman observed, because of the conviction of its members that the United Nations could contribute to a just solution of the problem. The Commission believed in the rights of the refugees and displaced persons to return to their homeland in conformity with the Universal Declaration of Human Rights and the relevant resolutions of the United Nations.

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76. Mr. Al-Azzeh, the Camp Services officer, welcomed the Commission and stated that in view of Israel's oppressive policies in the occupied territories, he was not surprised that Israel had refused the Commission entry.

77. Mr. Abu Jameel, speaking on behalf of the refugees in the camp, wondered how long it would still take for the world to be aware of the cause of the Palestinian people who had been expelled from their homeland. He wondered also why so many resolutions and decisions of the United Nations on this question had not been implemented and why Israel was still able to persist in its policy of defying the United Nations. He emphasized that Palestinians would never accept Jerusalem as an exclusively Jewish city; nor could they accept any form of trusteeship, self-rule or partition. They could not accept any alternative to Palestine. Mr. Abu Jameel further emphasized that Palestinians did not mandate anyone except the Palestine Liberation Organization (PLO) to speak on their behalf. He wished the Commission success in its endeavours and expressed the hope that this would be the last time that the United Nations would have to send a fact-finding mission to the area.

78. In response to questions put to the Commission by one of the elders of the camp who inquired why the United Nations was not able to compel Israel to recognize the rights of the Palestinian people, the Chairman stated that while he and his colleagues in the Commission understood the despair of the refugees, they were also aware that the question of Palestine was a complex problem, the just and peaceful resolution of which would take time. He recalled in that context the actions conducted at the United Nations by the Arab States. Some progress had already been achieved and the United Nations was continuing its efforts to find a just solution.

79. Mr. Abboud, an officer of UNRWA, said that the despair of the refugees was compounded by the financial crisis in UNRWA. Brigadier Mohammed Sarreef, Executive Secretary of the Supreme Ministerial Committee for Displaced Persons, gave an overview of the situation concerning the movement of refugees and displaced persons from the West Bank to the East Bank. He indicated that the Schneller Camp and five others had been set up by the Jordanian Government in 1968 to accommodate the refugees and the displaced persons who had been forced to leave the Jordan Valley area. The Jordan Government is spending \$36 million a year for the subsistence of the refugees, housing, salaries and water supply, as indicated in the last report of the UNRWA Commissioner.

(c) Hearings

80. During its stay in Jordan, in addition to meetings with government officials, the Commission held five meetings devoted to the hearing of witnesses. A total of 21 witnesses took the floor. An additional witness presented a written statement which was incorporated in the Commission's records. A number of witnesses asked to remain anonymous, a request which was granted in accordance with a decision previously taken by the Commission.

81. In the course of these hearings, most of those witnesses responded favourably to the Chairman's appeal to confine their statements to the situation in the settlements in the Arab territories occupied since 1967, including Jerusalem. A number of them, however, expanded their remarks to include grievances of a personal

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or collective nature which the Commission considered as falling within the purview of human rights violations, rather than within the scope of its mandate (e.g., witnesses Nos. 3 and 10). It should be noted in that connexion that a similar situation occurred at subsequent hearings in Damascus and Cairo.

82. Most of the witnesses were Palestinians. Some of them - such as Sheik Abdul-Hamid El-Sayeh, Head of the Islamic Court of Appeal, who was deported from the West Bank in September 1967, Mr. Ruhi El-Khatib, Mayor of Jerusalem, expelled in 1968, Mr. Nadim S. Zaru, Mayor of Ramallah, expelled in 1969 or Mr. Shawkat Mahmoud Hamdi, now Director of the Executive Office of the occupied territories in the Jordanian Government - informed the Commission of their experience while serving in the occupied territories. A church leader, Archdeacon Elya Khoury, referred to his experience in the Anglican Diocese of Jerusalem until his expulsion in 1969. Other witnesses such as Mr. Ibrahim Bakr, a practising lawyer who indicated that he had been expelled in December 1967 from the West Bank, drew particular attention to certain legal aspects of the situation. Most of the other witnesses presented views based on their individual or family experience.

83. Keeping in mind the scope of the mandate established by the Security Council, the Commission would like to draw particular attention to a number of points which were reported by witnesses during its stay in Jordan.

Settlements in the occupied territories

84. According to an Arab publication referred to by a witness (No. 15), between 1967 and 1977 the Israelis established in the West Bank, including Jerusalem, 123 settlements, of which 33 were not publicly announced because they were Nahal military settlements.

85. According to another witness (No. 20), it should be noted, that while in the past, those settlements were established mostly close to the line of the pre-1967 border, the new trend would be to divide the West Bank into large squares, subsequently criss-crossed with roads. As perceived by the inhabitants, the aim of that policy is to divide the whole occupied territory into a number of squares and to build settlements on the corners of each of them in order to isolate the main Arab agglomerations.

86. According to other witnesses, the policy referred to above applies whether the land is publicly or privately owned. In that connexion, a witness (No. 4) challenged what he called an Israeli claim that only public land was being used for those settlements. He pointed out that under the Geneva Convention and the relevant United Nations resolutions, the establishment of a settlement in occupied territories is illegal whether it is set up on public or private land. He then gave an informative briefing on the various categories of private lands under Jordanian law.

87. The witness stated also that out of an estimated 125,630 dunums of cultivable land which were taken by the Israelis for the exclusive use of civilian settlements (thus excluding areas kept for military purposes), 9.4 per cent were public lands and 90.6 per cent private.

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88. The pattern and process of land seizure seems to have varied with time. Some witnesses (among them, Nos. 6 and 8) stated that in the wake of the 1967 war, people were expelled from their villages and sometimes their houses were destroyed in front of them. One witness (No. 13) in particular said that, after being expelled from their village to the town of Ramallah, located at a distance of 34 km away, the inhabitants were finally authorized to return. But after walking back approximately 32 km, they were stopped close to their village and saw it being blown up.

89. Since then, according to another witness (No. 4), the land seizure process generally goes as follows: first, the Israeli forces set up boundary markers or barbed wire fences to define the area. Second, the leaders of the village are informed that for security reasons the inhabitants are no longer allowed to enter the closed-in area. Third, crops are destroyed and fruit-bearing trees are defoliated and uprooted. That process was confirmed by another witness (No. 14).

90. Concerning the legal aspect of the matter, a witness (No. 21) mentioned the following instruments under which, he said, most of the confiscations of Arab lands were conducted:

- (i) The Absentee Property Law, adopted by the Knesset on 14 March 1950, which replaced the emergency decrees concerning absentee property issued on 19 December 1948;
- (ii) The law of acquisition of land for the public interest, issued in 1943 under the British mandate and still in use;
- (iii) Defence and emergency decrees of 1945, also issued under the British mandate. Under these decrees, the Military Governor can order deportation of people and expropriation of property;
- (iv) Emergency regulations on the exploitation of barren lands, published on 15 October 1948, under which the Minister of Agriculture is empowered to seize barren lands if he is "convinced" that its owner does not intend to utilize it for agricultural purposes;
- (v) A law relating to the expropriation of real estate during the 1949 emergency period, under which an ad hoc authority may seize any real estate which it believes to be necessary for the national security.

91. With regard to the implementation of the absentee property law mentioned above, it was stated (No. 11) that according to the law, all lands whose owners were not present on 5 June 1967 were considered absentee lands, even when the owner had returned thereafter. All such lands, the witness said, had been put under the authority of the Israeli Custodian of Absentee Property, who collects the rent from the absentee houses. 4/

4/ This question was raised on other occasions, in particular in Cairo by the Chairman of the International Law Association. See chap. II, E (c), below.

92. In that connexion some witnesses (Nos. 5 and 17) referred to some cases which had come before an Israel Court. In a recent case, Israeli settlers near Hebron had taken a large piece of land to build 500 housing units. At the request of the Arab owners, the Israeli Court had decided that the decision was illegal, but nevertheless, the settlers had kept the land.

93. Another case in which the Israeli judicial system was involved was reported in the village of Anata near Jerusalem. Following the villagers' refusal to lease 4,650 dunums of land, the military authorities had closed off the zone with barbed wire. The case had been submitted to the Israeli High Court of Justice which, on 15 January 1979, had agreed to a reduced demand from the Army resulting in the expropriation of 1,740 dunums of fertile land. According to the witness (No. 19), the villagers had not been informed of that decision until 18 March 1979, that is after the 30 days limit to appeal the decision.

94. As to the use of the land seized, witnesses (Nos. 1, 2 and 4) enumerated a number of settlements which they said had been established on the former location of Arab villages.

95. It was also stated (Nos. 1 and 17) that the military authorities or the settlers themselves resorted to various means of pressure to compel the landowners to leave the area, such as repeated imprisonment linked to an offer to release the person concerned if he agreed to depart from the area, obstacles to children's schooling, confiscation and destruction (under the "absentee law") of houses belonging to Palestinians living abroad, an action sometimes assorted with the imprisonment of the tenant who had protested against it (No. 1). Several witnesses referred also in that regard to the control of water as a most powerful means of pressure to compel the inhabitants to leave their property.

96. In that connexion, the water resource policy pursued by the Israelis was frequently mentioned. A witness (No. 4) indicated that as of date the Israelis had drilled some 20 deep boreholes from 300 to 600 metres deep in the Jordan Valley and were pumping an estimated 15 to 17 million cubic metres per year exclusively to irrigate the lands seized for their settlements. A number of these wells had been drilled in close proximity to local Arab springs, contrary to Jordanian laws regulating the drilling of new wells. The impact of those practices had been felt all over the West Bank. In Jericho, the saline content of the water pumped from pre-1967 Arab wells (not as deep as the new wells) had noticeably risen while in many areas the flow of water had drastically diminished, such as in the Wadi Fara basin, the Bardala Basin and the region of Al-Anja, where the spring which used to give 11 million cubic metres per year was now down to a trickle, thus threatening the end of any cultivation for the village.

97. In addition, it had become common practice for the Israeli authorities to limit the amount of water which could be pumped from pre-1967 wells by installing water meters (Nos. 1 and 9). To emphasize the importance of water resources, another witness (No. 7) referred to military actions conducted by the Israelis before 1967 across the border line against the village of Qalqilia, at which time, he said, 11 artesian wells had been destroyed. Since 1967 when the village was occupied, the Israeli authorities had installed meters on all the wells, thus

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imposing strict limitations on the use of water. As a result, it was impossible for the Arab inhabitants to carry on any farming but at the same time two Israeli settlements were established in the area. These settlements, each of them with approximately 150 houses, were now equipped with an artesian well with a motor engine and a set of pipelines.

98. The question of whether compensation was given to the deprived landowners was discussed on several occasions. One witness said that the amount offered was merely a tenth of the real value of the property (No. 9); he also added that furthermore this was not the point, since the owners did not want to sell it. That latter view was also expressed by another witness (No. 15). Another witness (No. 22) mentioned two relevant cases. In the first one, the owner had refused any compensation which might be construed as an agreement, but the land had nevertheless been used for a military camp and then gradually transformed into a settlement for civilians. In the second, which referred to an area of 400 dunums, no compensation had been paid to the individual owners.

Jerusalem

99. The situation in Jerusalem was described more extensively by four witnesses (Nos. 15, 16, 18 and 21). One of them (No. 21) recalled that the Israeli Knesset had adopted on 28 June 1967 a decision of "annexation" on the basis of which the following measures were taken:

- (i) Abrogation of the Arab Municipal Council of Jerusalem;
- (ii) Elimination of certain municipal services and amalgamation of others with their Israeli counterparts;
- (iii) Application of all Israeli laws to Arab citizens;
- (iv) Closure of the Education Department and transfer of all Arab public schools to the authority of Israel's Ministry of Education, this leading to the use of Israeli curricula including the reading in primary schools of a book entitled I am an Israeli;
- (v) Issuance of Israeli identification cards to all inhabitants;
- (vi) Non-recognition of Jerusalem Islamic Courts;
- (vii) Obligation for professional individuals to register their names with Israeli professional associations;
- (viii) Closure of Arab banks and exclusive use of Israeli currency;
- (ix) Physical transfer to Arab Jerusalem of a number of Israeli ministries and departments.

100. As to the methods used by Israel to judaize the Arab sector, the same witness (No. 21) said that, immediately after the 1967 war, Israel resorted

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to the demolition, in four different quarters of Jerusalem, of 1,215 houses, 427 shops, 5 mosques, 3 monasteries and 4 schools, i.e. a total of 1,654 buildings. As a result, the witness said, 7,400 inhabitants were forced to leave (another witness, No. 15, referred to "more than 5,000" people). Then a "Jewish Quarter" was established, which as of today contains 320 housing units built on 116 dunums and inhabited by a Jewish settler population of 1,300 persons. Finally, 94,564 dunums of Arab lands situated within the limits of the municipality of Arab Jerusalem were confiscated.

101. Another witness (No. 15) stated that the aim of those expropriations in Jerusalem was to surround with Jewish settlers three specific areas still mainly occupied by Arabs. Such a policy, he said, was a threat to the very presence and existence of Arabs in the city.

102. A number of witnesses (such as No. 18) referred to the archaeological excavations which, he said, although repeatedly condemned by UNESCO, were still continuing, thus inflicting serious damages to Islamic shrines.

103. As to the number of settlements in Jerusalem, a witness (No. 21) indicated that 9 of them had been built within the boundaries of Arab Jerusalem and 10 more within the framework of so-called greater Jerusalem. The same witness concluded his statement, saying that through that policy of settlements Israel's aim was to seize the land and gradually expel its inhabitants. That view was also expressed in various terms by a number of other witnesses.

104. The Commission departed from Amman by road on 26 May 1979.

C. Visit to the Syrian Arab Republic (26-29 May 1979)

(a) Meetings with government officials

105. The Commission arrived in Damascus on 26 May 1979 and was received the following day at the Ministry of Foreign Affairs by Mr. Abdul Halim Khaddam, Deputy Prime Minister and Minister of Foreign Affairs. He was accompanied by Dr. Haitham Keylani, Director of the International Organizations Division and other officials from the Foreign Ministry.

106. The Deputy Prime Minister welcomed the Commission and assured it of the full co-operation of his Government in the implementation of its mandate. All that Syria expected from the Commission's efforts, he said, was that the truth be established, because truth was more powerful than military force. In that connexion he described Israel's policy of settlements as nothing but the continuation of the aggressive and expansionist practices which had characterized the Zionist movement since its very beginning and which remained the real obstacle to peace. Mr. Khaddam blamed Israel for the current situation and the United States which, he said, bore a share of the responsibility for facilitating Israel's policy of settlement. He also deplored that the United Nations could not take a stronger stand in that regard.

107. Referring to the policies pursued by Egypt and the United States, Mr. Khaddam emphasized that they did not serve the cause of peace in the area. The so-called autonomy envisaged for the Palestinians in the occupied territories in the peace treaty between Israel and the Egyptian régime would apply only to the inhabitants but the land and its resources would remain indefinitely under the authority of Israel. For the Syrian Government, it was clear therefore that such an agreement which did not tackle the real problem could not serve the cause of peace in the area. Dr. Keylani noted in that regard as a further proof of it that the number of Israeli air raids over Lebanon had increased 10 times since the signing of the treaty.

108. In his reply, the Chairman expressed the Commission's appreciation for the welcome extended to it and assured the Deputy Prime Minister that the contents of his statement would be reflected in the Commission's report. He recalled the precise terms of the Commission's mandate and, in that context, stressed the position of all three Governments represented on the Commission as to the question of settlements. Their vote in favour of Security Council resolution 446 (1979), he added, was a clear indication of that position.

109. On the same day, 27 May 1979, the Commission held an open meeting with a Syrian delegation composed of Dr. Haitham Keylani, Major-General Adnan Tayara, head of the Syrian delegation at the Mixed Armistice Commission, Mr. Taker Houssami, Mr. Bechara Kharou and Mrs. Razan Mahfouz, all from the Ministry of Foreign Affairs.

110. Dr. Keylani stated that, in the view of the Syrian Government, Security Council resolution 446 (1979) was a further evidence of the concern with which the international community viewed the explosive situation in the Middle East and that situation was the result of Israel's occupation of Arab territories and its

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refusal to recognize the national inalienable rights of the Palestinian people. He pointed out that his Government considered that, in a matter which was related to the maintenance of peace and security, it was imperative for the Security Council not only to express concern but to take the relevant measures provided for in Chapter VII of the United Nations Charter.

111. Dr. Keylani observed also that Israel's practices in the occupied territories - in particular the Golan Heights, where towns and villages had been replaced by Israeli settlements - were consistent with the aims of zionism which involve annexation of occupied territories and the enslavement of the local population.

112. In his reply, the Chairman noted that the purpose of the Commission in coming to Syria was to fulfil to the greatest possible extent the mandate entrusted to it by the Security Council. It had been the intention of the Commission to visit all the parties concerned in the area. However, the possibility for the Commission to go to the occupied Arab territories had to be ruled out because of the attitude of the Government of Israel in that respect. In order to accomplish its task, the Commission resorted to other means of obtaining information. It was in that spirit that the Commission had come to Syria. The information to be provided by the Syrian Government, as well as by the witnesses, would make it possible for the Commission to provide the Security Council with additional information so that the Council, in its persistent efforts to solve the problems of the Middle East, might in the future adopt appropriate measures.

113. A closed meeting was held at which Dr. Keylani presented the position of the Syrian Government with regard to Israeli policy and practices in the occupied Arab territories, in particular the Golan Heights. Following a historical review of the occupation of Palestine by Zionist elements, Dr. Keylani pointed out that immediately after its invasion of the Golan Heights in 1967, Israel started implementing its plan to control the whole area and to expel its inhabitants.

114. The Golan Heights before the occupation had been one of the most prosperous areas in Syria, inhabited by 142,000 people, living in 163 towns and villages. After the occupation, Israel completely destroyed all these towns and villages with the exception of five, namely Majdal-Shams, Akaata, Massaada, Al-Ghajar and Ein-Kena, and with the stones from the ruins, Israel built in their place 29 settlements for military and other purposes. The destruction of the town of Quneitra which the Commission was going to visit was an example, he said, of what had happened in the 1,770 square kilometres still occupied by Israel.

115. Dr. Keylani pointed out that, out of a total of 142,000 Syrian inhabitants in the Golan Heights, only 8,000 had remained while 134,000 had been expelled and compelled to take refuge in other parts of Syria, where there were also approximately 250,000 Palestinian refugees. The Golan Heights, he continued, was ruled by a military governor with unlimited authority, including the right to appoint local councils and village mayors and to dismiss them at will. By comparison, in the West Bank, those officials were still elected by the population. In an attempt to annex the occupied area to Israel, the occupation authorities were constantly trying to sever all links between the Syrians remaining in the Golan area and their kin elsewhere in Syria. In fact, the freedom of movement of the

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remaining inhabitants was restricted even within the five villages. To visit another village, the inhabitants had to obtain from the military Governor a special authorization, which had to be applied for a month in advance and was valid only for a few hours subjecting the holder to imprisonment and heavy fines in case of violations. Among the measures taken by the occupation authorities which affected more specially the conditions of life in the occupied territories were the imposition of all Israeli laws, the expropriation of large areas of agricultural land for so-called reasons of security, and the refusal to respond to humanitarian appeals by the International Red Cross, among others, for the reunification of families.

116. Commenting on the education policies of the occupation authorities in the Golan Heights, Dr. Keyhani said that all Arabic curricula had been replaced with Israeli curricula and the teaching of Hebrew imposed in primary schools. Of the many primary and secondary schools which existed before, only seven primary schools and one secondary school had been allowed to continue functioning. Syrian graduates of the secondary school were not permitted to pursue their higher education in Syrian universities because the aim of the Israeli authorities was to channel these youths into the labour force needed in Israeli factories. Only after repeated efforts and intervention by the International Red Cross were a few students allowed to register in the Syrian universities. Other measures taken by the occupation authorities in the field of education in the Golan Heights included the intimidation and dismissal of qualified Arab teachers; and educational courses which were compulsory for the 8,000 Syrian inhabitants and aimed at indoctrinating them to serve the aims and purposes of Zionism and the Israeli policies. Further information, said Dr. Keyhani, on the educational system imposed by the Israelis in the Golan Heights could be found in the reports published by UNESCO, in particular, in document No. 20/C/113 of 28 September 1978 and document No. 104 EX/52.

117. Turning to the question of the geographical changes that had taken place in the Golan Heights as a result of the occupation, Dr. Keyhani stated that the whole area had been turned into a military fortress with 29 settlements, a synagogue, a military museum, as well as new roads which are used essentially for military purposes. He recalled by comparison the agricultural prosperity of that area before Israel's occupation.

118. On the question of military rule in the Golan Heights, Dr. Keyhani noted that Israel had established a military court in Tiberias to administer Israeli laws over the Golan Heights. Ninety-five per cent of the judgements, he said, delivered by the court related to so-called security matters for which the sentence was life imprisonment or hard labour for life with no possibility of appeal.

119. As to the settlements, Dr. Keyhani stated that the 1979 budget of Israel showed the allocations set aside for expanding 11 of the existing 29 settlements. In that connexion, according to a statement by the Israeli Chief of Administration of Settlements, Israel intended to establish, in 1979, 20 new settlements, 5 of which would be in the Golan Heights and it would take over all the necessary land in order to settle 58,000 families thereon over a period of five years.

120. To be able to pursue that policy Israel had succeeded in expelling most of the inhabitants of the Golan Heights through various means, including restriction of movement, threats, intimidation, burning of crops, depriving them of their means of livelihood and imposing on them heavy taxation beyond their means. He also pointed out that those settlements were all military fortresses and that the settlers, who were from Al-Jadna, a military-agricultural organization that worked in liaison with the Israeli army, were of military age. This, he said was an additional means of pressure on an unarmed population.

121. With regard to the nature of the Israeli settlements, he expressed the conviction of his Government that these settlements were meant to be permanent, as confirmed by statements made by various Israeli officials and by the slogan which Israel had applied to the Golan Heights since 1967, namely "Security before peace". Although the Golan Heights area was included in the security and defence plans of Israel, Dr. Keylani said, security was only a pretext to annex the region since all the relevant United Nations documents indicated that before 1967 the Syrian Army artillery fired only on Israeli military bulldozers entering the no-man's land between Israel and Syria and not on any Israeli settlements.

122. Referring to the differences in the policy of Israel regarding the various Arab territories under occupation, Dr. Keylani observed that Israeli practices varied according to Israel's goals and to the size of the population in each territory. In the Golan Heights, Israel had achieved the following objectives: evacuation of the area by almost all its inhabitants; thwarting of any armed resistance by the remaining inhabitants; reduction to a minimum of the number of violations of human rights, given the small number of inhabitants remaining in the area; exploitation of expropriated fertile lands for Israel's benefit; and establishment of a military zone to defend Israel against Syria. In connexion with the evacuation of inhabitants, he recalled that in 1967 the Syrian inhabitants wanted to stay in the Golan Heights but that they had been forcibly driven out. For example, in the town of Quneitra, Israel had compelled the inhabitants to leave the area at night through minefields, thereby causing heavy casualties.

123. In the course of the exchange of views that ensued, Dr. Keylani said, that, between 1967 and 1973, Israeli authorities had attempted to impose Israeli citizenship on the Syrian inhabitants. Having met with categorical resistance in that regard, they had continued to deny them the attributes of Syrian citizenship and, furthermore, since 1973, they had imposed Israeli citizenship on the Syrian children born under occupation, in the belief that with time the opposition would disappear.

124. On the question of religion, Dr. Keylani noted that the deliberate destruction of the mosque, particularly in Quneitra, was meant to humiliate the inhabitants and leave them with no choice but to conduct their prayers at home.

125. As to Jerusalem, it was, he said, a sacred Arab Moslem city with the same status as that of any other part of the occupied territories. That occupied city must be liberated and returned to the Palestinian people. Syria would not accept

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that a single inch of Arab territory, including Jerusalem, would remain under Israeli occupation and, in that regard, it supported the resolutions of the General Assembly and the Security Council on the matter.

(b) Visit to Quneitra

126. On 28 May 1979, the Commission visited the location of the town of Quneitra in the Golan Heights.

127. Major-General Adnan Tayara who led the visit recalled that Quneitra and the surrounding area had been taken over by Israel in June 1967 and were returned to Syria in 1974.

128. During the visit through the ruins of the city, the Commission was acquainted with the situation that was reported in 1977 to the General Assembly by the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories in its "Report on damage at Quneitra". ^{5/} It was on the basis of that report, that the General Assembly, on 13 December 1977, adopted resolution 32/91 by which it condemned the "massive, deliberate destruction of Quneitra perpetrated during the Israeli occupation".

129. During that visit, the Syrian authorities pointed out to the Commission several Israeli settlements beyond the area of separation which, they said, were established on land belonging to the city of Quneitra where agricultural work was in progress.

(c) Hearings

130. In addition to the working meeting with the Syrian delegation, the Commission held a number of hearings. Among the witnesses who appeared before the Commission there were three members of the Palestine Liberation Organization, whose statements are reported in part II (F) below.

131. Thirteen other witnesses testified. Among them, a professor of geography (No. 23) briefed the Commission on the economic situation of the Golan Heights before 1967. He pointed out that the region was one of the most prosperous of Syria. The number of inhabitants was about 150,000, with a density of 90 per square kilometre.

132. The arable area amounted to 107,000 hectares. The witness gave figures concerning the various kinds of soil cultivation, fruit-bearing trees and livestock to bear out his assertion that the region, despite its small size, used to produce 10 per cent of the total output of the country.

133. The other witnesses were former inhabitants of the Golan Heights, most of them from Quneitra. Seven of them (Nos. 29, 30, 31, 32, 33, 34 and 35) were municipal officials at the time the Israeli forces entered the region. They concurred in saying that all sorts of pressure including threats of death had

^{5/} A/32/284, annex II.

been used by the Israelis to make the inhabitants leave the area. Villages had been destroyed, sometimes in the presence of the inhabitants (Nos. 31 and 32) and people had been taken in motor vehicles and dropped at the separation line (Nos. 31, 32 and 33) to compel them to leave.

134. A witness (No. 24) who said that he had seen Israeli bulldozers destroy Arab agglomerations, reported also that he had seen a number of Israeli settlements built on the former location of Arab villages; of which he gave the names.

135. Another witness (No. 29) said that even now, Arab students from the occupied area in the Golan Heights were prevented from pursuing their higher education in Syrian universities. He added that those who, through the mediation of the Red Cross, had been allowed to do so had been prevented from returning to their homes.

D. Visit to Lebanon (29-30 May 1979)

136. From Damascus, the Commission flew to Beirut on 25 May 1979.

137. The same morning the Commission was received by Mr. Fouad Boutros, Minister for Foreign Affairs. Three members of the Foreign Ministry were also present.

138. The Foreign Minister welcomed the Commission and expressed the hope that its report would assist the Security Council in its efforts to promote the law of equity and justice, the right of peoples to self-determination and the compliance of Member States with their obligations under the United Nations Charter and international law.

139. Although not directly involved in the tasks of the Commission, he said Lebanon welcomed any effort that could facilitate the return of the Palestinians to their homeland. For its part, Lebanon had felt it its duty to receive on its soil many Palestinian refugees and it was satisfied to have been in a position to assist them in their plight. However, the present disruption which Lebanon was experiencing was linked to that very hospitality. This was therefore one more reason for the Lebanese Government to assure the Commission of its wishes of success in the implementation of the mandate assigned to it by the Security Council.

140. Regarding the situation in southern Lebanon, Mr. Boutros said that the continuous intensive bombardment by Israel was causing a human tragedy of disastrous dimensions at that time. About 100,000 persons had been forced to flee to the north from the Tyre area. In the present circumstances, he said, Lebanon welcomed the presence of UNIFIL; it only wished that the mandate of the Force were such that it could better tackle the situation.

141. Summing up the position of his Government, the Foreign Minister emphasized that Lebanon had no problem of frontiers with Israel or of directly occupied territories. However, it could not be indifferent to the question of Israeli

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settlements established in occupied Arab territories - given the very large number of Palestinians who had taken refuge in Lebanon - or to that of the over-all solution of the Middle East conflict, to which it was a party.

142. The Lebanese Government entirely supported the position of the Arab States concerned. It considered that the establishment of settlements, which in itself was contrary to the norms of international law, aggravated the situation prevailing in the region, gave rise to new causes of discord and new human problems and constituted an obstacle to the return of the Palestinians to their homeland.

143. It also considered that the return of the Palestinians to their homeland, apart from being a necessity for a country like Lebanon, which could not absorb the large number of refugees living in its territory, was the first of the legitimate rights of the Palestinian people, respect for which was called for in Security Council resolutions 242 (1967) and 338 (1973) and in the Soviet-United States communiqué of 1 October 1977.

144. For these reasons Lebanon, which had already on several occasions officially proclaimed, through its Head of State and its accredited representatives in international forums, its refusal to accept the settlement of Palestinians in its territory, reaffirmed its position and its point of view concerning the need to overcome all obstacles, including settlements, that were likely to impede the exercise of the right of the Palestinians to return to their homes.

145. The Chairman said that the Commission had taken due note of the position stated by the Foreign Minister, which would be reflected in its report. He added that although, as stated by the Foreign Minister, the mandate of the Commission did not in a precise way directly apply to Lebanon, it had a bearing on it because Lebanon was a neighbouring country to the occupied territories and gave refuge to an ever-increasing number of Palestinian refugees. The Chairman thanked, therefore, the Foreign Minister for the interest shown by the Lebanese Government in the Commission's efforts.

146. On the same day, the members of the Commission were also received by the Prime Minister of Lebanon, Mr. Salim Al Hoss.

147. Mr. Al Hoss welcomed the Commission and said that Lebanon was concerned by its mandate inasmuch as it dealt with the general situation in the Middle East. Noting with regret that all efforts aimed at settling the Middle East problem, and most particularly the Palestinian question which is at its core, had so far been unsuccessful, the Prime Minister pointed out that Israel's policy with respect to settlements was still complicating the problem.

148. Such a settlement policy was significant, he said, not only in its immediate effects on the occupied territories, but even more so in its future implications in that it made it clear that Israel's intention was to settle in those territories on a permanent basis.

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149. At the present time, Lebanon was the country most directly affected by the situation in the Middle East. The acute human problem created by Israel's actions in southern Lebanon was no less tragic than its policy of settlements in the occupied territories. The Israelis no longer even looked for pretexts, as was the case in the past and, contrary to their allegations, Lebanese civilians were their daily targets.

150. Expressing again his wishes for the success of the mission, which he saw as a renewed effort toward peace, the Prime Minister assured the members of the full support of his Government and offered any assistance which the Commission might need in the performance of its tasks.

151. The Chairman expressed appreciation for the welcome received by the Commission and assured the Prime Minister of the desire of the Commission to implement as fully as possible the mandate assigned to it by the Security Council.

152. During its stay in Beirut, the Commission also met Mr. Yasser Arafat, Chairman of the Palestine Liberation Organization. That meeting is reported upon in Chapter II.F below.

E. Visit to the Arab Republic of Egypt (30 May-1 June 1979)

(a) Meetings with government officials

153. The Commission arrived in Cairo on 30 May 1979. In the evening of the same day, the Commission was received by Dr. Boutros Ghali, Minister of State for Foreign Affairs, who was accompanied by Mr. Ahmed Khalil, Under-Secretary for Foreign Affairs, Ambassador Ezz Eldin Sharaf, Director, Palestine Department, Ambassador Ahmed Maher, Chef de Cabinet of the Foreign Minister, Ambassador Ala Eldin Khariat, Chef de Cabinet of the Minister of State, Mr. Amre Moussa, Director, International Organizations Department, Mr. Abdel Moneim Ghoneim, Cabinet of the Minister of Foreign Affairs, Mr. Said El Masri, Cabinet of the Minister of State, Mr. Mohamed El Dinang, and Ms. Leila Emara, both from the Foreign Ministry.

154. The Minister of State for Foreign Affairs said that Egypt welcomed the Commission most warmly, not only because of Cairo's interest in the United Nations and its role in the achievement of peace but also because of the Commission's mandate, which matched Egypt's concern regarding the settlement policy of Israel.

155. Dr. Boutros Ghali stated that the Egyptian Government had informed the United States and Israel that it condemned the settlement policy and insisted that those settlements should be removed. This had been achieved in the case of the settlements established in Sinai, and for its part, Egypt would endeavour to have them removed from all the Arab territories, including Arab Jerusalem.

156. Dr. Ghali emphasized that Egypt's aim in the peace process was not the conclusion of a bilateral peace treaty with Israel but a comprehensive peace treaty in the area and the attainment of the settlement of the Arab-Israel conflict in all its aspects. In this connexion, he noted that the Camp David framework agreement set out the principles and procedures for a series of negotiations leading to peace between Israel and each of its Arab neighbours. In the Egypt-Israel peace treaty, Israel had accepted Security Council resolution 242 (1967) and thereby the principle of dissolution of its settlements. That principle had to be applied also in other peace treaties to be concluded between Israel and its other Arab neighbours.

157. In the course of the exchange of views which ensued, Dr. Ghali stated that Arab Jerusalem was an integral part of the West Bank and that Israel must withdraw therefrom. He said that the attainment of a comprehensive peace in the area involved two types of negotiation: negotiation regarding withdrawal of Israel from Sinai and negotiations concerning the future of the West Bank, including Arab Jerusalem, and of the Gaza Strip. Until a Palestinian authority could be created, what was required was a moratorium on Israeli declarations that there would be more settlements.

158. In conclusion, the Minister of State for Foreign Affairs summed up Egypt's position regarding the problem of settlements as follows: (i) the establishment of the settlements constituted a fundamental obstacle to peace and Egypt condemned that policy; (ii) the Hague Convention signed in 1949 stipulated that it was

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inadmissible to change the character of occupied territories and any contrary measures were illegal; (iii) Egypt had confirmed this position during the first Camp David discussions and had sent an official letter in that respect to President Carter of the United States on 17 September 1978 requesting his support to obtain the removal of all the settlements; (iv) Egypt had demanded and would continue to demand during the coming negotiations on autonomy that the settlements be stopped and removed from the West Bank and Gaza Strip.

159. The Chairman expressed the appreciation of the Commission's members for the welcome they had received and reiterated the position of the Commission concerning its mandate and the problems which derived from the fact that the Commission could not go to the occupied territories. The Commission, he added, was grateful to the Minister of State for Foreign Affairs for the data thus provided to it and for stating the position of his Government with regard to the Israeli settlements.

160. On 31 May, the members of the Commission were received by the Prime Minister and Minister of Foreign Affairs, Dr. Mostafa Khalil. Also present at the meeting were Ambassador Ahmed Tewfik Khalil, Under-Secretary, Ministry of Foreign Affairs, and Ms. Leila Emara, Ministry of Foreign Affairs.

161. The Prime Minister declared that Egypt regarded the establishment of the settlements as an illegal act incompatible with the resolutions of the United Nations and in no way conducive to the cause of peace and stability in the region. Israel had no right to establish those settlements, he said, and their creation in the West Bank and Gaza Strip constituted a serious problem and impeded the efforts currently made to bring about a just and comprehensive peace in the Middle East.

162. Referring to the Israeli settlements in the Sinai on land previously reclaimed from the Egyptian Government, which he said were to be removed after the second phase of Israeli withdrawal from the Sinai, the Prime Minister observed that those settlements could serve no military purpose as the area would be demilitarized. If those settlements were to serve a civilian purpose, the Prime Minister drew attention to the difficulties the settlers would face once Egypt resumed the exercise of its full sovereignty over the Sinai since, under Egyptian law, foreigners could not own agricultural lands. Noting that the number of settlers in the Sinai was somewhere around 4,300 to 4,500 people, he pointed out that in comparison to Egypt's population of some 40 million, that number of settlers was insignificant. The real question was the meaning and intention behind those settlements, the question of the right of the settlers to retain their identity and the question of establishing a precedent.

163. Dr. Mostafa Khalil recalled that international law and United Nations resolutions forbade the retention of territories acquired by conquest and also proscribed the exploitation of the resources of such territories during the period of occupation. He pointed out that the framework laid down in the Camp David agreements was based on Security Council resolutions 242 and 338; this clearly meant that Egypt rejected the pretext of retaining territory in order to obtain security since security could be guaranteed in accordance with agreed arrangements, as was happening in Sinai, without recourse to the establishment of settlements.

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164. The Prime Minister expressed his concern that the settlements would constitute a future obstacle to the negotiations on self-determination which he said the Palestinians were to conduct three years after the establishment of autonomy in the West Bank and the Gaza Strip.

165. Regarding the present status of Jerusalem, the Prime Minister told the Commission that Arab Jerusalem was part of the West Bank and that the area containing the holy places should be open to all faiths. He affirmed that the Palestinians alone, and no other party, should decide their future and he expressed his conviction that, for the Palestinians, the negotiations on autonomy would represent the beginning of the road towards self-determination.

166. The Chairman thanked the Prime Minister for the opportunity afforded the Commission to acquaint itself with the position of the Egyptian Government on the question of settlements and assured him that the substance of his statement would be reported to the Security Council.

(b) Hearings

167. On 31 May the Commission held a meeting in Cairo during which it heard seven witnesses.

168. In their statements, the first two witnesses introduced themselves as Mr. Yehia Aboubakr, Information Director, League of Arab States (No. 36) and Mr. Ibrahim Shukrallah, Director of the Political Department, League of Arab States (No. 37). Both emphasized that the destruction of Arab villages and the establishment of Jewish settlements were interrelated. According to the figures available to their organizations, some 500 Arab villages had already been destroyed for that purpose. They gave specific cases as examples of that policy particularly in the Gaza Strip. They emphasized that that policy, which was a flagrant aggression against human rights, constituted a major obstacle to the establishment of peace. The situation was specially grave, they said, because of the clear intention of Israel to establish new settlements.

169. This intention had been stated in particular by the Israeli Minister for Agriculture - also Chairman of the Ministerial Committee for Settlements - who had spoken about several plans such as the increase from 25 to 50 the number of Israeli settlements in the Jordan Valley; to establish a belt of settlements between the occupied Gaza Strip and the liberated Egyptian Sinai and to encircle Jerusalem with Jewish settlements in order to increase the population of the city to 1 million inhabitants.

170. In addition to the establishment of new settlements, they noted that the policy to strengthen and enlarge the existing settlements had been advocated repeatedly by Israeli officials. Thus the Israeli Minister of Defence, Mr. Weizman, had recently announced a plan for the creation between Jerusalem and Ramallah of a large settlement town to be called "Gabaon".

171. That official attitude was still reinforced by the actions of private groups such as the Gush Emunim group, which acquired lands for further settlements. That

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group, they said, worked hand-in-glove with the Government, and the financing of its operations was partly provided by official Government circles. As to the method used for that purpose, the group would send some of its members during the night to the location concerned. They would build primitive housing in which they would establish residence and gradually would increase their number to the moment when a fait accompli had been established.

172. By implementing that policy, Israel has forced the Palestinians into dispersion, forfeiting their right to return. Some of those who remained had been thrown into jail under various pretexts. As to the peasantry, they had been turned into a mobile army of unskilled or semi-skilled labourers that could easily be persuaded to emigrate.

173. But while the Israelis numbered a little over 3 million, the witness said, Arabs were still the majority in the North, the West Bank and the Gaza Strip. Therefore, to fail to redress such a grave injustice would just keep the cause of contention alive.

174. The Chairman stated that the Commission had taken due note of the statements made by the two witnesses in the same way it had taken note of statements made during its visits to other Arab countries when other witnesses were presented to it. The fact that the witnesses had stated that they belonged to the Arab League would not imply, however, on the part of the Security Council Commission any involvement in the dispute related to the location of the League headquarters.

175. The four other witnesses (Nos. 38, 39, 40 and 41) referred essentially to the situation in Gaza. One of them (No. 38) described the area as being 45 kilometres long and 8 kilometres wide; half of it, he said, was built up with houses, another quarter bore citrus plantations and the remaining quarter was inhabited by some 500,000 Arabs.

176. Another witness (No. 41) stated that five Israeli settlements had been established on some 12,000 dunums of land. Roads had also been built on Arab land and the owners, said another witness (No. 38), rejected any offer of compensation.

177. Some witnesses referred to different sorts of pressure exerted against the inhabitants to compel them to leave. A witness (No. 41) said that, for example, an Israeli would knock at a door at night, saying that he was an Arab commando and asking refuge. He would stay one hour or two and later on the inhabitant would be arrested and expelled. Another possibility was for the Israeli authorities to grant an authorization to visit relatives outside the Strip but not let the inhabitant return. A reference was made also to the control of water through meters fixed on wells to limit the supply; the water would be completely shut off if the consumption exceeded the fixed limit (No. 38), thus compelling the inhabitant to leave.

178. The same witness recalled that when Israeli troops entered the Strip in 1967, they encircled the villages, put the men aged 15 to 30 on trucks and took them to Egypt, thereby expelling some 12,000 young men who were never allowed to return.

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179. Another witness (No. 39) stated that the purpose of the settlements in addition to changing the demographic nature of the area was to terrorize the inhabitants. Those settlements, he said, were heavily armed while the local inhabitants had no weapons. Friction and clashes among the two groups left many victims among the Palestinians.

180. As to the procedure followed by the Israeli authorities to establish or extend their settlements, a witness (No. 41), who said that he had left Gaza one month before, stated that when the Eretz settlement had decided to build a road leading to the seashore, the Israelis confiscated his land with its vineyards and also took over several buildings which the United Nations had built for the refugees. In one of those buildings which, the witness said, still belonged to UNRWA, the inhabitants were given 24 hours to leave before it was destroyed.

181. Mr. Ali Khalil, representative of the United Nations Association (No. 42) made an appeal to the Commission to help the Security Council deal with the question of settlements which he emphasized was an obstacle on the road to peace.

(c) Private meeting

182. During its stay in Cairo, the Commission had an opportunity to exchange views with Dr. Hafez Ghanim, Chairman of the International Law Association and other members of the Association.

183. Among other points, Dr. Ghanim and his colleagues drew particular attention to the illegality of the establishment of settlements in occupied territories with regard to international law. They also questioned the validity of the status and functions of the Office of the Custodian of Absentee Property, which was established in Israel by law in 1950. Dr. Ghanim emphasized that that official was given a free hand over such properties, which could then be disposed of at the whim of the Custodian.

184. The Chairman expressed appreciation to Dr. Ghanim and the other members of the Association for their informative briefing.

F. Statements by the Chairman of the Palestine Liberation Organization (PLO) and other officials of that organization

185. In the course of its visit to the area, the members of the Commission had several exchanges of views with representatives of PLO. In Damascus, on 27 May, the Commission heard a statement by Mr. Najib Al Ahmad, Special Representative, Political Department and, the following day, statements were also made by Mr. Habib Kahwaji, and Mr. Abdul Muhsen Abou Meizar, both members of the Executive Committee. Moreover, in Beirut, on 30 May, the Commission had a private meeting with Mr. Yasser Arafat, Chairman of the Palestine Liberation Organization.

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186. In his statement, Chairman Arafat said that the Israeli Defence Minister had recently confirmed his previous declaration that the Israelis wanted to destroy the Palestinians and that the shelling in southern Lebanon would not stop as long as that goal had not been reached. This, he said, explained the daily killing of children and destruction of schools by fragmentation bombs, although their use was forbidden by international law. 6/

187. As a result of those developments, the number of refugees in Lebanon had increased up to some 600,000 of which 150,000 were Palestinians and 450,000 Lebanese. The PLO had to fight not with a view to attacking but just to defend its people. Inside Palestine, the Palestinians who were still there were treated like slaves. They were under the control of the occupation forces for every way of life including the amount of water they are allowed to use in their villages, because water was allocated by priority to Israeli settlements. Meanwhile, Chairman Arafat said the Palestinians who were compelled to leave their country are now used as experimental targets for all new types of those weapons provided to Israel by the United States.

188. Chairman Arafat pointed out the distress of the Palestinian refugees who had been uprooted from their own land and stripped from their national identity. He referred to their daily problems concerning, for instance, the obtaining of a passport or how their children could go to school. Many new-born children, he said, were not even reported because their parents lacked the necessary papers. It was sad indeed that in such circumstances the international community did not take the sort of strong action which could remedy the situation.

189. As to the Camp David agreement, Chairman Arafat said that while it specified that the Israelis should not attack the Jordanians or the Syrians, it did not mention the Palestinians. That omission implied an invitation to Israel to attack the Palestinians; clearly the Israelis were responding to it.

190. More trouble would come up, he said. But in the long run, PLO would succeed just like the many other leaders who, after acting as liberation fighters were now representing their own countries at United Nations Headquarters.

191. In the present context the development of Israeli settlements was the centre of the matter, he said. Most of the refugees had to leave their country because Israelis wanted their lands. And now the trend was increasing and the establishment of new settlements demonstrated Israel's policy of colonizing the occupied territories and banning for ever the return of the Palestinian refugees, in violation of United Nations resolutions.

192. For that reason, PLO was hoping very sincerely that the Commission would be successful in its tasks which, it was to be hoped, would bring peace despite Israel's refusal to co-operate with it.

6/ Part of a fragmentation shell was shown to the Commission.

193. The Chairman of the Commission thanked Mr. Arafat for his informative briefing and assured him that the Commission would do its utmost to fulfil faithfully its mandate.

194. When at another meeting Mr. Najib, Special Representative of the PLO addressed the Commission in Damascus, he pointed out that for the establishment of the settlements on Arab lands in the West Bank, the Israeli Government had allocated half a billion Israeli pounds for the year 1979. Moreover, it had been decided, he said, to build 20 Israeli settlements in the West Bank in 1980 and 45 within the next five years to accommodate 58,000 Jewish families.

195. Mr. Al Ahmad then gave an account of the practices used by authorities to compel Arab inhabitants to leave their lands. Thus the Arabs were prevented from digging any artesian wells without special authorization, which was difficult to obtain. The owners of the wells were compelled to install water meters and could irrigate their land only with the amount of water allocated to them and only during specified hours. That practice led to a decrease in agricultural production, which compelled the owners to abandon their lands. He referred also to acts of destruction or damage to Arab water pumps perpetrated by the Israeli settlers to prevent the Arabs from irrigating their land and further noted that Arabs in the West Bank and the Gaza Strip needed a special authorization to plant trees or replace those previously planted.

196. Mr. Al Ahmad challenged the Israeli Government claim that it established the settlements only on public lands. He referred to his own experience in 1948 when Israel occupied 90 per cent of the land of his native village, Romana, and in 1967 when it occupied the rest. Mr. Al Ahmad was then put in jail, for security reasons, and after spending 13 months in prison he was expelled with his family.

197. In that connexion, the witness gave some information on the treatment of prisoners in the occupied territories. He also noted that more than 2,000 Arabs had been forcefully deported without even the use of indirect ways of pressure. A large number of these deported people, he said, were professionals such as physicians, engineers, teachers and lawyers.

198. Mr. Al Ahmad also drew attention to the fact that 2,875 Arab houses had been blown up for so called security reasons.

199. Mr. Habib Kahwaji, member of the Executive Committee of PLO who indicated that he was expelled from the West Bank, said that, under the pretext of maintaining security, the Israeli authorities had embarked upon a programme of gradual judaization of the occupied territories. This was pursued through the creation of a wall of settlements between those territories and neighbouring Arab States; the fragmentation of the territorial unity of the West Bank and the Gaza Strip into small areas isolated from each other by Jewish settlements; and the isolation of major Arab cities in the area from their natural Arab surroundings.

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200. Over the past 12 years, in order to acquire the lands needed for its settlements in the West Bank and the Gaza Strip, Israel had seized an area equivalent to more than one quarter of the total area of both territories.

201. The various ways resorted to by the Israeli occupation authorities to seize Arab lands included the following:

- (i) Acquisition of public lands allocated for public facilities or for the expansion of municipal zones;
- (ii) Expropriation of privately-owned lands by invoking the Emergency Law introduced by the British Mandate Government. This law as revised by the Israeli authorized military governors to declare certain areas as zones closed for military purposes;
- (iii) The use of the Absentees' Property Law of 1950;
- (iv) The compulsory purchase of Arab lands, which consisted of seizing privately owned land, then having the owners appear before the military administration official to sign the sale contracts, prepared in advance;
- (v) The purchase of land through firms set up abroad either by the Jewish National Fund (JNF) or the Israeli Real Estate Department, such as the Rimanotha firms, an American enterprise owned by JNF; and
- (vi) The seizure of lands under the pretext that they used to be owned by JNF before 1948.

202. Through these various methods of seizure and confiscation, over 60 per cent of the arable lands of the Jordan Valley, namely, 95,000 dunums, had been seized. In the Hebron area, in addition to public lands, the occupation authorities had expropriated 1,000 dunums in 1968 to set up the settlement of Qiryat Arba, another 1,000 dunums of the Samou' village lands, 230 dunums belonging to the Bani Naeem village in 1975 and about 160 dunums in Hebron itself in 1979.

203. Several thousand dunums had also been seized in the Gosh Etzion area on the Bethlehem-Hebron road, where five settlements were set up. The latest confiscation in this area had happened in the Sheikh Abdulla hill, to the east of Kfar Etzion and south of Bethlehem, where several hundred dunums were seized to be used for a new Jewish town called Efrat. Last year, an area of 60,000 dunums in the Beit Sahor area, to the south of Jerusalem, was closed and fenced.

204. When Israel made its decision to annex Arab Jerusalem in 1967, the outskirts of the city, including an area of 70,000 dunums, were also annexed. In the autumn of 1971, Israel closed other lands covering about 70,000 dunums. These lands ranged from Beit Sahor in the south, through Al-Khan Al-Ahmar on the Jerusalem-Jericho road, in the east, to the village of Anata in the north. Inside the city of Jerusalem itself 18,000 dunums were seized. In 1976, a 1,000-dunum area in the Abu Dais village and 750 dunums in the village of Aizariah were expropriated, and 1,000 dunums in the Beit Or village and 800 in the Jila mountain

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near Beit Jala were closed. Several thousand additional dunums had already been closed in the village of Salwan. Last year the Israeli authorities closed and fenced some 4,000 dunums of the lands of the Anata village to the north of Jerusalem.

205. The same happened in the Ramallah area where, since 1970, the occupation authorities had closed 2,400 dunums in the Al-Beera vicinity, to which were added 1,500 dunums in Jabal El-Taweel, near Al-Beera. In July 1978, lands totalling 7,000 dunums were closed in the same area, half of them belonging to Al-Beera and the other half to the villages of Yabrood and Dora El-Qar'a. Meanwhile, some 600 dunums were expropriated in the village close to the Ofira settlement to the east of Ramallah and other areas, in the village of Qaryoot and Tar Mas'iya, were expropriated and annexed to the settlement of Shila. Almost at the same time, about 200 dunums in the Nabi Salih village, to the north-west of Ramallah, were seized for the purpose of setting up a new settlement there. The same also happened in the Nablus area. In the same year about 1,000 dunums in the village of Tobas, near Nablus, were seized.

206. As to the Jewish settlement plans for the future, the witness stated that the Minister of Agriculture and Head of the Ministerial Committee for Settlements, Ariel Sharon, had stressed the necessity of transforming Jerusalem into a city with 1 million Jewish inhabitants within 20 years, surrounded by other smaller Jewish towns.

207. Last year, he said the Head of the Settlement Department of the Jewish Agency, Paanan Weitz, submitted to Israeli Prime Minister Begin, a comprehensive settlement plan for the establishment of 102 settlements by 1983, half of which is to be established in the occupied territories. Mr. Weitz expected this plan to absorb 10,000 Jewish families. Mr. Metitiah Drobless, the Co-Chairman of the Jewish Agencies Settlement Department, explained that, according to this plan, 46 new settlements would be established within five years in the West Bank alone.

208. The witness went on to say that last February, the Israeli Government approved a plan set by the Planning Office in the Jewish Agency's Settlement Department for supplying water from the Lake of Tiberias to a Jewish settlement site in the Jordan Valley and developing a main road to connect the northern part of occupied Palestine with Jerusalem across the eastern slopes of the Nablus Mountains. This plan aimed at the implantation of a wide range of Jewish settlements on the eastern slopes of the Nablus Mountains and the establishment of 33 settlements to absorb 20,000 settlers within four years. The cost of such a plan was estimated by the Israelis at £I 5 billion.

209. For 1979, the Israeli circles were considering the establishment of 10 new settlements in the West Bank and one south of the Gaza Strip. An Israeli official source had announced on 5 December 1978, that by the end of the settlement freezing period, two new settlements would be established in the Jordan Valley and another in the Latroun area - that is on the boundary between Jaffa and Jerusalem - at the first stage. At the second stage, it was intended to establish three further settlements in the Jordan Valley. He also pointed out that the Israeli Government had approved a budget of £I 711 million for the improvement

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and expansion of the present settlements in occupied territories. Later on, the Israeli Government had approved an extra budget of \$1 billion Israeli lira for further care of the occupied territories' settlements.

210. Mr. Abdul Muhsen Abou Meizar, member of the PLO Executive Committee, said that, as a Jerusalem attorney, he had been a member of the municipality of that city and a member of its Town Planning Committee. Until his deportation he also had been a member of the High Islamic Council.

211. The witness described some of Israel's practices in the occupied Arab territories, which, he said, were in clear violation of the 1949 Geneva Conventions, in particular of articles 2, 4, 27, 47 and 49 of the Fourth Convention. As to the settlement policy, he said that it was in flagrant contravention of article 4. Similarly, the annexation of Jerusalem in 1967 was in contradiction to article 47 of the Fourth Geneva Convention.

212. Contrary to Israel's allegation that the Jewish settlements constituted a private activity on the part of Israeli citizens, it was clear, from the many official statements on the matter, that it was in fact the policy of the Government. Its aims was the judaization of Palestine through the annexation of lands, the expulsion of the Palestinian inhabitants, and the containment and isolation of the remaining Palestinian agglomerations.

III. CONCLUSIONS AND RECOMMENDATIONS

A. Conclusions

213. When it set out to accomplish the task entrusted to it by the Security Council, i.e., "to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem", the Commission sought as a matter of priority to secure the co-operation of all the parties concerned, in order to carry out its mandate objectively and comprehensively.

214. The Commission felt in that connexion that a visit to the area would be most useful to its work.

215. The Commission, although aware of the views already expressed by the Israeli Government in that matter, made persistent efforts at various levels to secure the co-operation of that Government. As related in chapter I of this report, the Commission was much disappointed by Israel's negative response to its approach. It noted in that regard that Israel's attitude deprived the Commission not only of the possibility of examining in situ the situation relating to settlements in the occupied territories but also of any opportunity to receive from the Government of Israel the explanations and comments which would have been useful to the Commission in its efforts to assess the situation.

217. Having spared no effort to obtain information from a variety of sources, the Commission believes that the present report contains a fairly accurate assessment of the prevailing situation it was entrusted to examine.

217. Nevertheless, the Commission, having spared no effort to obtain information from a variety of sources, believes that the present report contains a fairly accurate assessment of the prevailing situation it was entrusted to examine.

218. In its endeavour to fulfil its mandate, the Commission felt that it could assist the Council inter alia by: (a) bringing up to date the basic information already at the disposal of the Council; (b) determining the consequences of the settlement policy on the local Arab population; and (c) assessing the impact of that policy and its consequences with regard to "the urgent need to achieve a comprehensive, just and lasting peace in the Middle East" stressed by the Security Council in the preambular part of resolution 446 (1979), under which the Commission was created.

219. In drawing its conclusions the Commission did not attribute the same value to every piece of information it had obtained, but evaluated its significance freely and critically, in accordance with: its relevance to the accomplishment of the mandate of the Commission and its accuracy as determined by its coherence and by the documentary evidence rendered by the witnesses as supplement to their statements.

(a) Recent information on the settlements

220. According to the figures obtained, there are altogether in the occupied territories 133 settlements, including 17 in and around Jerusalem, 62 in the West Bank, 29 in the Golan Heights and 25 in the Gaza Strip and the Sinai.

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221. The population of those settlements varies in number, probably depending on the policy purposes predetermined for each settlement. In the area of Jerusalem and the West Bank where the establishment of settlements has been the most intensive, the number of settlers has reached approximately 90,000, while in the Sinai their number would be under 5,000.

222. The land seized by the Israeli authorities as a whole, either specifically for the establishment of those settlements or for other stated reasons, covers 27 per cent of the occupied West Bank and the quasi-totality of the Golan Heights.

223. On the basis of the information received, the Commission is convinced that a number of settlements were established on privately-owned land and not only on public land.

224. Many of those settlements are of a military nature, either officially placed under the control of the Israeli army or de facto with a settler population of military age. Moreover, those settlers are said to have at their disposal military weapons in the midst of an unarmed Arab population.

225. According to several witnesses, the location of the settlements is determined in accordance with agricultural designs, and also with what Israel considers to be "security" purposes. This may explain for instance the existence of three successive belts of settlements reported to have been established between Jerusalem and the Jordan River and which would be aimed at "compartmenting" the local population.

226. Supported by the strong influence of various private groupings, the settlement policy is an official government programme which is implemented by a number of organizations and committees representing both the Government and the private sector inside and outside Israel.

227. In addition to private contributions coming mostly from outside Israel, the financing of the settlement policy is essentially a governmental matter. In that connexion, the Commission was told that the Israeli Government has set aside the equivalent of \$US 200 million for expanding and establishing settlements during the fiscal year 1979/80.

228. The Commission found evidence that the Israeli Government is engaged in a wilful, systematic and large-scale process of establishing settlements in the occupied territories for which it should bear full responsibility.

(b) Consequences of the settlement policy on the local population

229. The Commission is of the view that a correlation exists between the establishment of Israeli settlements and the displacement of the Arab population. Thus it was reported that since 1967, when that policy started, the Arab population has been reduced by 32 per cent in Jerusalem and the West Bank. As to the Golan Heights, the Syrian authorities stated that 134,000 inhabitants had been expelled leaving only 8,000, i.e., 6 per cent of the local population in the occupied Golan Heights.

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230. The Commission is convinced that in the implementation of its policy of settlements, Israel has resorted to methods - often coercive and sometimes more subtle - which included the control of water resources, the seizure of private properties, the destruction of houses and the banishment of persons, and has shown disregard for basic human rights, including in particular the right of the refugees to return to their homeland.

231. For the Arab inhabitants still living in those territories, particularly in Jerusalem and the West Bank, they are subjected to continuous pressure to emigrate in order to make room for new settlers who, by contrast, are encouraged to come to the area. The Commission was told also that in the Golan Heights Israeli authorities imposed Israeli citizenship on all new-born children in an effort to assimilate the remaining population.

232. The settlement policy has brought drastic and adverse changes to the economic and social pattern of the daily life of the remaining Arab population. As a mere example of that evolution, the Commission was informed that a number of Arab landowners were now compelled to earn their living and that of their family by working on their own land as the hired employees of the Israeli settlers.

233. The Commission considers that the pattern of that settlement policy, as a consequence, is causing profound and irreversible changes of a geographical and demographic nature in those territories, including Jerusalem.

234. The Commission has no doubt that those changes are of such a profound nature that they constitute a violation of the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 and of the relevant decisions adopted by the United Nations in the matter, more specifically: Security Council resolutions 237 (1967) of 14 June 1967, 252 (1968) of 21 May 1968, and 298 (1971) of 25 September 1971; the consensus statement by the President of the Security Council on 11 November 1976; as well as General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) of 4 and 14 July 1967, 32/5 of 28 October 1977, and 33/113 of 18 December 1978.

(c) Impact of the settlement policy and its consequences on the search for peace

235. While fully aware of the extreme complexities inherent in the Middle East problem and at the same time recognizing the limitations in the scope of its mandate, the Commission none the less had the opportunity to note a genuine desire for peace in the capitals it visited as well as among the leaders of the Palestine Liberation Organization whom it met.

236. Unfortunately, the Commission has also perceived a deep sense of despair and helplessness, primarily among Palestinian refugees. This stems from the realization that Israel's policy with regard to the occupied Arab territories and more particularly its policy of continuing to establish more settlements is unabated and undaunted either by United Nations decisions or any other external factor. The Commission would like to state clearly in that regard that in the course of its various meetings it felt that this settlement policy was widely regarded as a most negative factor in the achievement of peace in the area both by

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the refugees themselves and all those who support their cause, including the neighbouring Governments for which that policy generates at national levels economic and social problems of grave consequences.

237. Consequently, after examining the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem, the Commission wishes to reaffirm the determination made by the Security Council in resolution 446 (1979), according to which "the policy and practices of Israel in establishing settlements in the Palestinian and other Arab territories occupied since 1967, have no legal validity and constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East".

B. Recommendations

238. On the basis of the conclusions reached, the Commission would like, therefore, to recommend that the Security Council, bearing in mind the inalienable right of the Palestinians to return to their homeland, launch a pressing appeal to the Government and people of Israel, drawing again their attention to the disastrous consequences which the settlement policy is bound to have on any attempt to reach a peaceful solution in the Middle East.

239. In the view of the Commission, as a first step, Israel should be called upon to cease on an urgent basis the establishment, construction and planning of settlements in the occupied territories. The question of the existing settlements would then have to be resolved.

240. The Council might further wish to consider measures to safeguard the impartial protection of property arbitrarily seized.

241. As to Jerusalem, the Council should also call upon the Government of Israel to implement faithfully Security Council resolutions adopted on that question as from 1967. Moreover, recalling that Jerusalem is a most sacred place for the three great monotheistic faiths throughout the world, i.e., Christian, Jewish and Moslem, the Security Council might wish to consider steps to protect and preserve the unique spiritual and religious dimension of the Holy Places in that city, taking into account the views of high-ranking representatives of the three religions.

242. In view of the magnitude of the problem of settlement and its implications for peace in the region, the Security Council should keep the situation under constant survey.



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UNDER RESOLUTION 446 (1979)

Volume II

ANNEXES

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Annex I

SUMMARY OF STATEMENTS MADE AT THE FOURTH MEETING OF THE
COMMISSION ON 30 APRIL 1979

A. Statements by the Permanent Representative of Jordan to the
United Nations and the representative of the Crown Prince
of Jordan

Mr. NUSEIBEH (Jordan) expressed his Government's satisfaction at the Security Council's decision to deal with the problem of Israeli settlements, which more than any other issue impinged on the achievement of a just, comprehensive and lasting peace in the Middle East. He hoped that in its forthcoming visit to Amman, the Commission would have the opportunity to talk to many witnesses who could give a first-hand description of the situation in the West Bank and Jerusalem.

It was important to realize that, in addition to the original inhabitants of Jerusalem and the West Bank who had been displaced by the Israeli occupation, there were from 300,000 to 400,000 people who considered the occupied territories their home, although they had been working outside the area at the time of the occupation. Those people had been sending their earnings back to relatives in the West Bank and Jerusalem and had built homes there with a view to returning. He was a displaced person himself, since he was not allowed to visit his home in Jerusalem.

It was important to clarify the situation with regard to the occupation of land that fell within the category of "State domain". Israel claimed that such land had been the property of the Jordanian Government and that, as a result of the occupation, it currently belonged to Israel as successor to the Jordanian Government. That simply was not true. The State domain lands were the common property of the people of the area and had never been controlled by the Government of Jordan. Their status was similar to that of the Israeli kibbutzim. The cities and villages of the area did not consist only of houses and buildings, but also of the surrounding communal land. The native inhabitants who lived and worked abroad also had an interest in those communal lands. Therefore, it was not sufficient to ask how many people had been displaced by the Israeli occupation. The question was much more complex than that.

The Israeli practices in confiscating land in the West Bank and Jerusalem were arbitrary and contrary to the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War. The Israelis simply sent a notice to each property-owner stating that they were taking over the land and that the owner was to go to the bank to collect the price thereof. There were cases, for example, where the Israeli Government had offered the equivalent of \$US 50 to \$US 70 for property in Jerusalem that was really worth \$US 350,000. Nevertheless, even if the Israeli Government offered \$US 500,000 for a property, 99 per cent of the people would not even consider accepting money. There were, of course, exceptional cases where an individual had taken the money and moved to the United States or some other country. However, that was illegal under international law and the Geneva

Convention, according to which such land must remain, for the duration of the occupation, under the care of the custodian of the absentee or of the enemy owner. The inhabitants whose land had been expropriated knew that they must not give up their claim to ownership under any circumstances.

It was important to understand the extent to which the entire territory of the West Bank had been vivisected so that every town was surrounded by Israeli settlements. Under the current circumstances, for example, if the mayors of Nablus and Hebron wished to meet, they would not be able to travel from one city to the other in a straight line.

He hoped that during its visit to the area, the Commission would get as complete a picture of the situation as possible. He felt that the Commission should extend its visit to Amman for more than three days. He also wished to express a word of caution about the need to exercise discretion about publishing the identity of witnesses who might testify before the Commission. Some witnesses might not want their names divulged for fear of reprisals.

The fact that Israel had refused to co-operate with the Commission should not deter it from its work. The use of the term "incomplete" in the Commission's report would not be accurate, although it would, of course, be an indictment of Israel for hindering the Commission's work.

In conclusion, he reiterated his Government's willingness to place at the Commission's disposal the large volume of data and maps that it had compiled. The representatives of the Office of the Crown Prince would be willing to provide additional information and explanations to the Commission.

Mr. SAKET (Office of the Crown Prince of Jordan) said that there were numerous mechanisms by which the Israelis had been confiscating land and evacuating Arab inhabitants and property-owners during the Israeli occupation of the West Bank, whether the pretext was security, the establishment of settlements, or ecological consideration.

In a recent issue, the New Republic magazine had published information supplied by an Israeli columnist on the Israeli process of establishing settlements, which he divided into four stages. The first step was for a group of Israelis to occupy a particular area of land, which gave rise to clashes between the Israeli system and individuals. Then a compromise could be reached, whereby those settlers could be invited to Israeli military camps for a short period while negotiations between the settlers and the military personnel were conducted. In the meantime, those settlers commuted to certain cities in the West Bank or Israel, while at the same time starting to establish kindergartens and schools on the temporary site that they were occupying. The military authorities then selected land nearby, which they considered a closed area for security purposes, and moved the settlers into a new adjacent area. At that stage, financing would materialize from various sources to support construction of housing for the new settlers.

He wished to quote a number of figures and hoped that supporting documents would be distributed subsequently. According to Israeli sources and his country's

estimates, confiscated land constituted 27.1 per cent of the total area of the West Bank and settlements constituted 6.3 per cent of the area of the West Bank, most of the settlements consisting of agricultural land. The greatest density of settlements was in Arab areas such as Hebron, Bethlehem and Jericho (33.4 per cent) and the Jordan Valley (23.2 per cent), in the latter case owing to the availability of water and cultivable land. The greatest concentration of settlers was in the Jerusalem area (84.3 per cent), owing to Israel's unilateral decision to separate that area from the West Bank and annex it as Greater Jerusalem.

In addition to the concentration of settlers around Jerusalem, certain other characteristics of the settlements reflected Israeli policy in the occupied West Bank. There were 19 settlements in the Jordan Valley, particularly agricultural and military settlements. Those settlements relied on the water in the area and the electricity network that had already been established in the West Bank. Moreover, the settlements were distributed in such a way as to encircle the Arab inhabitants and at the same time ensure a source of cheap labour.

Besides using the land, the Israelis sold their agricultural produce to the West Bankers, thereby competing with the Arab farmers of the West Bank. The Israeli authorities also restricted use of water by Arabs. Four basic factors of production, namely land, water, electricity and labour, were thus being used by the Israelis.

B. Statement by the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People

Mr. FALL (Senegal), speaking as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, said that no just and lasting peace in the Middle East was possible without resolving the question of Palestine. The Committee on the Exercise of the Inalienable Rights of the Palestinian People would therefore be glad to receive information from the Commission regarding its plans and how its work was proceeding. It no doubt planned to visit and consider the Israeli settlements in question, including Jerusalem. It would no doubt also wish to meet not only Israeli military governors in occupied Arab territories, but also elected officials and other representatives of the Palestinian people both inside and outside the occupied territories. The Committee on the Exercise of the Inalienable Rights of the Palestinian People would strongly endorse such steps, and it felt that the Commission might also wish to meet the appropriate representatives of the Governments of Jordan, Syria, Lebanon and Egypt.

The Israeli Government's consistent refusal to comply with the provisions of the Geneva Convention of 1949 constituted an integral part of the Israeli settlement problem, as did the question of the violation by Israel of human rights in the occupied territories. The Commission might therefore also contact the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories.

With regard to documentation, the Commission might wish to use the documents submitted during recent Security Council debates and those obtained from the

various Governments concerned and appropriate United Nations bodies. He wished to draw attention to the letter of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and its annexes (S/13132), which described the strategic and military implications of Israeli settlements in the West Bank. Earlier letters issued in 1977 and 1978 in documents S/12377 and A/33/154 might also be useful to the Commission.

He would also provide the Commission with two studies prepared by the Committee: one on the right of return of the Palestinian people, an issue on which the United Nations had taken a position as early as 1948 and which underlay the problem of the settlements; and the other on the right of self-determination of the Palestinian people, an equally important issue that impinged on the settlements problem. Unless that problem was solved, it was difficult to see how the Palestinian people could regain their rights.

In addition to useful background information on the Israeli settlements in the West Bank and Gaza, the Committee would provide the Commission with its recommendations, including those regarding Israeli settlements, which had been endorsed repeatedly by the General Assembly. He drew attention to the fact that when the Committee had presented its basic report to the Security Council, the majority of members of the Council had been in favour of adopting it, despite the fact that one permanent member had voted against it.

He wished the Commission success, in particular, in reminding the Government of Israel that it was futile to persist in defying international opinion and United Nations resolutions by continuing to strengthen and expand its illegal settlements and to ignore the provisions of the 1949 Geneva Convention. He emphasized how appropriate it would be for the Israeli Government to allow the Commission to visit not only the settlements but also the Holy City of Jerusalem, which formed part of the occupied Arab territories in the United Nations sense of the words. The Israeli authorities had recently allowed a mission from the International Labour Organisation to visit the occupied Arab territories and therefore could not deny similar access to a Commission of the Security Council, the most important peace-keeping body of the United Nations.

In visiting both the occupied Arab territories and the battlefield countries, the Commission would meet with representatives of the Palestinian people. He drew attention to the fact that the sole recognized representative of the Palestinian people was the Palestine Liberation Organization; no one could refuse to accept that fact, since the PLO representative had attended Security Council discussions with the same rights as the representatives of Member States.

Israel's arrogant and aggressive attitude must not be allowed to distract the Commission. The Security Council had decided to send a mission at the current point in time, and the Israeli authorities must allow it to conduct its work properly. That task would not be easy, but he was confident that the Commission would do everything possible to present all the elements of the problem.

Annex II

SUMMARIES OF TESTIMONY

1. In the course of its visit to the area, the Commission held discussions with government officials in each of the four countries concerned. The Commission also met with the Chairman of the Palestine Liberation Organization.
2. The substantial part of those discussions has been reflected in the body of the report. Also in the report can be found an analysis of the testimony received in each country.
3. Individual summaries of the testimony have been prepared by the Secretariat. They are reproduced in this annex in the order in which the witnesses appeared before the Commission, i.e., 22 in Amman; 13 in Damascus (plus 3 statements from officials of the Palestine Liberation Organization); and 7 in Cairo as follows:

I. Amman, Jordan - 20-26 May 1979

21 May

- Witness No. 1: Mr. Nadim S. Zaru
- Witness No. 2: Anonymous
- Witness No. 3: Miss Tawaddad Abdul Hadi
- Witness No. 4: Anonymous
- Witness No. 5: Anonymous

22 May

- Witness No. 6: Anonymous
- Witness No. 7: Anonymous
- Witness No. 8: Mr. Ali Dhib Omeiri
- Witness No. 9: Anonymous
- Witness No. 10: Anonymous
- Witness No. 11: Mr. Ibrahim Bakr
- Witness No. 12: Archdeacon Elya Khoury

22 May (cont'd)

Witness No. 13: Mr. Ibrahim Mustafa El-Sheikh

Witness No. 14: Anonymous

23 May

Witness No. 15: Mr. Ruhi El-Khatib

Witness No. 16: Anonymous

Witness No. 17: Anonymous

24 May

Witness No. 18: Sheikh Abdul Hamid El-Sayeh

Witness No. 19: Anonymous

Witness No. 20: Anonymous

Witness No. 21: Mr. Shawkat Mahmoud Hamdi

25 May

Witness No. 22: Anonymous (written statement)

II. Damascus, Syria - 26-29 May 1979

27 May

Statement by Mr. Najib Al Ahmad, Special Representative, Political Department, Palestine Liberation Organization

Witness No. 23: Dr. Adel Abdul Salam

Witness No. 24: Mr. Yassin Rikab

Witness No. 25: Mr. B'rjas B'rjas

Witness No. 26: Mrs. Ain Al-Hayat-Daghout

Witness No. 27: Mr. Merii Chjair

Witness No. 28: Mr. Turki Saad El-Din

28 May

- Witness No. 29: Mr. Hosein Haj Hosein
Witness No. 30: Mr. Abdulla El-Kadry
Witness No. 31: Mr. Ibrahim El-Nimr
Witness No. 32: Mr. Mohammad Kheir Fayez Eed
Witness No. 33: Mr. Radwan El-Tahhan
Witness No. 34: Mr. Hosein Sami El-Ahmad
Witness No. 35: Mr. Salama Said El-Mohammad

Statements by representatives of the PLO:

Mr. Habib Kahwaji (Member of the Executive Committee)

Mr. Abdul Muhsen Abou Meizar (Member of the Executive Committee)

III. Cairo, Egypt - 30 May-1 June 1979

31 May

- Witness No. 36: Mr. Yehia Aboubakr
Witness No. 37: Mr. Shukrallah
Witness No. 38: Mr. Abd Allah Mehana
Witness No. 39: Mr. Ragab El Rahlawy
Witness No. 40: Dr. Mohammed Kassem
Witness No. 41: Mr. Mesbah Kresam
Witness No. 42: Mr. Ali Khalil

I. JORDAN

Witness No. 1 - Mr. Nadim S. Zaru, Mayor of Ramallah

1. The witness gave an account of incidents that had taken place between 5 June 1967 and 6 October 1969 when he was expelled from his home town. One month after the invasion in 1967, Israeli authorities had evacuated the inhabitants of

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three villages, Omwas, Beit Nouba, Yallo, in the Ramallah area in order to establish a new city to accommodate new settlers, approximately 100,000 people. The villages were then completely demolished. Six to eight thousand residents who had been displaced had not been offered alternate housing. They had even been forced, in some instances, to leave the Ramallah area and to cross the bridge to the East Bank.

2. In another incident, which occurred in Jericho area five months after the occupation, the Israeli authorities cut the water, then expelled the families and confiscated the land. Most of the inhabitants had come to the Ramallah area where they received help from the municipality. But the mayor had been ordered by the Israeli military governor to stop any kind of assistance because the Israeli authorities wanted those people to leave the area. Despite petitions to the United Nations, foreign embassies and press conferences, Israel had refused to let the displaced persons return to the area. Some of the families had settled in the Ramallah area and some had gone to Amman.

3. The witness referred to various types of pressure used to force Palestinians to leave their homes, including the cutting-off of water; repeated imprisonment of land owners or leaders of refugee camps with the offer to release them if they would sign a paper agreeing to leave the area; refusal to allow their children to attend school, and confiscation and destruction of houses owned by Palestinians living abroad.

4. Mr. Zaru also cited numerous instances of confiscation of land, totalling 74,750 dunums altogether, supposedly because it had become a military zone, which had nevertheless been given to settlers. He also enumerated various areas totalling more than 32,000 dunums which had been confiscated in his area.

5. The witness stated further that Israel refused reunion of families in disregard of the Geneva Convention.

Witness No. 2 (Anonymous)

6. In 1967 the witness was living in the village of Deir Jareer, which comprised 33,161 dunums of land. Immediately after the 1967 war, close to 11,000 dunums of land were confiscated by Israel as a military zone. In 1975, a military camp was established on 2,000 dunums of one of the most fertile lands. The witness had personally owned six dunums there. Roads had been built and electricity and water extended to the area which was called Negmet as-Sabah. But in fact it became a settlement and many Arab inhabitants had had to leave for other towns while the occupation authorities were leasing the confiscated lands to new settlers.

Witness No. 3 - Miss Tawaddad Abdul Hadi

7. The witness had been director of the preparatory school of Jenin for girls. As a result of her peaceful resistance, she had been accused of collaboration with the fedayeen, arrested on 11 January 1968, released 10 days later but

dismissed from her position and forced to leave the Aghwar zone and sign documents stating that she would never cross over to Israeli territory.

8. In her testimony, the witness gave detailed accounts of the treatment given to male and female prisoners, minors as well as adults, subjected to torture aimed at proving that these prisoners were members of the resistance. Referring to constant and frequent administrative arrests, fines, custody and expropriation of lands, the witness emphasized that the complete evacuation of occupied territories was the major Israeli aim.

Witness No. 4 (Anonymous)

9. The witness concentrated on four particular aspects of the question of Israeli settlements: (i) whether the settlements were constructed on State or private land; (ii) pattern and process of land seizure; (iii) exploitation of the underground water resources of the West Bank by the Israelis for the exclusive use of the settlers; and (iv) the impact of the Israeli settlements on the Arab population.

(i) Whether the settlements are constructed on State or private land

10. The Israelis claimed that settlements were established only on State land and that no privately owned land was seized for their establishment. Although the establishment of settlements, whether on State or private land, is illegal under article 4 of the Geneva Convention and relevant United Nations resolutions, the witness had carried out a survey of most of the lands seized after 1967 and currently under direct control of the Israeli civilian settlements, in order to verify that assertion. These land estimates did not include areas seized for military bases or fenced off for military purposes, such as the Zhor Area (that land next to the Jordan River) or large areas closed off, again for undefined security purposes, in the highlands of the West Bank overlooking the Jordan Valley.

11. As stated by the witness, the categories of land ownership considered as private were the following: (a) mulk land or private land where the owners have clear title deeds; (b) miri land which has been actively cultivated for generations by the farmers and registered at the Ministry of Finance for land tax purposes; (c) jiftlik or mudawwar lands which have been also actively cultivated by Palestinian farmers and which, in the nineteenth century, were nominally under the title of the Ottoman Sultan and were recognized by the British and Jordanian Governments as private lands.

12. The categories of land included under State ownership or what are called "public domain" lands included the following: (a) mawat lands or waste land including desert, forests, and rocky cultivated mountain tops not owned by individuals; (b) lands which were the sites of British Mandate Taggart forts and Jordanian police or army camps; and (c) lands which have been designated for community purposes such as parks and hospitals.

13. Based on the above criteria, the witness had found that out of an estimated 125,630 dunums of cultivable land taken by the Israelis for the exclusive use of the civilian colonies, 11,816 dunums, that is 9.4 per cent, were State lands and 113,814 dunums (90.6 per cent) were private lands. The witness submitted a document providing details of estimated land areas of settlements in the West Bank, West Bank Highlands and East Jerusalem.

(ii) Pattern and process of land seizure

14. The process by which lands under cultivation by Palestinians were seized and transferred for use by Israeli civilian colonies began with the erection by the Israeli armed forces of boundary markers or barbed wire fences which defined the area to be grabbed. The military governor then informed the leaders of the village which owned the land that for security reasons they were not allowed to enter the closed-in areas. If it happened that this closed area had crops or fruit-bearing trees, the Israelis, over the last 11 years of occupation, had systematically destroyed, bulldozed, defoliated, uprooted, and cut down such crops and trees. This planned destruction had taken place invariably in almost all the areas that included seizure of privately owned cultivated land. In fact, the destruction of Palestinian homes and crops began right after the 1967 War with the seizure of 20,000 dunums of cultivated land in the Latrun salient belonging to three villages (Beit Nuba, Yalu, and Amwas) which were completely erased. The witness noted that Israeli colonizers of the settlement of Mevo Horon, built on the ruins of Beit Nuba, were now cultivating the lands of these three villages.

15. Similarly, the destroyed villages of El-Ajajreh and Jiflik were replaced by the settlement of Massua; Makhrouk by Argamon; Artas by Allon Shevot; Frush Beit Dajan by Hamra; wheat fields defoliated by planes in Akraba were now cultivated by the settlement of Gitit which, furthermore, was in the process of expansion through additional confiscation; 600 plum trees were cut down on Beit Ummer land now cultivated by Migdal Oz; and in Beit Furik, the bulldozed land had passed under the control of the settlement of Mekhora.

16. Furthermore, it should be noted that land seizure was not a static process. As the settlement grew and more settlers were brought in, additional land in the nearby vicinity was taken in the same manner; thus, every settlement was a continuous threat to the surrounding Palestinian villages.

(iii) Exploitation of the underground water resources of the West Bank by the Israelis for the exclusive use of the settlers

17. The witness noted further that the Israeli colonization process in the West Bank had not been restricted to land seizures. It had also involved the exploitation of the scarce underground water resources by the Israeli authorities who had been drilling deep bore holes and installing powerful pumps in all areas of the West Bank. The pumping of this underground water had taken place mostly in the Jordan Valley in favour of the Israeli agricultural settlements, for domestic and irrigation purposes. As of date, the Israelis had drilled some

20 deep boreholes (from 300 to 600 metres deep) in the Jordan Valley and were pumping an estimated 15-17 million cubic metres per year to irrigate exclusively the lands seized for the Israeli settlements. A number of these wells had been drilled in close proximity to local Arab springs contrary to Jordan laws regulating the drilling of new wells. For example: two wells in the Jericho area above Ain Sultan spring; three wells drilled on the site of Al-Auja spring; two wells drilled on the site of the Phasa'el spring; four wells drilled in the Wadi Fara' basin; and two wells drilled in the Bardala basin. Already the impact of these well-drilling practices had been felt in Jericho where the salinity content of the water, being pumped from pre-1967 Arab wells, had noticeably risen in the last two years. The outflow of the Al-Auja spring which was on average 11-million cubic metres per year was presently down to a trickle. Informed hydrologists linked this drastic reduction in the outflow of the Al-Auja spring to the three Israeli wells dug on the site of this spring. The depletion of the Al-Auja spring was presently threatening the destruction of all cultivation for the village of Al-Auja. To alleviate a disaster, the farmers of Al-Auja had asked the military authorities either to stop pumping from their new wells to supply the Arab farms with water from the Israeli wells, or to be allowed to drill for the village a new well which could complement the water supply of the spring. The Israelis had categorically rejected these requests.

18. Another example of the impact of these Israeli wells could be seen in the Bardala region, where two wells dug by the Israelis had completely dried up all springs and wells in the region belonging to farmers from three villages: Bardala, Ain al-Bayda, and Kardala. Recently, the Israeli military authorities had accepted the responsibility for the drying up of the Arab wells and had agreed to supply water from the Israeli wells to the villages. This outcome placed the Palestinian villagers in a position of total dependence upon the Israeli settlers for their water supply.

19. Not only had the Israelis been freely developing new wells and thus stealing the scarce water resources for their own exclusive use, but they had also since 1967 placed a ban on any new Arab wells for irrigation purposes. They had also restricted the amount of water the Palestinians could pump from pre-1967 existing wells by forcing water meters to be placed on these wells. In brief, the occupation forces were not only using a resource that did not belong to them, but they were also preventing the indigenous population from developing their own.

(iv) Impact of the Israeli settlements on the Arab population

20. The impact of the colonization process on the local Palestinian population had been devastating, the witness said. Thousands of farmers had been displaced from their lands, from their source of livelihood, their works, and their natural resources. The villages that had been most hard hit by these land seizures were those located on the eastern highlands overlooking the Jordan Valley, mainly Majdal Beni Fadal, Akraba, Beit Furik, Beit Dajan, Tammun, and Toubas. For example, the village of Beit Dajan had lost an estimated 80 per cent of its cultivable prime land with the result that 90 per cent of its population of

2,000 inhabitants had become partially or completely landless farmers. The same had happened in the nearby village of Beit Furik where an estimated 60 per cent of its land holdings had been seized or closed off for the settlement of Mekhora and some 80 per cent of the village population of 4,000 had become partially or totally landless. As Israeli settlements were now being built everywhere on the West Bank, their adverse effect were affecting more and more villages. Then some of the landless farmers had to become wage labourers sometimes in the Israeli settlements established on their own lands. Many of them had had to go elsewhere.

Witness No. 5 (Anonymous)

21. The witness referred to expropriations of land, violations of human rights, sacrileges committed against religious areas, settlements established in the Hebron area and individual land seizures. In 1968 a group of people had established a settlement in the Hebron area. In 1971, Israeli military authorities had by decree closed 3,000 dunums of agricultural lands with houses on them ostensibly for security reasons. The authorities had started a building for border police and then 1,500 houses and a synagogue. Small industries had been established in the area and some 2,000 Israelis were presently living there.

22. Detailing the pressures exerted on the Arab population, the witness referred to a number of instances of harassments and imprisonment of adults and children and to a recent proposal to unify the municipalities of Hebron and Kiryat Arba, the new settlement, under a Jewish mayor. In 1979, the settlers of Kiryat Arba had taken an additional piece of 500 dunums of land to build 500 housing units. The people of Hebron had gone to the Israeli Court to ask that that decision not be implemented. The Court had decided that the decision to build houses for the purpose of establishing a settlement was illegal. Nevertheless, the establishment of the settlement had continued. The witness also gave a detailed account of sacrileges committed against various religions.

23. With regard to individual seizures of land and buildings, the witness cited among others an instance in which the settlers in Hebron, using as an excuse an old synagogue, which had been in ruins for 500 years, had destroyed a building belonging to the municipality of Hebron. He noted that letters and cables to newspapers from the people of Hebron were censured by the military authorities and that, meanwhile, Israeli settlers continued to survey other areas for new settlements in Hebron, as elsewhere.

Witness No. 6 (Anonymous)

24. The witness said that his statement would relate to the village of Amwas where he lived for 30 years.

25. This village is located 25 kms. west of Jerusalem. Before the events of 5 June 1967 the village had 800 houses, with 3,500 to 4,000 inhabitants, two mosques, one Carmelite convent under the protection of the French Government, and two schools. It was equipped with two wells for drinking water and an

installation providing running water for 280 homes. Amwas is an agricultural area with olive trees and fruit trees.

26. That village was destroyed in 1967, without any military justification. The Arab Legion had withdrawn from the area two hours before the arrival of the Israeli troops; none of the inhabitants had any weapons and therefore there was no military or armed resistance. Nevertheless, on 6, 7 and 8 June 1967, after the occupation by the Israeli Army, one third of the village was dynamited and all the houses were blown up. Then on 24 June, the Israelis began to destroy two thirds of the village by the use of bulldozers. Only two mosques, the cemetery and the Carmelite convent were spared.

27. During all the events connected with the destruction, which lasted about one month, the entire area was closed to everyone except the Israeli Army. French priest Paul Gauthier got the closest to the village and made a report, protesting against what had happened, and addressed it to the Israeli Army.

28. Returning to the ordeal suffered by the inhabitants, the witness said that during the first day of war about 100 or 150 villagers from Amwas had taken refuge in the monastery. But at the end of the fighting when they tried to return the Israeli soldiers did not let them enter their houses. On 12 June, two buses with Israeli armed soldiers arrived in the monastery and the refugees were ordered to leave this monastery. They refused but the Israelis came into the monastery and pushed the refugees by force outside. They were then taken to the village of Beit Sira. The witness pointed out that most of those refugees were in night clothes and that they had nothing with them, not even food or water. It was impossible to establish any kind of contacts with them for almost two months. At the beginning of July, the person in charge of the monastery met in Ramallah with the chief of the district of Amwas and the leaders of Amwas. They asked the Israeli authorities to allow the refugees in Ramallah to return and reconstruct their village. But that request was rejected.

29. The witness gave as a reference the book, A Lost Victory, written by Amos Kenaa, who was a head of the group that the Israeli Army entrusted with the mission of destroying this village. The book was published in Tel Aviv in 1970 by Abraham Publications and it is a first-hand report of an impartial witness. According to the witness, he heard from a great number of people that during the destruction of the village some elderly people who were not able to leave their homes were killed under their houses when they were blown up.

30. After the war two thirds of the villagers moved to Amman and one third remained in Ramallah, Jerusalem and in other villages. Never until now have any of those villagers been able to return to that village to live or work. The Israeli authorities transformed that village into a leisure park, planted trees and called it Canada Park. Asphalt roads had been built in the village and around it. The witness outlined that the only remaining part of Amwas now was the Carmelite convent, which was located in the middle of the village and used to be surrounded by many houses. He noted that if there had been any battles,

that convent would have been destroyed too, due to its location. It was not and it proved that the village was destroyed deliberately. All the lands of the village had been seized and were now being exploited by the Israeli foundation, Kerin Kiemet, and by the inhabitants of the nearby Israeli settlements. All the area was irrigated and the irrigation network was established. Two kilometres away from Amwas, the Mevo Khoron settlement was founded. An artesian well dug near this settlement provides a great amount of water to irrigate the lands in the area. Arab workers are used to exploit these lands but not one Arab has any property in this area or can in any way become an owner.

31. Replying to questions the witness said that he could not give any precise reason for that destruction. According to his knowledge no one received any indemnity. He also noted that two thirds of the houses in the village were still intact on 13 or 14 June 1967. Furthermore, no settlement had been created in this particular way. However, that area may have been considered as important strategically and commercially because it is the key to Bab el-Wad and to the roads to Ramallah, Gaza, Jerusalem and Tel Aviv.

Witness No. 7 (Anonymous)

32. The witness, who lived in Qalqilia on the frontiers of 1948, said that most of the land in that area was in the hands of Jews but the houses and the highest areas belonged to the Arabs. The local people, being very active in the field of agriculture, had succeeded in transforming the rocky land into a prosperous and fruitful area, in particular, by digging some 50 artesian wells. This is a real motive why Israel had led various attacks in that area before 1967, in particular on 10 October 1956 and 5 September 1965, when 11 artesian wells were destroyed by Israel.

33. During the 1967 war, 60 per cent of the houses in the village were destroyed and its inhabitants compelled to leave for a period of 25 days. The villagers formed a committee that carried out contacts with various consulates and finally, the inhabitants managed to return to their village. Land of about 22 dunums which belonged to different owners had been taken over by Israeli authorities and surrounded with barbed wires.

34. Since then, in 1976, the Israeli authorities installed some sort of equipment in the artesian wells to control and limit the quantity of water which could be used. These water restrictions forbade the villagers to make use of the rest of their property and even compelled them to leave their land. The witness said he had with him photocopies of the orders of the Israeli Water Supply Authorities establishing strict limitations for the use of water for each well during the current year. Since farming was the villagers' only source of livelihood they were in serious need of water.

35. Referring to the settlements, the witness said that on the road between Nablus and Qalqilia the Israeli authorities established two settlements at Kafr Lakef and Kafr Kaddum. The first one was founded in 1976 in a wooded area

and bulldozers uprooted all the trees. The second settlement was built on the land of villagers of Kafr Kaddum, which had been levelled by bulldozers. Both settlements started with about 20 houses, now they have approximately 150 houses each and are surrounded by barbed wire. The authorities built some new roads and equipped an artesian well with a motor engine and pipelines to supply the two settlements with water.

36. Responding to various questions, the witness said that only a few of the original owners had been paid for the houses that had been destroyed. The amount paid for each house was about one quarter of its real value.

Witness No. 8 - Mr. Ali Dhib Omeiri, Mokhtar of Beit Nuba

37. Mr. Omeiri said that on 6 June 1967, Israeli authorities occupied his village. On that day the people of the village were asked to leave without being given any explanation. After three days at the outskirts of the village, the inhabitants of Beit Nuba were asked through loud speakers to return to their homes and raise a white flag on the house. As the inhabitants came close to their village, they were stopped by military personnel and their homes were destroyed in front of them. As Mokhtar of the village, the witness appealed to the military commander of the area, who confirmed that the people of the village could not return to their village, which had been destroyed.

38. Describing the village of Beit Nuba, in the West Bank Highlands, Mr. Omeiri stated that it was approximately 25,000 dunums in size and that the population amounted approximately to 4,000 persons; it had two schools, and a medical clinic. It was equipped with an artesian well and a flour mill. He added that 650 houses had been blown up and gave the names of 14 people who lost their lives in that destruction.

Witness No. 9 (Anonymous)

39. After giving an historical background of zionism and explaining the various mechanisms utilized by Israeli authorities to acquire the land of the Arabs, the witness talked about his own experience with Israeli settlements. He said that at the beginning of 1977 a project for a settlement started in the Salfit area, located between the so-called green belt and the Jordan River. The new settlement called Messha, 20 km from Salfit, started with 20 prefabricated houses on land that had been confiscated from the village of Tefoa (between Nablus and Jerusalem). In February 1978, Israeli authorities expropriated another 500 dunums of land in the villages of Salfit, Kofar El-Harish and Marda for a new settlement which was built by the group, Gush Emunim, and with the approval and help of the Committee on Settlements headed by the Israeli Minister of Agriculture. It started with 80 families and there are plans of settling 1,500 more families there within the next 5 years. Protests led nowhere.

40. In April 1979 the local councils in the Salfit district were informed of a new expropriation decision concerning 3,500 dunums between the settlements of Alyeh and Tefoa. The occupying authorities took control of the only artesian well, which is located in the village of Zawiya, in order to supply the above-mentioned two settlements with water, while the local inhabitants of those villages were prevented from using it. The witness said that he was a farmer and that Israel had expropriated 80 dunums of his land, which was the main source of living for his family. Regarding the expropriation of land by Israeli authorities, the witness noted that in some cases Israeli authorities offered as barter other lands which belonged to families abroad whose properties had become known as the land of absentee owners. However, the farmers had rejected that offer on the grounds of its illegality and in the knowledge that it would engender hatred among the Arabs involved.

41. Replying to questions, the witness said that seldom were reasons for the expropriation given. However, in some cases security reasons were cited. In reply to another question relating to the offer of compensation by the Government of Israel, the witness stated that any compensation which was offered was merely a tenth of the real value of the land, but that this was not the point since he wanted to keep his land. He added that while he was still farming the remaining part of his land, he lived in the constant fear of being expropriated from it.

Witness No. 10 (Anonymous)

42. The witness said that after being expelled from his house in 1948 he had lived until 1967 in Hebron. When the Israeli occupying forces entered Hebron on 9 June 1967, many inhabitants, having heard of the atrocities committed in Jerusalem and Nablus, decided to leave. During the first three months, conditions compelled other inhabitants to take refuge in Amman. The witness said that he was a teacher and that at the beginning of the academic year, Israeli authorities intervened in the teaching curriculum. The Arab teachers protested that intrusion and organized a labour union to defend their views. Then they were accused of relationship with Israel's enemies.

43. The witness was arrested. He was subjected to various sorts of brutal treatment during his interrogation, including burning with flames and beating, in an effort to compel him to make false confessions. Transferred from one prison to another, his interrogators also threatened to harm the women and children of his family if he did not co-operate. He was informed of the appointment of a lawyer for his defence who, after noting his physical condition, arranged with prison authorities for a doctor to examine him. A medical report of his condition was included in the file of his trial. The trial went on for about one year. He was sentenced to 15 years. He remained more than five years in prison and became seriously ill.

44. Largely as a result of the efforts of the members of his family abroad, the military authorities agreed to release him on two conditions: (1) that he should move to Amman, and (2) that his family, including his parents, should give up their properties and go with him. He first refused, but finally moved to Amman.

45. In replying to questions, the witness said that the Israeli authorities interfered in the curriculum of the school by imposing the deletion of any references to nationalistic and/or religious enrichment, i.e. passages of the Koran and poetry and songs referring to the Palestinian homeland. As to information sought by his interrogators, he said that they accused him of collaboration with Jordan and with actions aimed at changing the status of occupation. He added that his lawyer had written a book outlining the particulars of his case in full detail under the title With My Own Eyes.

Witness No. 11 - Mr. Ibrahim Bakr

46. The witness, a lawyer, had been the legal adviser of the "Waqf" Department of the West Bank, including Jerusalem. He had been and continued to be the

Arab Municipal Council of Jerusalem and the taking over of its duties by the Municipal Council of West Jerusalem, the closing of the Arab Courts of Appeal, the District Courts and the Attorney-General's office and the establishment of Israeli Courts in their stead, the replacement of Arab banks by Israeli banks, the confiscation of the cash held by Arab banks, the levying of income tax and of a tax on purchases and the imposition of excise duties. As to other brutal measures, the witness also stated that Israel had demolished many Arab houses and sometimes entire Arab quarters within the walls of the old city of Jerusalem before replacing them with new settlements in order to change the nature of the population and make Jews the majority in Arab Jerusalem.

Witness No. 12 - Archdeacon Elya Khoury

50. The witness, a priest in the Anglican Church of the Diocese of Jerusalem, related his personal experiences right after the 1967 occupation until he was put in prison and then his own experiences in prison and when he was deported.

51. He was the vicar of St. Andrews Episcopal Church in Ramallah in 1967. At a meeting of the Military Governor of Ramallah with the heads of churches to discuss the needs of the Christian communities, he brought up the question of persecution by Israeli soldiers of 7 to 9-year old school children whom he had seen beaten in the street and school yards for expressing their anti-occupation feeling in words and slogans. The Military Governor had pointed out that it was not occupation but liberation, which, the Archdeacon noted, signified the fact that what Israel had in mind was to "liberate" the land from the original population of the country and to replace them with Jewish immigrants from all over the world.

52. On 2 March 1969 the Israeli soldiers had searched his house, the church building and grounds and taken him to the Military Governor of Ramallah and then to Jerusalem for interrogation. During three days they had endeavoured to find out whether he had links with Al Fatah, the PLO, the Popular Front or any other Palestinian organizations. Then he had spent two months in a Ramallah prison in solitary confinement and had witnessed others being tortured. On 16 April 1969, he had been released and deported immediately to Amman. Since then he had not been allowed to go back to Jerusalem. He emphasized that Israel's ultimate aim in the imprisonment and deportation of leaders was to deprive the owners of their land in order to build Israeli settlements on it.

Witness No. 13 - Mr. Ibrahim Mustafa El-Sheikh

53. The witness was a resident of the village of Anwas with a population of 1,450 at the time of the occupation. On 6 June 1967, the Israeli troops entered the village with artillery, arms and tanks. Four hours after the inhabitants were ordered via loudspeakers to go to the house of the community leaders (mukhtar) and then told to leave the village for Ramallah. Only the very old people and the very young children remained in the village; the rest, under the threat of being shot, were forced to leave without being allowed to take any belongings with them. After a two-day walk they reached Ramallah. On 11 June they were told via loudspeakers to return to their village. They walked back 32 kilometres

and as they approached the village, at a distance of two kilometres, they saw the village being blown up. The witness stated that all the houses and their contents had been blown out, with the old people and the very young children that had been left behind still inside. They were then told by Israeli officials to go back to Ramallah as their village was now declared a forbidden area for security purposes. In Ramallah, the villagers pleaded with the Military Governor to allow them to return to their village but in vain. The Abbot of the Latrun Monastery tried to intervene on the villagers' behalf and offered to the Military Governor to bear the expenses for rebuilding the village, but was told that the matter was beyond his competence, as the village had been blown up by special order of Moshe Dayan. Mr. El-Sheikh recalled that in 1967, Anwas village had 40,000 dunums of agricultural lands, 800 houses, a primary school for boys with 600 pupils, a special primary school for girls with 400 pupils, special secondary schools, two mosques, a post office, a network of drinking water and 2,000 dunums of land planted with olive trees, walnut trees and other fruit trees. After the occupation, the village, where the Jews had not owned any property prior to 1967, was turned by Israel into a park, which was called "Canada Park". The whole area was called Nakhshoun, including the land which Israel had had since 1948 with the settlements of Nakhshoun on it.

Witness No. 14 (Anonymous)

54. The witness gave an account of how the Israelis expropriated about 1,000 dunums of agricultural land in his village of Northern Assira, situated between Assira and Nablus.
55. Two months before, he said, the Israelis had informed the village mukhtar (community leader) that the land in question was to be seized. They showed him a list in Hebrew of the owners of that land and asked him to inform them that the land was to become Israeli property. They told him that anybody who wanted compensation should see the Military Governor.
56. Naturally, said the witness, the owners were upset to hear about the expropriation of their land, since it was their sole means of livelihood, and decided that they would not yield except under duress.
57. Two weeks later, the Israelis started building a road 10 metres wide and 4 kilometres long in an area covered with wheat fields and almond and olive trees. As a result, the owners sustained substantial losses.
58. Next the Israelis divided the land into parcels of 50 dunums, installed telephone poles and brought prefabricated walls.
59. When the mukhtar went to the assistant military governor for an explanation of what was happening, he was told that the land expropriated was barren, to which the mukhtar replied that the assistant governor could come and see for himself that the land in question was indeed agricultural land. Since then, any shepherd or any one of the villagers who ventured on to the expropriated land has been fired at by Israeli soldiers.

60. In conclusion, the witness expressed his belief that Israel's aim in taking over the land was to deprive the villagers of their livelihood in order to force them to leave.

61. Among the 93 people who lost their land many had families to sustain, including widows and small children. When the villagers had heard about the Commission of the Security Council coming to the area, they chose him to represent them in putting their case before it.

62. In reply to a question, the witness reiterated that the decision to expropriate their land had been communicated to them two months before the expulsion took place and that two weeks later the construction work had started.

Witness No. 15 - Mr. Ruhi El-Khatib, Mayor of Jerusalem

63. The witness said that he belonged to an Arab Moslem family that had lived in Jerusalem continuously for hundreds of years. As Mayor of Jerusalem before the occupation of the city by Israel, he had performed his duties until 29 June 1967, when Israeli authorities dissolved the Council of the Municipality of Jerusalem, elected by the Arabs of this city. After the illegitimate annexation of Jerusalem to Israeli administration, the witness was replaced as Mayor by a Jew. In response to the protests made by the Arab residents of the occupied territories, the United Nations adopted a resolution which refused to recognize that annexation and all the measures that followed it.

64. The witness stated that on 7 March 1968 - nine months after the Israeli occupation of Jerusalem - he was taken out of his house by force during the night and moved under Israeli military guard to King Hussein Bridge on the Jordan River. He was just informed that his expulsion was because his presence in the country was undesirable. No specific accusation was made, no protest or trial was allowed. According to the witness, the number of people who were expelled by Israeli authorities in the same arbitrary way runs to some 1,200 persons. The purpose of these expulsions was to eliminate the Palestinians from their land and to facilitate the Israeli plan for the colonization of Palestine, a plan which, said the witness, was established at the first Zionist meeting in Switzerland in 1897.

65. The witness gave an account of the Israeli measures taken after the war of 1967 in the annexed city of Jerusalem as follows: (i) terrorism and intimidation (300 Arabs were killed) forced more than 5,000 residents to flee from their houses, and property which were expropriated under the "absentee law"; (ii) the destruction of Arab property, which on the pretext of reorganization had the result of expelling some 1,000 more inhabitants and preparing the way for new Israeli installations; (iii) the administrative and political annexation of Jerusalem to Israel; (iv) the Judaization of the Arab economy in Jerusalem by replacing the Jordanian currency by Israel currency, closing the Arab banks, confiscating their assets and prohibiting in Jerusalem the Arab agricultural, industrial and commercial products, thus paralyzing the Arab production and creating large unemployment among the Arab population while, at the same time,

the installation of many Israeli factories inside and around Jerusalem contributed to the continuous process of colonization; (v) the taking of a census of the residents of Jerusalem on 25 June 1967 and the registration of the Arabs; these actions were aimed at depriving the absentees of their properties, which were confiscated in accordance with the Absentee Law of 1950.

66. After expropriating about 70 per cent of Jerusalem's land and property belonging to some 60,000 Arab inhabitants who had left Jerusalem in 1948 after the massacre in Deir Yasseen, the Israeli authorities began in 1967 a new series of expropriations. In that connexion, Mr. EL-Khatib referred to two of his sons who were studying abroad and relatives who being away had been prevented from coming back while their property had become part of an Israeli settlement.

67. The witness emphasized that all the expropriation operations were carried out under the pretext of public interest, but instead of hospitals, schools or roads, Israeli settlements had been built. He then gave a detailed account of the successive expropriation operations performed after the war of 1967 inside and outside Jerusalem, as a result of which a sharp reduction in Arab ownership had taken place. According to the figures provided by Mr. EL-Khatib, before the British Mandate, Christian and Moslem Arabs properties accounted for 94 per cent and Jewish properties 4 per cent, while 2 per cent were owned by foreigners. After thirty years of British Mandate, Arab properties accounted for 84 per cent and Jewish properties for 14 per cent, while 2 per cent were still owned by foreigners. Between 1948 and 1966, as a result of the Israeli policy of expropriation based on the Absentee Law in the occupied part of Jerusalem, the ownership of properties had changed to 25 per cent for the Arabs, 73 per cent for the Jews and 2 per cent for the foreigners. In 1978 the figures were 14 per cent for the Christian and Moslem Arabs, 84 per cent for the Jews, while the foreigners had kept their 2 per cent.

68. The witness emphasized that the policy of expropriation in Jerusalem aimed mainly at surrounding with Jewish settlers, three specific areas: the Mosque of the Dome of the Rock; another area still mainly occupied by Arabs; and some Arab villages just outside Jerusalem. This, he said, constituted a threat to the very presence and existence of Arabs in the city. Although after each operation of confiscation or expropriation the Israeli occupation authorities stated that compensation would be paid to the owners of the land and that the owners should meet with the officials in order to carry out the transaction for the compensation, no Arabs had agreed to give up their rights to their land and property.

69. Mr. EL-Khatib further stated that under the pretext of discovering Jewish historical sites the occupation authorities had started excavating under Arab quarters, thus causing the collapse of buildings, which the Arab inhabitants had to vacate, and the destruction of landmarks of historical, cultural, religious and commercial nature. Those facts were well known since in the past 11 years UNESCO had adopted 13 resolutions condemning Israel for those activities and asking it to stop such excavations. In order to organize and expend these operations, the Israeli authorities had created the Company for the Restoration

and Urbanization of the Jewish District of the Old City of Jerusalem, which was entrusted with the evacuation and demolition of Arab buildings and properties within the city wall, that is the area which includes not only the Jewish quarter, as the Israeli claim, but also four Arab quarters which were expropriated on 14 April 1968. That Company had sent evacuation notices to about 6,000 Arab inhabitants, who when they refused to leave were called before Court. In order to ensure the evacuation, the Company also resorted to such action as excavations in the streets supposedly for repairs, but which in fact caused the house concerned to collapse. They also cut the water supply and took other measures which caused hazardous health conditions for the inhabitants and compelled them to leave. As a whole, 740 families grouping 4.125 persons had been expropriated.

70. According to the witness, this Company and other Israeli organs were co-ordinating their actions to replace the historical remains, buildings and other property in Arab quarters with new buildings in which some 500 Jewish families were living. Mr. El-Khatib then spoke of the question of Israeli settlements in the occupied territories in general and in Jerusalem in particular. Referring to the Lebanese magazine Arab Week of 10 October 1977, he cited that between 1967 and 1977 the Israelis had established 123 settlements out of which 33 were not publicly announced because they were Nahal settlements which belonged to military organizations, with their own rules, regulations and statutes. Furthermore, he had heard on the Israeli television a statement according to which within the past five years the Government of Israel had created 36 new settlements, of which 28 were in the West Bank, 5 in the Golan Heights and 3 in the Gaza Strip. After 7 June 1967, the authorities had been building new Jewish quarters in Jerusalem on confiscated or expropriated Arab lands with a population density higher than that of any other settlement in the occupied territories. The witness cited a report in The Jerusalem Post of 8 November 1974 which under the title "On building a fortress Jerusalem" gave an account of wide-scale construction on the expropriated Arab lands.

71. Mr. El-Khatib also referred to a book by Mr. Mehdi Abdal-Hedi, who had personally visited the location of every quarter and settlement built recently on the occupied territories. According to that author, the new quarters built in and around Jerusalem after 1967 includes about 15,000 apartments, inhabited by some 100,000 Israeli newcomers, and about 100 factories, employing some 5,000 workers, all of whom were living there illegally.

72. The witness mentioned various actions taken by the occupation authorities against the Arab educational system and the transfer of the remaining administrations in the field of public health and social affairs; against Arab organs such as the Arab electricity company and the Arab water supply stations. He referred in that connexion to a book he was writing on the Judaization of Jerusalem.

73. Mr. El-Khatib cited also some figures showing the changes in the population proportion in Jerusalem. At the end of the British Mandate in 1948, the population of Jerusalem and its surrounding villages and Israeli settlements around Jerusalem was 240,000 inhabitants, of whom 140,000 were Arabs and Jews

represented 100,000 - which means 58.2 per cent Arabs, as against 41.8 per cent Jews. When Israel occupied and annexed the second part of Jerusalem in 1967, the total population was 279,000 inhabitants: 80,000 Arabs - Christians and Moslems - and 190,000 Jews, in other words, 30 per cent Arabs and 70 per cent Jews.

74. According to the Israeli newspapers, by the end of 1978 the population of Jerusalem increased to about 400,000, of whom 100,000 were Arabs and 300,000 were Jews - which means 25 per cent Arabs and 75 per cent Jews.

75. In response to questions the witness said that many people had been killed after the cease-fire - some in their homes, some in the streets of Jerusalem. When the curfew was lifted, Mr. El-Khatib went around the town. He himself saw the bodies in the streets and talked to the families of the victims.

76. The witness said also that a number of Arab workers who had lost their previous jobs had been compelled to work for the Israelis in order to earn a living and not to leave their homes. As to the Arab schools in Jerusalem, they had been put under Israeli control and followed Israeli curricula. There were only 15 Arab religious and private schools left in Jerusalem.

Witness No. 16 (Anonymous)

77. The witness stated that he was from the Al-Magharba quarter in Jerusalem. After the occupation by Israeli troops of this area during the first half of June 1967, 135 houses were demolished, and their inhabitants were expelled from the area. The inhabitants of the demolished homes were not allowed to remove personal property of any kind. In April 1968 an expropriation decision was issued concerning 116 dunums, on which were 16 houses which had been spared. All requests to return to houses and properties were refused. When appeals were made, they were denied, and any inhabitant refusing to leave his home was forcibly ejected by the Jewish housing authority. The witness further stated that he was one of the people expelled from his home for the second time in 1976, the first time being in 1967.

78. Several pretexts were used for the demolition of the area, in one instance that the houses were not safe, and in another instance that it was for archaeological purposes. The people displaced by this expropriation are now scattered in different parts of Jerusalem.

79. After 1968, lessees lost the protection of a law that was issued to protect tenants from landlord's whims. Under the present law a tenant is protected only for a one-year period. After that period the landlord may refuse to renew the lease or has the right to limitlessly increase the rent. Since most Israelis own their property and do not rent, the force of this law falls mainly on the Arabs.

80. In response to questions, the witness stated that his first lawyer was Jewish, but that under pressure from Israeli authorities the lawyer had abandoned his case and advised him to retain an Arab lawyer, which he did. He added that subsequent appeals were all dismissed.

Witness No. 17 (Anonymous)

81. The witness stated that he was appearing before the Commission to represent the municipality of Hebron, because the military authorities had prevented the Mayor of Hebron from leaving his city and coming to be a witness before the Commission. The witness stated that he lived in Hebron in 1970 when the Israelis created the settlement of Kiryat Arba, one of the largest settlements in the West Bank area.

82. In 1970, the occupying authorities and their troops encircled an area of about 500 dunums of the municipality of Hebron with barbed wire. When the citizens protested, Israeli Defence Minister Moshe Dayan attended a public meeting with them and the former Mayor of Hebron. He swore on his honour that there would be only one camp established in the area. A few days later the Governor of the West Bank issued a military order expropriating 3,000 dunums of Hebron land from the internal limits of the community.

83. In 1973, the Governor of the West Bank, together with the Military Governor of Hebron, issued an order forbidding the Arabs from building anything on their lands or houses within the municipal boundary of Hebron. On 12 December 1978, 38 Arab

inhabitants and the witness himself were summoned to the military headquarters where they were informed that their area had been declared as a closed-off area and that the inhabitants could not leave it without previous permission from the military authorities. The area concerned comprised 38 houses inhabited by more than 400 people. In addition to closing off the area, the inhabitants were continuously subjected to harassment by nearby settlers of Kiryat Arba. Soon after that military order, the Mayor of Hebron received a letter accompanied by a map showing a plan for the establishment of 500 new houses to be built on land and properties belonging to Arab inhabitants (the witness submitted a copy of that letter and a map). Houses included in the plan were demolished to make room for new homes.

84. Speaking of the ordeal of the people of Hebron, the witness stated that children were forbidden from going to school and that, by night, Jewish settlers from Kiryat Arba shone floodlights and spotlights on windows of homes to frighten the women and children. Those settlers were in military uniform; they belonged to the Gush Emunim Group and were the same settlers who killed the children in the demonstrations that occurred in Halhoul.

85. The witness indicated that the inhabitants complained to the United States Consul in Jerusalem, who promised them that the Secretary of State of the United States would visit their area. After the visit had taken place, the inhabitants enjoyed some freedom of movement in and out of their area. In another attempt to stop land expropriation, the witness indicated that a case on behalf of the Municipality of Hebron and in the name of 39 Arab landowners, was submitted to the High Court of Justice, which by its decision had nullified the expropriation of only 530 dunums, out of a total of 3,000 dunums which was the amount of land that had been expropriated from its Arab owners in Hebron.

86. After the Court decision, Arab inhabitants, with the help of 4,000 Jewish Israeli citizens - members of a group called Israeli Peace Movement - tried to plant or replant the area but were prevented by the military authorities.

87. In response to questions, the witness stated that the amount of land expropriated by Israel from Arabs in Hebron was 3,000 dunums. The settlement of Kiryat Arba was established on 500 dunums. Also 38 buildings were built on 530 dunums. Four hundred and fifty persons lived there. The Israelis uprooted the trees, which constituted the inhabitants' means of livelihood and until the present have prevented Arab inhabitants, in spite of Court decisions, from any building on this land.

88. In response to another question about the incident that took place in the village of Halhoul, in which two children were killed by one of the settlers, the witness stated that at that time the Military Governor of Hebron imposed a curfew on the village of Halhoul for 15 days, forbidding anyone from bringing anything to the village. In order to obtain food and milk for the people, a matter which was refused by the Military Governor, the witness said, they complained to the Red Cross and also sent a cable to the United Nations Secretary-General. Replying to another question aimed at finding out if any actions had been taken by the Israeli authorities against him as a result of his complaint to the United States Consulate,

the witness said that in fact all embassies in Israel had been approached for help through telegrams and also through the Mayor of Hebron. As a consequence, he had been summoned by military officers every week since then for interrogation.

Witness No. 18 - Sheik Abdul-Hamed El-Sayeh

89. The witness at the time of his deportation from Jerusalem on 23 September 1967 was the Head of the Islamic Court of Appeal for the Jordanian Kingdom, with both the East and the West Banks under its jurisdiction. He was also the Head of the High Islamic Organization in Jerusalem which supervised the Al Aqsa Mosque, all the Waqf property and the Islamic Courts in the West Bank. After his deportation, Sheik El-Sayeh had been made responsible for the Waqf Ministry in Amman and had been appointed Chief Judge of the High Islamic Court and Minister for Islamic Affairs in Amman. At the time of his testimony, he was teaching at the Jordanian University and was the President of the Committee for the Salvation of Jerusalem.

90. The witness referred to defiance by Israel of international law, of the Geneva Conventions and of the resolutions of the United Nations, in particular General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) of 4 and 14 July 1968 respectively, and Security Council resolution 252 (1968) of 21 May 1968. Despite these resolutions, he noted, Israel continued its excavation, expropriation and demolition activities. He referred in particular to the excavation activities around and under the Al Aqsa Mosque, which had special significance to the entire Moslem world, and near the Western Wall, also known as the Wailing Wall. He stated that the alleged purpose for excavating around the Al Aqsa Mosque was to search for the Temple of Solomon which, Israel claimed, was somewhere around that vicinity even though neither the historians nor the Jewish holy books indicated a specific location for that Temple. The witness gave an account of the Israeli attempts to put an end to the Al Aqsa Mosque as a special cultural centre for the world Moslem community. He also mentioned the damages to the central door of the Al Aqsa Mosque, as well as the damages to the dome of the Holy Rock and the minaret of Bab-Al-Asbat during the war. He said further that Israel had demolished a whole quarter near the Holy Wall in spite of the fact that the quarter belonged to the Moroccan Waqf, which received charity from Moslems and was inhabited by a great number of people. He related how the Rabbi of the Israel Defence Army had come with 20 people to the Al Aqsa Mosque in 1967 and chanted religious Jewish songs provoking the Moslem population. In view of the declared intention of the Rabbi to return the following week to pray in another area of the Mosque and to build a synagogue on the premises, the witness had written to the Military Commander and informed him of his intention to order all the doors of the Al Aqsa Mosque closed in front of all Moslems, Christians and Jews and that the Military Commander would bear the responsibility for that action. A liaison officer between the Government of Israel and the Islamic religious authorities had come to inform him, on behalf of Messrs. Eshkol and Dayan, that Jews would be prevented from praying on the premises of the Al Aqsa Mosque. That promise had been kept until the deportation of the witness, but thereafter Jews came to pray and chant on the premises of the Mosque despite the impact of such action on the Moslem population. Israelis had by force taken the key for the door known as Ban El-Magharba and were allowing people to enter the premises of the Al Aqsa Mosque at any time. In fact, he observed, the man who

had set the Mosque on fire had used that door for entry. That fire had destroyed the chair of Salah Ed-Din inside the Mosque, which had a particular importance for the Moslems, and damaged the Eternal Dome of the Mosque. Up until today, the Israeli occupation forces were trying to eliminate this centre of Islamic civilization, as witness the continuing excavations around and under the Mosque which could expose it to demolition. Israel had demolished some parts inside the Mosque and near the Haret El-Magharba quarter.

91. The witness also provided the Commission with background information on the Western Wall. In that connexion, he observed that in 1929 the conflict between the Moslems and the Jews around that Wall had led to fighting, and the Government of the British Mandate had sent a committee to look into the matter. On the recommendation of that committee, the matter had been referred to an international committee. The latter's unanimous decision that this place was an Islamic charitable Waqf and that Jews could only perform their religious rites in that place in accordance with its customs had been agreed upon by the British Government and further recognized by the League of Nations. Since the matter had been settled by an international organization, it should not be raised again.

92. The witness stated that Israel was perpetuating other violations in Jerusalem, carrying out considerable expropriation of Waqf property and also of the holy shrine of Ibrahim in Hebron. That shrine, he noted, was an Islamic mosque built by the Ommayyads. The mosque had been seized by Israelis, who not only prevented the Moslems from praying there but also committed sacrileges inside.

93. The witness further noted that Israeli military authorities were committing violations against the Christian churches, such as the removal of the jewelled crown from the statue of the Virgin Mary in one of the churches. In this connexion, he pointed out that the keys to the main church in Jerusalem, the Church of the Holy Sepulchre, had been entrusted to the Moslems.

Witness No. 19 (Anonymous)

94. The witness talked about an agricultural village, Anata, located 2 kilometres north-east of Jerusalem. The village had an area of 13,000 dunums with a population of 3,500 who depended on agriculture for their livelihood. The area of the village appeared in the district file of Tabu during both the Ottoman and the British Mandate rules. It had also been surveyed during Jordanian rule. The witness submitted to the Commission a list of landowners in the village, each of whom had his own separate file for property ownership.

95. In 1971 and 1972, the Israeli military authorities had undertaken, without giving a reason to the villagers, a new survey of the lands on the eastern side of the village, which had continued until 1975. In January 1975, the Military Governor of Ramallah had called in the witness to inform him that the village had been divided into three zones: the western part was linked to the municipality of Jerusalem; the northern part to the municipality of Ramallah; and the southern part to the municipality of Bethlehem. One of these zones with an area of 4,650 dunums, which included 40 inhabited houses, was marked as a military zone access to which

was completely forbidden. Copies of the plan had been distributed to the registration administration of Tabu and to the municipal administrations of villages and towns in order to forbid any selling of these lands or other transactions on them and to stop issuance of building and construction authorizations.

96. On 5 May 1977 the Military Governor had informed the villagers that they would not be allowed to harvest their crops in the closed-off areas. Access to these areas would be granted by a special authorization from the military authorities only and violators would be taken to military court. On 19 September 1978, the Military Governor had met with the village notables and had proposed to lease the land from the villagers at the rate of 5 Jordanian dinars for each dunum in the first category, 3 Jordanian dinars for each dunum in the second category and 2 Jordanian dinars for each dunum in the third category. That offer having been refused, the Military Governor had proposed to pay compensation to the villagers according to the report of the Committee of Agricultural Experts. That proposal had also been rejected. Three thousand and five hundred people were still living in the village of Anata. On 8 October 1978, the Israeli military authorities had summoned the workers under military guard and had closed off the zone with barbed wire and iron gates. On 14 October 1978, the witness had requested the Jordanian Government to intervene and raise the question of expropriation of their lands at the international level. The Jordanian Government had raised the question in the Security Council. On 25 October, the witness had sent cables to the Secretary-General, the President of the United States, the President of Egypt and the United States Ambassador to Israel, requesting their intervention against the expropriation of the village lands. On 14 November 1978, the villagers had submitted their case to the Israeli High Court of Justice, which on 10 December 1978 had given a temporary judgement forbidding the army to work on the land until the Court had made a final judgement. On 15 December 1978, General Shloma Tagner had submitted a statement to the High Court indicating that 1,740 dunums, not 4,650 dunums, were needed as a military zone and had requested that the temporary judgement be nullified. The High Court had not allowed enough time for the villagers to respond to the new situation and had met on 17 December 1978. On 15 January 1979, the Court had issued its judgement, agreeing to the expropriation of 1,740 dunums of fertile agricultural land. The villagers had not been informed of the decision until 18 March 1979, that is after the period of 30 days legally allowed to appeal such a judgement. The witness submitted to the Commission, among other relevant documentation, a list of the landowners in the 1,740 dunums of land. Noting that he himself was the owner of 1,200 dunums out of the 1,740 dunums of land, the witness stated that he had been left with only 300 dunums without any possibility of access. On 11 April 1979, he had submitted a request to the Israeli authorities for permission to reach his land, but there had been no answer. He stated further that on 5 April 1979, the Israeli army had started surveying the remaining lands in order to establish an industrial zone thereon. The army, he continued, was then building roads and organizing the new zone.

Witness No. 20 (Anonymous)

97. The witness said that, unlike other occupations in the past, Israeli occupation had as its ultimate aim to take possession of the land and drive its

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inhabitants away. An important new facet of Israel's settlement policy, he said, was that unlike past policy, which consisted of establishing settlements mostly close to the green line which separated Israel from its pre-1967 borders, the new trend was to divide the West Bank into large squares, then criss-cross them with roads in all directions. As perceived by the inhabitants, the aim of that policy was to divide the whole occupied territory into four or six squares in order to isolate the main cities and towns by building settlements on the corners of each square; thus "balkanizing" the territory in such a way that it would not be a viable entity.

98. The witness also gave a number of incidents involving mistreatment of Arab youngsters by some of the Jewish settlers, especially in the area of Kiryat Arba.

99. In reply to various questions, the witness said that the new trend which he described in his statement would result in the loosening of trade and other ties between the towns and the outlying villages because the settlers would start taking the law into their own hands and set up check points wherever they saw fit. Furthermore, the occupied West Bank being a small territory, the land lost as a result of the building of wide roads and streets would deprive several families of their property.

100. The witness said that some check points were permanent, especially at the entrance of Jerusalem and other major cities. Waiting time at those check points could be as much as one hour and 45 minutes.

101. All settlements, he also said, were of a permanent nature, even when they started as temporary shelters. The population in settlements ranged from 200 to 2,000. The only Arabs allowed to enter them were poor labourers doing menial jobs.

102. As to the extent of the land taken so far by Israel, it amounted to 36 per cent of the area of the occupied West Bank. He believed that as a result of the road construction, the percentage would soon reach 39 per cent.

Witness No. 21 - Mr. Shawki Mahmud Hamdi

103. The witness said that, while the establishment of settlements in the occupied territories was initiated in mid-1968, the measures concerning Jerusalem started only a few hours after the occupation and on 28 June 1967 an annexation decision was passed by the Knesset, by which Israel attributed to itself the right of control over Arab Jerusalem to satisfy its interests only and in defiance of international law.

104. The following measures were taken:

- (1) Abrogation of the Arab Municipal Council and linking of Arab Jerusalem to Israeli Jerusalem;
- (2) Elimination of certain municipal services and amalgamation of others with the Israeli services;

- (3) Application of all Israeli laws to Arab citizens;
- (4) Closing down of the Education Department of Arab Jerusalem and putting all Arab public schools under Israel's Ministry of Education, forcing them to follow the curricula of Israeli schools, which included the reading in primary schools of a book entitled I am an Israeli;
- (5) The issuing of Israeli identification cards to the inhabitants of Arab Jerusalem;
- (6) Non-recognition by Israel of Jerusalem Islamic Court;
- (7) Obligation for Arab professional individuals to register their names with Israeli professional associations if they wanted to practice their professions;
- (8) The closing of Arab banks and the imposition of the exclusive use of Israeli currency;
- (9) The transfer to Arab Jerusalem of a number of Israeli ministries and departments.

105. As to the methods used by Israel to colonize the Arab sector of Jerusalem, they included the following:

106. First, Israel resorted immediately after June 1967 to the demolition of 1,654 buildings in four different quarters, including 427 shops, 1,215 houses, 5 mosques, 3 monasteries and 4 schools. As a result, 7,400 inhabitants of Arab Jerusalem were forced to leave. Israel then established a "Jewish quarter" which as of today contains 320 housing units on 116 dunums, with a settler population of 1,300.

107. Second, the Israeli authorities resorted to the confiscation of Arab lands situated within the municipality of Arab Jerusalem, totalling 94,564 dunums. That was carried out by various methods including the application of Israeli laws issued before 1967. Among these laws were:

- (1) The "absentee property" law, adopted by the Knesset on 14 March 1950, which replaced the emergency decrees concerning absentee property issued on 19 December 1948. Under that law, the citizens of Arab Jerusalem were regarded as absentees whether their property was in eastern or western Jerusalem;
- (2) The law of acquisition of land for the public interest issued in 1943 under the Mandate Government. Under this law, the Israelis expropriated land and buildings by claiming that they were to be used for the public interest and established on them settlements for Jewish emigrants. An example was an area of 11,860 dunums expropriated under a decision of the Ministry of Finance issued on 30 December 1970 and published in the Official Journal on 30 August 1970;

- (3) Defence and emergency decrees of 1945, issued under the British Mandate and still in force today. Under these decrees, the Military Governor could issue instructions to deport people from Palestine and expropriate property. Under the British Mandate the Jews themselves were opposed to these decrees, including a lawyer names Jacob Shapiro, who had said that these decrees "did not exist even in Nazi Germany". But after the creation of the State of Israel, things were reversed and the decrees continued to be implemented, even by Mr. Shapiro, when he became Minister of Justice in 1966. Under these decrees four Arab quarters were destroyed in old Jerusalem and 7,400 of its inhabitants expelled. These decrees also give the right to the Military Governor to declare any area closed for security purposes. In that way very large areas of Arab lands were closed and included in the plan for Greater Jerusalem, including 70,000 dunums in the Beit Sahur area, 100,000 dunums in the Assabkia area, and 1,194 dunums in the village of Anata;
- (4) Emergency regulations, exploitation of barren lands published in 15 October 1948 in the Official Gazette. In accordance with these regulations, the Minister of Agriculture was empowered to seize barren lands if he was "convinced" that its owner did not intend to utilize it as an agricultural land;
- (5) The law relating to the expropriation of real estate during the 1949 emergency. In accordance with that law, the Israeli Government gave itself the power to designate a special authority with the right to issue orders to seize any real estate which it believed to be necessary for the national security.

108. Most of the Arab lands which were seized by the occupying authority under these laws and regulations, were later sold to Jews in the real estate market.

109. Another method used by the Israelis to acquire land consisted of the falsification of documents and files, as reported in articles published in the Israeli newspaper Ma'ariv of 9 July and 15 August 1978.

110. Turning to the question of settlements in Jerusalem, the witness indicated that nine of them had been built within the boundaries of Arab Jerusalem. One, the so-called Jewish quarter, was built within the old city and the other eight, although outside the walls, were still within the boundaries of the Arab municipality.

111. He further indicated 10 settlements were built within the framework of so-called Greater Jerusalem. Before the 1967 war, Arab Jerusalem had an area of 13 square kms. Since then the area has been increased to 67 square kms and the project for Greater Jerusalem called for an area of 555 square kms.

112. The establishment of settlements in Jerusalem was accompanied by repeated violations of the sacred places, both Christian and Moslem, and of the historical and cultural heritage of the Old City. These violations included in particular

a fire in Al Aqsa Mosque on 21 August 1969; the excavation operations around Moslem buildings and premises, resulting in heavy structural damage; the desecration of the Church of the Holy Sepulchre; the theft of the Crown of the Virgin Mary; the seizure of Moslem Palestinian historical objects and scrolls.

113. As to the impact of the settlements on the economic, financial and cultural life of the Arab population, the witness said that before 1967, Jerusalem had been the spiritual capital of Jordan and the financial and commercial centre of the West Bank. After the occupation, the Arab population, which was 96,000 in 1966, decreased to 78,000 in 1978 despite the fact that the birth-rate was between 3 and 3.5 per cent. This shows the efficiency of the deportation measures to which the Arab inhabitants are subjected. The fact that all economic activities in Arab Jerusalem had fallen under the control of Israeli laws and regulations, including taxation laws, had had a negative effect. Arab companies are now placed in a position of unfair competition, especially in such important services as transportation and tourism. Meanwhile, on the social level, the Jewish inhabitants of the new quarters have introduced practices which are contrary to Arab social customs and moral behaviour.

114. In conclusion, the witness said that the objective pursued by Israel through its policy of settlements could be summarized in one sentence: seizure of the land and gradual expulsion of its inhabitants.

115. Replying to questions, the witness stated that there were in fact several Israeli authorities who made the decisions regarding the establishment of new settlements and the selection of the settlers. He cited the Ministerial Committee presided over by the Minister of Agriculture, an official Committee of the Jewish Agency presided over by Professor Ra'anana Weiz, special bodies in every political party and special organizations such as the Gush Emunim. The witness said also that since the occupation Arab judges had remained unemployed since Arab citizens had to submit their cases for trial to Israeli courts and tribunals which did not include Arab judges.

Witness No. 22 (Anonymous)

116. Testimony submitted in writing stated that Silwad is a town located 15 kilometres north of the city of Ramallah in the West Bank. The witness added that Israeli practices towards the landowners of Silwad were the following:

- (1) Land expropriation. After 1967, the Israeli occupation authorities expropriated 1,650 dunums in the area called Al-Tha'her. This land was owned by individual farmers of Silwad. They objected to this action to the Israeli Military Governor, who offered to pay for the land, but the owners refused to sell. A small local airport was built on it with a military camp. The camp was transformed gradually after 1974 into a settlement for Israeli civilians;
- (2) The Israeli Settlement of Ofra. Before the 1967 war, the Government of Jordan was in the process of using an area of 300 dunums south-east of

Silwad as a military camp. When the 1967 war broke out, no compensation was paid to their individual owners. In March 1974, an Israeli settlement was established in this area called Ofra. The area was expanded to include an additional land of 100 dunums. The owners objected this action to the Governor but with no success;

- (3) Restricted area. A total area of 5,000 dunums were fenced and restricted by the Israeli occupation authorities. This area belonged to individual owners of Silwad and the neighbouring town Ein Yabroad.
- (4) Eight houses were demolished in 1968 by the Israeli authorities, claiming that one of the owner's or renter's family resisted occupation. In 1978, the Israeli occupation authorities ordered the demolition of four other houses. However, the owners pursued this matter before the Israeli Supreme Court, which decided against the demolition. Nevertheless, the Israeli authorities bulldozed the house of Mr. Abdel Fatah Abdel Rahman, disregarding the position of their own court;
- (5) Six inhabitants from Silwad were expelled by the Israeli occupation authorities.

II. SYRIA

117. In Damascus on 27 May the Commission heard the statement of Mr. Najib Al Ahmad, Special Representative of the Palestine Liberation Organization.

118. Mr. Al Ahmad told the Commission that for the establishment of the settlements on Arab lands in the West Bank the Israeli Government had allocated half a billion Israeli pounds for the year 1979; it was decided to build 20 Israeli settlements in the West Bank in 1980. During the next five years it was planned to establish 45 settlements in the same area to accommodate 58,000 Jewish families.

119. He gave an account of practices of the Israeli authorities aimed at compelling the Arab people to leave their lands. Thus the Arab inhabitants were prevented by the authorities from digging any artesian wells without authorization, which was very difficult to obtain. The owners of the wells are compelled to install water meters and they can irrigate their land only with that amount of water to which they were restricted by the Israeli agricultural authorities and only during specific hours. Therefore limitation of water for irrigation led to decrease of production. Finally the Arab owners were compelled to abandon their lands, which were then seized by the Israelis. The Israeli authorities often used the pretext of security reasons for expropriation of the Arab lands, as in the Bettine village in Ramallah.

120. Mr. Al Ahmad further said that no Arabs in the West Bank or in the Gaza Strip had the right to plant trees or replace those previously planted unless they had a special permit, which was very difficult to obtain. He referred also to many acts of destruction or damage to Arab water pumps perpetrated by the Israelis to prevent the Arabs from irrigating their land.

121. Mr. Al Ahmad argued against the Israeli Government claims that it established the settlements, or some of them, on lands which were not owned by the Arab citizens but were the property of the State that preceded Israel. He referred to the historical background of the problem of land ownership and land registration in Palestine during the Ottoman rule and during the British mandate. He told of his own experience when, in 1948, Israel occupied 90 per cent of the land of his native village Rommana and in 1967, when it occupied the rest of the land. Mr. Al Ahmad was then put in gaol for security reasons and after spending 13 months there he was expelled with his family.

122. He mentioned also some historical facts related to the attacks on Palestine and cited the statements made by the founders of Israel. The next part of Mr. Al Ahmad's statement was devoted to the prisoners and prisons in the occupied territories. He also spoke about Israel's violations of the Holy Places, emphasizing that they made no difference between Christians and Moslems.

123. Referring to deportation of the Arab citizens, the Special Representative of the Palestine Liberation Organization noted that until now more than 2,000 Arabs had been deported by the Israeli authorities directly without the use of indirect ways of compelling them to leave. A large number of these deported people were professionals such as physicians, engineers, teachers and lawyers.

124. Concluding his statement, Mr. Al Ahmad gave yet another example of Israeli actions in the occupied territories - he mentioned blowing up Arab houses for so-called security reasons. A total of 2,875 houses had been blown up on this pretext.

125. Mr. Al Ahmad then submitted to the Commission the full text of his written statement as well as various documents, maps, photos and letters.

Witness No. 23 - Dr. Abdul Salam

126. As a professor of geography at the University of Damascus, the witness had conducted, before the 1967 war, a field study on the Golan Heights area. The Golan Heights, which covers some 1,800 square kilometres, enjoys heavy rainfall and rather fertile volcanic soil. The number of inhabitants in 1966 was about 150,000, with a density of some 90 persons per square kilometre. There were 310 agglomerations, the biggest of which was the town of Quneitra, which, in 1966, had about 27,000 inhabitants, mainly Arabs.

127. About 500 big or small economic establishments were flourishing in Quneitra in 1967, but the main economic activity in the Golan area was agriculture, which covered approximately 107,000 hectares privately owned. The witness gave some figures concerning the various kinds of soil cultivation, fruit-bearing trees and livestock, which illustrated his assurance that, owing to its climatic and geologic conditions, that area used to produce between 9 and 11 per cent of the total production of Syria.

128. As to the industries in the Golan Heights, they were mainly those that responded to the needs of the inhabitants - farmers and peasants - such as repairing engines for pumps and tractors, 41 flour mills and other local activities related to the textile and tanning industries.

Witness No. 24 - Mr. Yassin Rikab

129. The witness said that he was the head of a preparatory school in his village of Haddar, when Israel occupied it in 1973 and started to shoot at civilians, killing six men and three children.

130. After three to four days of the occupation, an Israeli officer called upon a number of inhabitants and told them that the land was not theirs any more. After three months of occupation, Israeli authorities declared that they would register people wishing to work and harassed the inhabitants with humiliating practices. The witness with some other inhabitants wrote an article which they sent to Haifa to be published.

131. Four months after occupation, some permits to leave the village were issued for those wanting to get food supplies. During that period the witness went to the northern part of Golan to visit some of his relatives in the villages of Majdal-Shams, Messaada and Bekaatha. Some of the villages in the north of Golan, where he used to teach, had been razed with bulldozers.

132. At the beginning of June 1974, the witness had visited the city of Quneitra, where he saw a large number of Israeli bulldozers destroying the town and the surrounding areas. Another town that had been razed by bulldozers was Sehita in which, meanwhile, Israeli teams had carried out excavations for archaeological research.

133. On 20 June 1974, the witness said, he was arrested and accused, among other things, of having written articles against Israel. He was taken successively to eight prisons where he was subjected to mistreatment.

134. The witness said that he had seen a number of Israeli settlements in the Golan Heights. One of those settlements, a kibbutz called Nevi Ativ, had been built in place of the village of Jubatha Al-Zeit, which had been completely razed. Another kibbutz called El-Rom, was built on a former apple grove, west of the village of Bokatha. The main activity of those settlements was farming and some of the local inhabitants were used as labourers.

Witness No. 25 - Mr. B'rjas B'rjas

135. The witness said that he came from the village of Haddar, which was occupied by Israel from 11 October 1973 to 24 June 1974. After recalling how the Israeli invasion of his village began, the witness said that the Israeli authorities imposed on the inhabitants various obligations designed to render their life difficult, such as curfews, repeated arrests, nightly investigations, refusal to let the inhabitants go and see their own land, calls to appear before the Military Court, where they had to wait in the bright sun and heat for two or three hours before being sent back. He continued by stating that Israeli authorities had started what they called "the registration of the workers" while preventing people from working their own land.

136. On the occasion of his arrest, he was taken out of his village for interrogation and saw Israeli troops destroying the village of Ainsova.

Witness No. 26 - Mrs. Al-Hayat Daghout

137. The witness said that she would have liked to come before the members of the Commission after they had visited the martyred city of Quneitra, where she was born and educated, and had seen for themselves the destruction and ruins left there by the Israelis. In Quneitra, the Israeli army had destroyed everything including the trees. They had desecrated the graves in the cemetery and used the hospital as a shooting ground.

138. Those actions had led to the condemnation by the United Nations of Israel's destruction of Quneitra as stated in General Assembly resolution 3240 (XXIX) of 29 November 1974.

139. In reply to questions, the witness said that in 1973 she was compelled to leave Quneitra for Damascus, where she was now a school teacher.

Witness No. 27 - Mr. Merri Chjair

140. The witness said that he had been teaching English in the schools of the Quneitra district for more than 15 years. When Israel's aggression of 1967 started, he was in the town of Sweida observing the standardized examinations that were given throughout the country for secondary school students. Mr. Chjair, like many others, tried to no avail to return to Quneitra, which was under heavy bombardment by Israeli planes. It was only in 1974, when Israel evacuated the city, that he was able to return.

141. Speaking of the conditions prevailing in the Golan Heights before 1967, Mr. Chjair said that he used to teach in a town called Feiq, close to the truce line that existed before the 1967 war. During that time, the exchange of fire across the border was a daily matter because in its efforts to gain more land, Israel used to send its tractors to till the area in the no-man's land, which they then claimed as their own.

142. Talking of Quneitra, Mr. Chjair said that after the evacuation of the city by Israel in 1974, he discovered that his house, like many others, had been completely erased. He also pointed out that in contradiction to Israel's allegations that the Golan Heights were an area where only nomads or semi-nomads used to live, the population of the whole Golan Heights before it was occupied by Israel was somewhere between 130,000 and 140,000, with a density of 90 to 100 persons per kilometre.

Witness No. 28 - Mr. Saad El-Din

143. The witness said that in 1967 he was living with his father, mother and children in the city of Quneitra. When Israel declared its war on the Arabs on 5 June 1967, it wanted only to fulfil its dreams of swallowing up Arab territories without their inhabitants. The Israeli troops struck at the city of Quneitra on the first day of the war. They shot at trade shops and houses with people living in them. In the few following days after Israeli troops entered the city of Quneitra, most of the inhabitants were still living in it, but pressure mounted to compel inhabitants to leave. For instance, Israeli authorities used to gather the youth in one place and would accuse them of being in the military service; they also gathered the inhabitants in one spot and compelled them to kneel on the ground with their hands above their heads, with no consideration whatever for old people, women or small children. They also took away the wives, whose reputation is of great importance in Arab families.

144. After a few days of occupation, most of the inhabitants were gathered in a small part of the city. The Israelis prevented the inhabitants from going back to their homes on the pretext of security reasons and they started looting. Then the inhabitants were called to sign personal statements that they would leave Quneitra of their own free will. Finally, the Israelis took the inhabitants in trucks and dropped them outside the city boundaries. People were warned not to return under threat of being shot. As a result, there were many human tragedies, including unexpected births, heart attacks and nervous breakdowns.

145. The witness said that he and many other inhabitants tried to return to their homes, but were prevented from doing so by Israeli troops. Israeli authorities stole many archaeological remains and stones. They destroyed the trees, the vineyards. They burned all the crops which had already been harvested.

146. The Israeli troops entered also the village of Mesehara where the witness had taken refuge. They used loudspeakers to urge the inhabitants to leave immediately if they did not want to be killed. The villagers were then gathered and expelled, with tanks following them. Some old people, however, remained behind. They have never been heard of since then.

Witness No. 29 - Mr. Hosein Haj Hosein, Chairman of the Quneitra Municipal Council

147. The witness stated that the heavy density of the population in the Quneitra province had led to the development of economic life, urbanization, education and commerce. The province was well known for its trees and grain, grazing grounds and high quality cattle. The human stability in the area accounted for the economic conditions, the educational level -- which was high compared to the surrounding areas -- and the commercial development. Referring to Israel's destruction of villages in the province, expulsion of the inhabitants, and their replacement by Israeli settlements, he refuted the Israeli claim that the area was uninhabited and that the Israelis were establishing a new human stability and new economic and social activity on uninhabited land. He said that what Israel wanted was occupation of the land and expulsion of its inhabitants.

148. The witness mentioned that as Head of the Municipality, he had received numerous complaints from the inhabitants of the area regarding the bad treatment they had received from the occupation authorities including attempts by Israel to expel them from the area. In this context, he referred to the problems faced by the students from the occupied areas. Not only were they prevented from carrying out their higher education in Syrian universities, but those who had been able to do so through the intermediary of the Red Cross were prevented from returning to the occupied areas once their studies were over in the Syrian universities.

Witness No. 30 - Mr. Abdulla El-Kadry, member of the Quneitra Municipal Council

149. The witness gave an account of his experience in Quneitra during occupation. He said that there had been no military activity as the inhabitants of the area were all civilians and that their only intention was to stay in their town. The witness's home had been completed only one week before the hostilities began. It had been destroyed by the occupation forces. After the invasion, the Israelis had declared a curfew for 24 hours and thereafter had gathered the inhabitants in a large square in the town. They had blindfolded the youth and had started shooting in the air to scare the population. Once the blindfolds were removed, the people realized they were fewer in number and did not know what had happened to the rest. The youth were separated from the rest and put in other places. The people were encouraged to leave. Since the use of a car had been prohibited, many people had left with only what they could carry and even that had been taken away from them by the Israeli patrols. The occupation forces had robbed the shops and had made the people carry what they had stolen from the shops.

Witness No. 31 - Mr. Ibrahim El-Nimr, Vice-Chairman of the Municipal Council
of Quneitra

150. The witness recalled the events that had taken place during the occupation in a village 20 kilometres south-west of Quneitra, called Tennouria. After the occupation, the people had decided to establish a small representative committee of the elderly people of the village to go and meet the Israeli commander. When the committee had arrived, the Israelis had placed them in a row, searched them and had taken everything they had on them. The committee had been told that the people had one hour to leave the village and that if they did not leave, the village would be destroyed around them. When the hour had passed, even as the people were leaving, the Israelis had started blowing up the village. Five kilometres away from the village, the villagers had met the population of the surrounding villages. The inhabitants of those villages, who had also been expelled, had to pass through two lines of tanks and were robbed by the soldiers.

Witness No. 32 - Mr. Mohammed Khair Fayez, member of the Executive Bureau of
the Municipal Council of the Province of Quneitra

151. The witness spoke about the methods used by the Israeli authorities to achieve the evacuation of the population, the destruction of homes, and the psychological state of mind of the inhabitants after they had been evacuated. Among the methods used by the Israeli authorities to get people to leave their homes, the witness said, was the psychological method of telling the villagers that the occupation authorities would help them carry their belongings away with them and even drive the villagers up to the demarcation line. Once the villagers reached the frontier, the Israelis would drop them off and keep their belongings. The Israeli soldiers would also warn the villagers of dire consequences unless they left at once. Furthermore, the occupation authorities would declare a curfew all of a sudden over the loudspeakers and then start shooting in the air. Also, the Israelis had taken away the young people of the village, without their parents or any other relatives knowing where they had been taken.

152. With regard to destruction, the witness stated that the Israelis had taken away the stones of the destroyed houses, in order to build their own military fortresses. Everything had been taken away, so that one could no longer recognize where the villages used to be.

153. Referring to the new life of the refugee inhabitants, the witness stressed that the evacuated inhabitants had had psychological breakdowns because of everything they had lost, including their land, their houses, property and their stability.

154. In response to a question put to him by the Chairman, the witness stated that the young people had been taken by the Israelis and compelled to move furniture from one village to another. The inhabitants had had the feeling that the young people were to be killed and that they would never be seen again. About one or two months after the occupation, the Israelis had brought them back through the International Red Cross. Some of the young people had been expelled not from their own villages but from other villages so that they did not know where they had been expelled from when they were put on the demarcation line. While some had been united with their families, others had been shot dead in front of all the inhabitants.

Witness No. 33 - Mr. Radwan El-Tahhan, member of the Executive Bureau of
the Province of Quneitra

155. The witness referred to two incidents, involving a child and a young man, both his relatives, after 15 June in 1967. In the first instance, an 11-year-old boy, named Ghazi El-Zamel, had been shot dead by the Israelis for running into the street in a village called Rafid. His grandfather, who had tried to help him, had been beaten by the Israeli soldiers. In the second instance, a young man named Soleiman El-Hoama had sought authorization from the occupation authorities to remain in his home in the village of Ash-Sha. He had been refused and forced to leave his home for Damascus. On route he had been shot by the Israelis and had been crippled as a result of that shooting. He was no longer able to walk.

156. Responding to a question, the witness indicated that the incidents involving his relatives, which had taken place after his expulsion from the area, were not tied with war hostilities but with occupying forces.

Witness No. 34 - Mr. Hosein Sami El-Ahmad, member of the Municipal Council
of the Province of Quneitra

157. The witness stated that during June 1967 unarmed civilians, including the witness, hiding in a ditch, had heard first on the Israeli radio and subsequently on the Syrian radio that both the Arabs and the Israelis had accepted the Security Council cease-fire. One hour after the news bulletin, they had come out of the ditch and had been bombed by Israeli aircraft. During that bombing, the witness's sister had given birth to a baby in the street and had had to leave the baby on the ground and go back to the ditch for refuge. She had not been allowed by the Israeli soldiers to go back to fetch the baby. Because of that she had fallen on the ground, become completely paralysed and had subsequently died for lack of emergency help.

158. The witness told of Israeli acts of violence, including an incident in which the Israeli forces had entered a mosque and beaten the people in prayer. He said also that Israeli authorities took everything and left the people with nothing. All the cattle the witness and his family had were taken by the Israelis for the needs of their defence army and he and his family had been compelled to work in hard labour camps with the Israelis in order to get some means of livelihood.

Witness No. 35 - Mr. Salama Said El-Mohammed, member of the Executive Bureau
of the Municipal Council of the Province of Quneitra

159. The witness noted that during the 1967 war, he was living in a village named Sel Jeet, located five kilometres to the north of Quneitra. He had stayed there until the cease-fire had been declared. After the cease-fire, the Israeli force had entered the village, gathered the inhabitants, put them in special cars and for three days had compelled them to pick up dead bodies of all the people that had been killed. They would gather the bodies in some place and burn them up. They had also forced the inhabitants of the village to take everything in the shops and put them in Israeli cars. Furthermore, they had told the villagers to fetch their belongings

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because they were going to be expelled to Damascus. Cars had been put at the disposal of the villagers to carry them and their belongings to the demarcation line. There the villagers had been ordered to get out of the cars, but without their belongings. The witness pointed out that Israelis had taken photographs of the villagers with their belongings so that people would get the false impression that they had left the country with their belongings.

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Mr. Habile Kahwaji, member of the PLO Executive Committee

160. Mr. Kahwaji said that he had lived for many years under Israeli occupation and spoke fluent Hebrew. All his references with respect to Israeli settlements would be Israeli documents themselves.

161. Under the pretext of "maintaining security," he said, the Israeli authorities had embarked upon a programme of gradual Judaization of the occupied territories, which was to be achieved through the creation of a wall of settlements between those territories and neighbouring Arab States; the fragmentation of the territorial unity of the West Bank and Gaza into small areas isolated from each other by Jewish settlements; and the isolation of major Arab cities in the area from their natural Arab surroundings. The basic goal of the settlement, as stated by Israeli officials, was to turn the Arabs in the West Bank and Gaza from a majority into a minority. This was evidenced by the extension of the settlements from those areas considered as security zones, i.e. the Jordan Valley to the densely populated areas, particularly the area of Nablus.

162. Over the past 12 years, Israel had established about 70 Jewish settlements in the West Bank and 7 in the Gaza Strip. In order to acquire the lands needed for these settlements, the occupation authorities, using various means and pretexts, had seized about 1.5 million dunums, an area equivalent to more than one quarter of the total area of both territories.

163. The various ways resorted to by the Israeli occupation authorities to seize Arab lands included the following:

- (1) Acquisition of the public lands allocated for public facilities or for the expansion of municipal zones. The pretext used for this acquisition was that the occupation administration was the heir of previous Governments. Lands seized by this method were estimated at 1 million dunums in the West Bank and 120,000 dunums in Gaza;
- (2) Expropriation of private-owned lands by invoking the Emergency Law introduced by the British Mandate Government in 1965 and revised by the Zionist occupation authorities to justify the seizure of Arab lands. This law authorizes military governors to declare certain areas as zones closed for military purposes, meaning that it is forbidden for their owners to enter or use them;
- (3) Making use of the Absentees' Property Law of 1950, introduced by Israel originally to seize the properties of Palestinian refugees in the territories occupied in 1948. Scores of thousands of dunums were seized in this way in the West Bank;
- (4) Compulsory purchase of Arab lands which consisted of seizing privately owned land, then having the owners appear before the military administration officials to sign the sale contracts, prepared in advance.

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Such was the case, for example, of the 150 inhabitants of the village of Hazma, to the northeast of Jerusalem, as reported by the Israeli newspaper Davar a few months ago;

- (5) Purchase of land through firms set up abroad either by the Jewish National Fund (JNF) or the Israeli Real Estate Department, such as the Rimnata firms, an American enterprise owned by the JNF. By using tricks and deception the Israeli Real Estate Department had bought last year alone 60,000 dunums in the Ubaidiah area, to the south-east of Jerusalem;
- (6) Seizure of lands under the pretext that they used to be owned by the JNF before 1948. Thus, as reported by the Israeli newspaper Ha'aretz, the Israeli Real Estate Department had, in the period 1967-1976 regained possession of some 32,000 dunums.

164. Through these various methods of seizure and confiscation, over 60 per cent of the arable lands of the Jordan Valley, namely, 95,000 dunums, had been seized. In the Hebron area, in addition to public lands, the occupation authorities had expropriated 1,000 dunums in 1968 to set up the settlement of Kiryat Arba, another 1,000 dunums of the Samou' village lands and 230 dunums belonging to the Bani Naeem village in 1975 and about 160 dunums in Hebron itself in 1979.

165. Several thousand dunums have also been seized in the Gosh Etzion area on the Bethlehem-Hebron road, where five settlements had been set up. The latest confiscation in this area had happened in the Sheikh Abdulla hill, to the east of Kfar Etzion and south of Bethlehem, where several hundred dunums had been seized to be used as the grounds for a new Jewish town called Efrat. Last year, an area of 60,000 dunums in the Beit Sahor area, to the south of Jerusalem, was closed and walled.

166. When Israel made its decision to annex Arab Jerusalem in 1967, the outskirts of the city, including an area of 70,000 dunums, were also annexed. In the autumn of 1971, Israel closed other lands covering about 70,000 dunums. These lands ranged from Beit Sahor in the south, through Al-Khan Al-Ahmar on the Jerusalem-Jericho road, in the east, to the village of Anata in the north. Inside the city of Jerusalem itself 18,000 dunums were seized. Lands continued to be seized and closed in Jerusalem and its outskirts. In 1976, a 1,000-dunum area in the Abu Dais village and 750 dunums in the village of Aizariah were expropriated, and 1,000 dunums in the Beit Or village and 800 in the Jila mountain near Beit Jala were closed. Several thousand additional dunums had already been closed in the village of Salwan. Last year the Israeli authorities closed and walled some 4,000 dunums of the lands of the Anata village to the north of Jerusalem.

167. The same happened in the Ramallah area, where the occupation authorities have, since 1970, closed 2,400 dunums in the Al-Beera vicinity, to which have been added 1,500 dunums in Jabal El-Taweel, near Al-Beera. In July 1978, lands totalling 7,000 dunums were closed in the same area, half of them belonging to Al-Beera and the other half to the villages of Yabrood and Dora El-Qar'a. Meanwhile, some 600 dunums were expropriated in the village close to the Ofira settlement to the

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east of Ramallah and other areas, in the villages of Qaryoot and Tar Mas'iya, were expropriated and annexed to the settlement of Shila. Almost at the same time, about 200 dunums in the Nabi Salih village, to the north-west of Ramallah, were seized for the purpose of setting up a new settlement there.

168. The same also happened in the Nablus area. In the same year about 1,000 dunums in the village of Tobas, near Nablus, were seized.

169. As to the Jewish settlement plans for the future, the witness stated that the Minister of Agriculture and Head of the Ministerial Committee for Settlements, Ariel Sharon, had stressed the necessity of transforming Jerusalem into a city with 1 million Jewish inhabitants within 20 years, surrounded by other smaller Jewish towns.

170. Last year, the Head of the Settlement Department of the Jewish Agency, Raanan Weitz, submitted to Israeli Prime Minister Begin, a comprehensive settlement plan for the establishment of 102 settlements until 1983, half of which to be established in the occupied territories. Weitz expected this plan to secure the absorption of 10,000 Jewish families. Metitiah Drobless, the Co-Chairman of the Jewish Agencies Settlement Department, explained that, according to this plan, 46 new settlements would be established within five years in the West Bank alone.

171. Last February, the Israeli Government approved a plan set by the Planning Office in the Jewish Agency Settlement Department for supplying water from the Sea of Galilee to the Jewish settlement site in the Jordan Valley and developing a main road to connect north occupied Palestine with Jerusalem across the eastern slopes of the Nablus Mountains. This plan aims at the plantation of a wide range of Jewish settlements on the eastern slopes of the Nablus Mountains and the establishment of 33 settlements to absorb 20,000 settlers within four years. The cost of such a plan is estimated by the Israelis as £I 5 billion.

172. For 1979, the Israeli circles are considering the establishment of 10 new settlements in the West Bank and one south of the Gaza Strip. An Israeli official source announced on 5 December 1978 that, by the end of the settlement freezing period, two new settlements would be established in the Jordan Valley and another in the Latroun area - that is on the boundary between Jaffa and Jerusalem - at the first stage. At the second stage, it was intended to establish three further settlements in the Jordan Valley. Also, the Israeli Government approved a budget of £I 711 million to be spent on improving and expanding the present settlements in occupied territories. Later on, the Israeli Government approved an extra budget of £I 1 billion for further care of the occupied territories' settlements.

173. On a point of clarification raised by the Chairman, the witness stated that he was speaking both in his own individual capacity and as representative of the PLO.

Mr. Abdul Muhsen Abou Meizar, member of the PLO Executive Committee

174. Mr. Abou Meizar said that he was testifying in his capacity as a Palestinian citizen who had lived under Israeli occupation until 10 December 1973. As a

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Jerusalem attorney, he had been a member of the municipality of that city and a member of its Town Planning Committee. Until his deportation he also had been a member of the High Islamic Council for the West Bank and Gaza.

175. After a brief historical review of the Zionist colonization of Palestine and the United Nations involvement with the Palestinian question, the witness described some of Israel's practices in the occupied Arab territories which, he said, were in clear violation of the 1949 Geneva Conventions, in particular of articles 2, 4, 27, 47 and 49 of the Fourth Convention. Israel's whole settlement policy, he said, was in flagrant contravention of article 4, which stipulates that the occupying authority has no right to compel the inhabitants of these areas to leave so that it can replace them by its own people. Similarly, the annexation of Jerusalem in 1967 was a flagrant contravention of article 47 of the Fourth Geneva Convention.

176. Contrary to Israel's allegations that the Jewish settlements constituted a private activity on the part of Israeli citizens, it was clear from the many official statements on the matter that it was in fact the policy of the Government of Israel. Its aim was the Judaization of Palestine through the annexation of lands, the expulsion of the Palestinian inhabitants, and the containment and isolation of the remaining Palestinian agglomerations.

177. The Israeli Government resorted to various methods for the acquisition of land, including the so-called Emergency Defence Regulation of 1945 and the absentee-property law.

178. The Emergency Defence Regulation stipulates that any area could be declared "closed zone" for "security reasons", without any specification of what might constitute "security reasons". That was the only terrorist law applied during the British Mandate. Israel adopted it and applied it to the Palestinian Arabs, exclusively.

179. The absentee-property law was applied in fact to persons who had been deported or expelled by the occupation authorities and to those who were not present in any area where a conflict had taken place.

180. As part of his testimony, the witness submitted various documents to the Commission.

III. EGYPT

Witness No. 36 - Mr. Yehia Aboubakr, Information Director, League of Arab States 1/

181. The witness stated that the Israeli settlements in occupied territories constituted a flagrant aggression against human rights in these territories, and

1/ With regard to witnesses Nos. 36 and 37, see Statement by the Chairman in chapter II E (b) of the report.

could lead to dangers and obstacles on the way to a just, complete and permanent peace in the Middle East, and to a solution for the Palestinian cause within the framework of the Charter and the resolutions adopted by the United Nations at all levels. The philosophy of the establishments was in fact a forgery of the historical facts and constituted a change by force of the demographic nature of those territories. These dangers were not limited to the settlements which had already been established by Israel in Sinai, Golan, the West Bank and the Gaza Strip or in the attempts at the Judaization of Jerusalem, but they also included Israeli intentions in the future to implement this policy. In this connexion, he referred to a declaration by the Israeli Minister for Agriculture who, at the same time, was the Chairman of the Ministerial Committee for Settlements. The Minister had declared plans for the intensification of the Israeli settlements, to increase the numbers in the occupied Jordan Valley from 25 settlements to 50 settlements. He had also declared the intention to establish a belt of settlements to isolate the occupied Gaza Strip from the liberated Egyptian Sinai, as well as plans to establish settlements to encircle Jerusalem with a number of Jewish settlements, increasing the number of inhabitants of the Holy City to 1 million. The witness also referred to the Israeli Government's attitude of deliberately not intervening in the attempts by private groups, like the Gush Emunim group, to establish settlements in the occupied territories. The obvious and declared objective of that policy, the witness said, was to change the demographic nature of the occupied territories by force and to place them under military occupation, thus hoping to annex those territories to Israel illegally. The state of grave tension resulting from these Israeli practices did not help to create an adequate atmosphere to achieve a solution of the problem; on the contrary it led to more friction. For example, the witness continued, according to the Israeli broadcasts, recently some Jewish groups were brought to Hebron in the occupied West Bank to implement this policy; they had attacked the homes of the Arab inhabitants and started beating them, while the occupation authorities looked on. The confirmed information received from the occupied Arab territories, according to the witness, indicated that the illegal process of establishing settlements was still going on. The Israeli Government, according to what one of its Ministers had stated, intended to continue carrying out this policy for the next 20 or 30 years. These intentions and practices could not possibly help to enhance the chances for peace in this region. The witness, on behalf of the General Secretary of the Arab League, appealed to the United Nations to take action to stop those attempts, to put an end to the Israeli policy of establishing settlements, to put an end to the occupation in order to maintain the historical Arab nature of Jerusalem, without altering its demographic nature, so that Jerusalem could be returned to its legitimate owners.

182. In response to a question regarding the procedure by which private groups acquire land to establish settlements, the witness referred in particular to Gush Emunim, the main group in this regard, which acted according to an established plan agreed to by the Israeli Government, in spite of the fact that there had been some cases in which the Israeli Government had intervened to stop the establishment of some settlements. He said further that the financing of the operation carried out by this group was partly provided by some official Government circles. The method that had been followed by the Gush Emunim group was to send some members of

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the group during the night to some points in the occupied territories, claiming that those were part of Judea and Samaria, and to build some very primitive houses on those territories and inhabit them. The number of the people and the buildings on these territories would gradually increase until the whole area turned into a new settlement. This was done if not with obvious agreement on the part of the Israeli Government then with full awareness on its part.

Witness No. 37 - Mr. Ibrahim Shukrallah, Director of the Political
Department, League of Arab States, Cairo

183. The witness said that the two issues of the destruction of villages and towns by Israel and the consequent act of establishing settlements were interrelated. The figures that were available to the political department of the Arab League indicated that - 500 villages and towns had been destroyed by Israel in order to make it possible to establish new settlements. For example, the village of Netzarim had been established in February 1972 in the Gaza Strip on land expropriated by the Government of the State of Israel from the Abu Madyan Arab tribe in early 1971. Similarly Netzer Hazani had been established in May 1973, in the Gaza Strip, north of Khan Yunis. It had been a Nahal unit and then it became a religious moshav, on a 30,000 dunum State land area. Morag had been established in May 1972 in the Gaza Strip on the coast between Khan Yunis and Rafah. It had been a labour nahal and would become a kibbutz. There were 12,000 dunums, partly cultivated. The land had been expropriated from Umm Kalb in early 1971. El Arish had been established in 1967, expropriated from El Arish residence. It was the former site of an Egyptian Government plantation.

184. The witness stated that the Gush Emunim group was working hand in glove with the authorities. They would move in and establish a new site, and on certain occasions the Government would move in and declare it a military site in order to lend it credence and permanency. Later on, it would turn into a moshav or a kibbutz or whatever. By its settlement policy Israel was trying to establish new faits accomplis, destroying the villages and then building Jewish settlements in order to bring up the population of the State of Israel to 5 or 7 million in order to lend it demographic viability and consequently economic viability. The main characteristics of the recent trends in the Israeli settlements were to strengthen and enlarge the already established settlements, to replace small and temporary settlements by large and heavily populated towns. This had been underlined many times by official spokesmen of the State of Israel. For example, Mr. Weizman, the Minister of Defence, had declared that his Ministry was planning to build a large settlement town on the road between Jerusalem and Ramallah, to be called "Gebaon", to establish new settlement organizations. The witness noted that Israel had a number of organs for implementing this particular policy, such as the Gush Emunim, the West Bank Land Purchase Company and a number of banks and organizations belonging to the Ministry of Agriculture, which headed this enterprise. Israel was doing its utmost to wipe the Palestinians off the geographical and political map of the world, in order to occupy the place. Under the tremendous pressure of the world community and world public opinion, the witness continued, Israel conceded and was negotiating self-rule in the West Bank and Gaza - but with a very

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important modification: that self-rule, in the words of the Prime Minister of Israel, extended only to the inhabitants and not to the territory or the land. Israel had destroyed all the Palestinian hamlets and towns. It had forced the Palestinians into dispersion, forfeiting their right to return. Some of those who had remained had been thrown into gaol under various pretexts, while the peasantry had been turned into a mobile army of unskilled or semi-skilled labourers that could be easily persuaded to emigrate.

185. Jewish settlements had mushroomed wherever Arabs used to live. Jerusalem had undergone a change in its historical and Moslem-Christian character, in a bid to make it the capital of Israel. The Palestinians remained the cardinal and central issue in the whole of the Arab-Israel conflict. While the Israelis numbered a little over 3 million - after strenuous, continued efforts to increase their number - the number of Palestinians all over the world exceeded 3 million, half of them still living in the land of Palestine. The Arabs were still the majority in the principal regions of Palestine: Galilee, the West Bank and Gaza. To fail to redress such a grave injustice would keep the bones of contention alive.

186. The Chairman stated that the Commission had taken due note of the statements made by the two witnesses in the same way, indeed, as it had taken note of statements made during its visits to other Arab countries when other witnesses were presented to it. The fact that the witnesses had stated that they belonged to the Arab League would not imply, however, on the part of the Security Council Commission any involvement in the conditions in which that body, which was an Arab-regional organization, was or was not accepted by Arab States as having its headquarters in Cairo. It should be clear that that was a conflict of which the Commission was not a part.

Witness No. 38 - Mr. Abd Allah Mehana

187. The witness said that Israel had established five settlements in the Gaza Strip, which was 45 kilometres long and 8 kilometres wide, from the sea-shore to the Israeli frontier. Half this area was composed of houses; another part was composed of citrus plantations. The remaining quarter of the area was inhabited by 500,000 Arabs. Israeli settlements had been established by force on approximately 10,000 dunums of land belonging to the local inhabitants. There were about 4,000 inhabitants. Such a limited area could not be sufficient for 500,000 Arab inhabitants plus the Israeli settlers. Israel had also built a road for these settlements on the land of Arab inhabitants. The road had also been built by force since the inhabitants had not agreed to Israel's offer to pay compensation. The witness referred to different types of practices and pressures aimed at compelling the local population to leave, including the placing of meters on the wells in the orange groves of the Arab inhabitants in order to limit the water supply to them - for instance, only 10 cubic metres per dunum. Any Arab who was entitled to only 10 cubic metres and took more was punished by having his water supply cut off. The witness said also that when it entered the Gaza Strip in 1967, Israel brought in its troops, encircled the villages, called together all the young people, from 15 to 30 years of age, placed them on lorries and took them to the desert area, to the Sebaa region, kept them there for three or four days

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without anything to eat or drink, and then took them to Egypt, thereby evacuating some 12,000 young men from the Gaza Strip, to which area they were forbidden to return.

Witness No. 39 - Mr. Ragab El Rahlawy

188. The witness, who was from the Gaza Strip but now lived in Cairo, said that in spite of the fact that the entire Gaza Strip consisted of only 400 square kilometres and was inhabited by half a million persons, the Israeli authorities had succeeded, through repression, in seizing some of the Arab land in the area and had established five settlements there.

189. The aim of the establishment of the settlements, in addition to changing the demographic nature of the area, was to terrorize the inhabitants. These settlements were heavily armed and the local inhabitants did not have any weapons. That led to friction and many clashes between the Israelis and the inhabitants and left many victims among the Palestinian inhabitants. The Israeli settlements were illegal and should be removed from the occupied Palestinian lands. The witness said that a Palestinian State should be established in the West Bank and the Gaza Strip, and these two areas should be linked by a road through the Palestinian territories.

Witness No. 40 - Dr. Mohammed Kassem

190. The witness stated that the Gaza Strip was a heavily populated area even though it was only about 450 kilometres square. It contained about half a million people, so the rate would go up to 1,000 people per square kilometre. It could not take any more. Whatever settlements were built there, the Arabs would try to take them over, either by peace, in which case they could maintain good relations later on with the Israelis, or by war, in which case it would be very difficult to have good relations. If Israel wanted peace, she should abide by United Nations decisions and stop immediately the formation of new settlements and abandon or abolish the old ones.

Witness No. 41 - Mesbah Kresam

191. The witness, who had left the Gaza Strip approximately a month before, said that the total area which had been seized by the Israeli forces amounted to 12,000 dunums. This area had been divided into five settlements in the Gaza Strip. Among those settlements were the settlement of Eretz, which was an industrial settlement established on the truce-line area, and the settlement of Zikim, which had been linked to the Eretz settlement. Zikim settlement had facilities for the repair of vehicles and cars. In the Eretz settlement Israel had built a road leading to the seashore and in the process they had confiscated land belonging to the witness with vineyards on it. In constructing this road, Israel had also taken buildings which had belonged to the United Nations and which the United Nations had built for the refugees in that area. Among those buildings was a building belonging to UNRWA and the inhabitants of that area had been given only

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24 hours to leave before destroying the building. In the case of some inhabitants who would not leave, Israelis had gone inside the homes and turned everything upside-down. Some inhabitants had organized demonstrations but the more the demonstrations would increase, the more roads would be built: instead of one road, they would build three roads in the camp on the grounds of ensuring some security against the saboteurs in the area.

192. The witness also referred to another settlement called Nahlat Sharim which was built on an area belonging to Abu Madin. That settlement was an agricultural settlement built on an area of 3,000 dunums. It had been linked to another settlement called Katif, and this Katif settlement was built on land belonging to Al Abadla. That settlement had been enlarged after the Camp David Agreements and the first Katif had been followed by two other settlements: Katif-2 and Katif-3. The witness noted that Israel had built another agricultural settlement, called Mirage, between Khan Unis and Rafah. The settlement of Deir El-Balah had also been expanded.

193. The witness also mentioned some methods used by the Israelis to force the inhabitants to leave the area. He noted that Israel would send gangs at night and someone would knock at his door asking for refuge, saying that he was a commando when he was in fact a Zionist. He would stay for about an hour and then leave. A couple of days later, the authorities would come to the inhabitant and accuse him that he had given refuge to a commando, and had not informed the authorities. He would be told that the only alternative left to him was to leave the area. The witness said also that when he asked for authorization to leave the sector to visit relatives, Israel would give him the authorization but at the end of the visit he would not be allowed to enter. That method had been used with many families leaving them no choice but to go to Jordan or other Arab countries after the visit was over. Another method used by the Israelis was to take some Arab inhabitant in the Gaza Strip in cars with the troops to pretend to other Arab inhabitants that they were collaborating with the Jews. After that, those Arab inhabitants would be killed by the Arabs for collaborating with the Jews.

Witness No. 42 - Mr. Ali Khalil, representative of the United Nations
Association of the United Arab Republic of Egypt

194. The witness stated that the United Nations Association of the United Arab Republic of Egypt was a representative segment of the population of the country. The association deemed it to be its duty to promote the philosophy of the United Nations and to make the world Organization better understood among Egyptian citizens. For this reason, the Association hoped that the Commission would help the Security Council to deal with the question of Israeli settlements which was an obstacle on the road to peace.

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Annex III

LIST OF SETTLEMENTS

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Israeli settlements on the West Bank

<u>Name</u>	<u>Date founded</u>	<u>Location</u>	<u>Type</u>	<u>Economic base</u>	<u>Land used (in dunums)</u>	<u>Original landowners</u>
<u>A. Area of Jerusalem and environs</u>						
1. Atrot	1970	Jerusalem: N. edge, near airport	Industrial zone	61 factories	10,000	Arab residents of Beit Hanina village
2. Neve Ya'acov	1973	Jerusalem: north of town	Residential suburb	2,500 housing units	10,000	Arab residents of Beit Hanina village
3. Ramot	1973	Jerusalem: north-west, near Nabi Samwil	Residential suburb	750 housing units (8,000 units planned)	30,000	Arab residents of Beit Iksa village; 100 Arab homes demolished
4. Ramat Eshkol	1968	Jerusalem: north side	Residential area	1,700 housing units	600	Arab land (expropriated)
5. French Hill	1969	Jerusalem: north side, along Jerusalem-Ramallah road	Residential area	2,100 housing units	15,000	Arab land; land from Catholic convent
6. Mahalat Defna		Jerusalem: north side	Residential area	250 housing units	270	Arab families and Waqf properties
7. Gilo Sharafat (Gilo)	1973	Jerusalem: south near Beit Jala	Residential suburb	1,200 housing units out of 10,000 planned	4,000	Palestinian residents of Jerusalem, Beit Jala, Beit Safafa and Sharafat
8. East Talpiot	1973	Jerusalem: east side south of Jabal Al-Mukabber where UN headquarters was situated	Residential suburb	1,000 housing units, (3,000 planned)	20,000	Arab residents of Jerusalem, Sur Bahir, Sheikh Sa'ad and UN enclave expropriated
9. Jewish Quarter (Old City of Jerusalem)	1967	Jerusalem: "Old City" between western wall of Al Aqsa Mosque and Latin Convent	Residential area	320 housing units and shops		160 Arab houses demolished, 600 homes expropriated, 6,500 Arab residents evacuated
10. Hebrew University	1969	Jerusalem: north side	University campus	Offices, classrooms, dormitories and hospital		Expansion of pre-1948 old university for which land expropriated

Name	Date founded	Location	Type	Economic base	Land used (in dunums)	Original landowners
11. Sanhedria Extension	1973	Jerusalem: north side	Residential area	250 housing units		Former demilitarized zone, entirely expropriated
<u>B. Settlements in the area of Ramallah and El Beireh</u>						
12. Shiloh	1976	East of Nablus-Ramallah road	Gush Emunim		15,000	From villages of Turmus Ayya, Qaryut, Abu-Elfalah and El-Maghireh Dunums closed off, almond trees cut down
13. Kochav Hashahar	1975	North-east of Taiyyibe village	Nahal, then Kibbutz	Agriculture	4,000	Land from Dier Jarir and Kufur Malik; water from Ain Samia, Ramallah's sole water source
14. Ofra (Ba'al Hatzor)	1975	East of Ramallah on Jericho road	Gush Emunim	Workshops and agriculture	350	100 dunums from Ain Yabrud village, 250 dunums from Silwad village
15. Mevo Horon	1969	Latrun salient	Moshav	Agriculture 2 wells	16,000	Land from Yalu, Imwas and Beit Nuba villages, destroyed by Israel after 1967 war
16. Beit Horon	1977	Mid-way on Ramallah-Latrun road, near Tira	Gush Emunim		150	Initial takeover of Arab land
17. Mevo Horon Dalet (Matatyahu)	1977	Latrun area; 3 km from armistice line		Agriculture		DMZ - (Midya Arab village prior to 1948)
18. Kfar Ruth	1977	Latrun area; 1 km south-east of Shayelet settlement		Agriculture		DMZ - (site of Midya village), thousands of dunums of irrigated lands
19. Givat Hamivtar	1975	On north side of Jerusalem		350 housing units		Land area entirely expropriated

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<u>Name</u>	<u>Date founded</u>	<u>Location</u>	<u>Type</u>	<u>Economic base</u>	<u>Land used (in dunums)</u>	<u>Original landowners</u>
20. Canada Park	1976	Latrun salient: on Latrun-Ramallah road	Jewish National Fund Park		4,200	Land of destroyed villages of Yalu, Imvas and Beit Nuba (including 1,500 dunums of orchards)
21. Ramonim	1977	North-east of Taybeh and Rammun villages; north of Ramallah-Jericho road	Nahal		300	Residents of Taybeh village (expropriated lands)
22. Beit El	1977	North of Ramallah-Nabius road	Gush Emunim		35	Arab land. Settlement to expand on 250 dunums of expropriated land
23. Giv'on	1977	North-west of Jerusalem; near El-Jib village	Gush Emunim			Ex-Jordanian military base. 5,000 dunums needed to be expropriated from El-Jib village
24. Shayelet (Mevo Hori'im)	1977	Latrun area	Moshav	Agriculture		DMZ land (site of Arab village of Midya)
25. Neve Zuf (Nabi Saleh)	1977	North-west of Ramallah; near Beir Nidham	Gush Emunim		400	Closed off, including 100 dunums of wheat fields and almond trees of Nabi Saleh villagers
<u>C. Settlements in the Jordan Valley and other areas</u>						
26. Mehola	1968	Jordan valley: north end of West Bank	Nahal until Nov. 1969, then moshav	Field crops, metal factory 1 well and 1 reservoir	3,000	Residents of Bardala and Ain el-Beida villages. Water supply of villages depleted by wells of Mehola
27. Argaman	1968	Near end of Demya-Nabius road	Nahal until May 1971, then moshav	Agriculture 5 absentee wells and 1 reservoir	5,000	Arab agricultural land, including 1,000 dunums from Marj al-Waja
28. New Massuah	1976	Jordan valley: south of Nablus-Damiya road			800	Residents of Arab villages of Al-AjaJra and Jiftlik

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Name	Date founded	Location	Type	Economic base	Land used (in dunums)	Original landowners
29. Massuah	1970	Jordan valley: just south of No. 28	Nahal until May 1974, then kibbutz	Vegetables, fishpond, water from Hamra 1 well, 2 reservoirs	3,000	Residents of Al-AjaJra and Jiftlik villages, "expropriated land"
30. Phatza'El B	1977	South of settlement No. 29	Rural settlement		1,500	Arab land
31. Phatza'El	1970	End of south-west road from Agraba	Moshav	Vegetables 3 wells "600 cubic metres per hour" 1 reservoir	3,000	Residents of Fazayil village
32. Tomer	1976	Jordan valley: south of settlement No. 31		Hothouse vegetables	Unknown as construction still going on	
33. Gilgal	1970	Jordan valley: south of settlement No. 32	Nahal until May 1973 then moshav	Vegetables, citrus, field crops	3,300	Arab land "plan to pump water from Jordan river"
34. Netiv Hagdud	1976-1977	South of Gilgal settlement No. 33	Nahal to become moshav		Unknown as construction still going on	
35. Mivsom (Ma'aran)	1977 began construction	Jordan valley: near Arab village of Avja	Nahal to become moshav			Land expropriated from residents of Al-Avja village
36. Yitav	1970	West of Al-Avja village	Nahal until Oct. 1976 then kibbutz	Vegetables, field crops	2,000	Arab land from Al-Avja village "including that of absentee owners", water from Ain Al-Avja and two wells nearby
37. Almog	1977	Jordan valley: north-west of Dead Sea	Nahal			Water supply drawn by 12-inch pipeline from well near Aqbat Jaber, Jericho refugee camp

Name	Date founded	Location	Type	Economic base	Land used (in dunums)	Original landowners
38. Kalia	1968	Jordan valley: north-west of Dead Sea	Nahal until 1975, then kibbutz	Vegetables, dairy, vineyards, fish-ponds		Previously Jordan army camp, water supply from Wadi Keit west of Jericho
39. Mitzpe Shalem	1970	Dead Sea: west shore	Nahal then kibbutz	Date palms, vegetables	over 50	
<u>D. Israeli settlements on the hills overlooking Jordan valley</u>						
40. Malki Shua	1976	North edge of West Bank: south of Mt. Gibboe; access road from Beit Shean	Nahal			
41. Ro'I	1974	"Limit of settlements" road (IS); north end	Nahal; moshav by 1978	Agriculture	2,500	Tubas village residents, land cultivated with wheat
42. Bega'ot	1972	IS road, north end: south of Ro'I (No. 41)	Moshav	Poultry, vegetables, citrus	5,000	Tamun village, land closed off
43. Hamra	1971	IS road: on east West Nablus-Damiya road, in lush valley. Farm land	Moshav	Vegetables, flowers, citrus, poultry; 1 well, 2 reservoirs, 12-inch water pipeline to Massaah (No. 29) in Jordan valley	450	Land from Bab al-Negab village; valley land near Damiya Bridge 450 dunums of "absentee owner groves"
44. Mekhora	1973	IS road: south of Hamra (No. 43)	Nahal until July 1976, then moshav	Vegetables, fruit	4,000	From Bab al-Negab, Beit Dajan and Beit Furik villages water supply includes 1 well, 3 reservoirs
45. Gitit	1972 Aug.	IS road: near east-west Aqraba valley road	Nahal until Dec. 1975, now kibbutz	Vegetables, field crops	5,000	Land from Aqraba closed off, sprayed with defoliants early 1972
46. Ma'al Ephraim	1972	IS road: on east-west Aqraba valley road	Regional centre		200	Arab land

<u>Name</u>	<u>Date founded</u>	<u>Location</u>	<u>Type</u>	<u>Economic base</u>	<u>Land used (in dunums)</u>	<u>Original landowners</u>
47. Nevo Shiloh (Givat Aduma)	Nov. 1976	South of Ma'ale Ephraim settlement No. 46			1,300	Residents of Turmus Ayya, Abu-Fallah and al-Mughayyir villages
48. Mishor Adomin (Ma'ale Adomin)	Nov. 1974	Dominates Jericho-Jerusalem road	Industrial estate and army base; Gush Emunim settlers	Industry	(81,000)	70,000 dunums closed off Oct. 1972 by army, additional 700 dunums expropriated from villages of Abu diis, Umariya and Issawiya 10,000 dunums from Silwa; 300 dunums from Silwa and Anota
49. Mizpeh Jericho	early 1978	East of Mishor Adomin settlement (No. 48) overlooking Jericho				Land expropriated from above-mentioned villages
50. Reihan (Wei'ami, Bet)	1977	North-west of Jenin, 3 km beyond armistice line	Nahal, 1978 kibbutz	Agriculture		Arab land
51. Dotan (Sanur)	Oct. 1977	Along Nablus-Jenin road in Sanur valley	Gush Emunim			Land of pre-1967 Jordanian police station near Sanur village
52. Natal Ma'ale	Jan. 1978	East of Nablus-Jenin road	Gush Emunim		550	Land confiscated from Silat Al-Dhaha village including 25 olive trees
53. Shomron	Oct. 1977	On Nablus-Jenin road			1,680	Kufr Sur village
54. Sal'it (Tsur Natha'n Bet)	Aug. 1977	South-east of Tullicarm	Nahal		1,000	Kufr Sur village half of land privately owned (cultivated), half common land for grazing
55. Elon Moreh (Qaddum)	Dec. 1975	Near Nablus-Qalqilya road	Gush Emunim		300	Arabs of kufr Qaddum village
56. Qarnay-Shomron	Oct. 1977	South side of Nablus-Qalqilya road, near Jinsafut village	Gush Emunim		150	Taken from villages of Jinsafut, Hajj and kufr Lagif

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<u>Name</u>	<u>Date founded</u>	<u>Location</u>	<u>Type</u>	<u>Economic base</u>	<u>Land used (in dunums)</u>	<u>Original landowners</u>
57. El Qana (Mes'ha Pe'erim)	April 1977	South-east of Qalqilya	Gush Emunim Nahal		10 300	Site of former Jordanian police station from Mes'ha village
58. Tafuah (Bareget)	Jan. 1978	Along Nablus-Ramallah road 13 km south of Nablus			150	Arab villagers of Yasuf
59. Haris	Feb. 1978	2 km west of Nablus-Ramallah road, near Salfit junction	Nahal 2 km access road built		800	300 dunums expropriated for military camp 500 dunums of pasturage closed off from villages of kufr Haris, Harda and Salfit
60. Har Gilo	1976	In Beit Jala village area	Residential suburb		400	Grapevines and fruit trees expropriated from Beit Jala residents, June 1976
61. Efrat	1978	On road south of Bethlehem			7,000	Expropriated land, most of which cultivated
62. Takoah	June 1975	South-east of Bethlehem near Hebron	Nahal		3,000	Land expropriated from Rafidya village
63. Elazar	Oct. 1975	South of Bethlehem	Religious moshav	Chemical laboratory electronics	350	Vineyards expropriated from Hadar village, 1973
64. Rosh Tzurim	July 1969	North of Hebron (Etzion bloc)	Kibbutz	Poultry	3,000	Including site of pre-1948 settlement plus expropriated land from Nahalin village
65. Alon Shvot	July 1969 settlers, 1972	North of Hebron (Etzion bloc)	Regional centre for religious Jews	Yeshiva students plus families commute to Jerusalem	1,200	Land expropriated in 1969 from Arabs
66. Kfar Etzion	Sept. 1967 first settlement on the West Bank	North of Hebron (Etzion bloc)	Kibbutz	Some agriculture, a factory		Site (1943-1948) of Jewish settlement and cultivated land (vineyards)

<u>Name</u>	<u>Date founded</u>	<u>Location</u>	<u>Type</u>	<u>Economic base</u>	<u>Land used (in dunums)</u>	<u>Original landowners</u>
67. Migdal Oz	1977	West of Hebron (Etzion bloc)	Kibbutz	Agriculture	1,000 to 2,000	Residents of Beit Umar village, closed first as military area 600 plum and almond trees uprooted in Dec. 1977
68. Qiryat Arba	1970	Adjoins town of Hebron	Urban settlement	Factories, some services, some commute to Jerusalem 401 housing units	4,250	Individuals from Hebron and Halhul, of which 1,500 dunums expropriated
69. Yattir	July 1977	South of Hebron, near armistice line	Gush Emunim Moshav		17,000 planned to be fenced	Pasture land
70. Zohar						
71. Sailat Dhahr	1978	On Nablus-Jenin road			550	Expropriated from Arab residents of Sailat Dhahr
72. Anatot	Late 1978	North of Jerusalem			3,000	Expropriated from residents of Anata village
73. Ya'afu Horom	1978	Near Arab village of Yatta; west of Hebron				
74. Tretseh						
75. Jericho	Approved 1978	Jericho area				
76. Zif	1978	South of Hebron	Under construction			
77. Neweimeh	1979	Near Jericho				
78. New Kfar Etzion	1979	On road between Bethlehem and Hebron				
79. Huwara	1979	Few miles east of Nablus	600 settlers already live there			

Source: List of settlements, map, information supplied by the Government of Jordan; document S/13149.

Israeli settlements in the Golan Heights

June 1967-February 1979

<u>Name</u>	<u>Date founded</u>	<u>Location</u>	<u>Type</u>	<u>Economic base</u>	<u>Land used (in dunums)</u>	<u>Original landowners</u>
1. Neve Ativ	1971	South slope of Mount Hermon	Moshav	Ski-station/ 400 dunums apples at Benia's spring	Total land of village	Syrian village, dab'at azzayat
2. Snir	1967	Edge of ex-DMZ; pasture on Golan	Mahal up to 1968, then kibbutz	Agriculture		Syrian village lands
3. Har Odem	1976	Mount Oden/between Mas'ada and Bugatha villages	Moshav	Industrial base established	200	Syrian nature reserve 200 dunums from Bugatha
4. El Rom	1971	North, near Bugatha	Kibbutz	Agriculture (apples)	Total land of Ainkharja, some land Bugatha	Syrian village Ainkharja and some land from Bugatha
5. Merom Golan	July 1967	North; west of Quneitra	Kibbutz	Cattle, 6,000 dunums field crops	6,000	Agricultural land west of Quneitra
6. Ein Zivan	1968	North; west of Quneitra	Kibbutz	Agriculture, 340 dunums orchards in Quneitra valley	340 orchards	Agricultural land west of Quneitra; near former Syrian village, Ain Zivane
7. Katzrin	1973	Centre-west; near Yaacov Bridge across Jordan River	Industrial centre, field- school	Industries (200 housing units under construction)		Near Syrian village, Qasrine
8. Keshet	1974	Originally in Quneitra then at Khusniya	Religious moshav; Gush Emunim settlers	Plans for field- school, botanical garden, wood- working, agriculture		Syrian town, Khusniya
9. Ani'am	1976	South of Katzrin (No. 7)	Industrial; moshav	Industries		Syrian village land, Qasrine
10. Yonatan (Yonati)	1975	Tel faraz, south of Keshet (No. 8)	Bnei Akiva religious youth movement	Agriculture		

<u>Name</u>	<u>Date founded</u>	<u>Location</u>	<u>Type</u>	<u>Economic base</u>	<u>Land used (in dunums)</u>	<u>Original landowners</u>
11. Sha'al	1976	Centre	Moshav	Agriculture, industries planned		Syrian village
12. Gamla	1976	Overlooks Lake Tiberias	Moshav	Agriculture		Syrian village lands
13. Ramot	1969	Overlooks Lake Tiberias	Moshav	Agriculture		Syrian village land
14. Merkaz Histin (Khisfin)	1973	South Golan	Rural centre			Syrian town, Khisfin
15. Ramat Magshimim	1968	South-east 1.8 km from buffer zone	Moshav	Agriculture, cattle		Former Syrian army base
16. Avni Eitan	1976	South Golan	Moshav	Agriculture		
17. Nov (Nab)	1972	South Golan	Moshav	Agriculture, reservoir nearby		
18. Geshur	1969	South; moved west due to 1974 disengagement	Nahal	Field crops		
19. Eli-Al (El-Al)	1968	South Golan	Nahal until May 1973, then moshav	Agriculture		
20. Givat (Yo'av)	1968	South Golan; adjoins No. 21	Histadrut Moshav	Field crops, poultry, cattle		
21. Merkaz Bnei Yahuda	1972	South Golan; joint entrance with No. 20	Rural centre			
22. Ne'ot Golan	1968	South: overlooks Lake Tiberias	Moshav	Agriculture	100 dunums field crops	
23. Afik	1967	South Golan	Nahal until 1972, then kibbutz	Agriculture		Near Syrian town Fig
24. Kfar Haruv	1973	South: overlooks Lake Tiberias	Kibbutz	Agriculture		Near Syrian village Kafr Hared

<u>Name</u>	<u>Date founded</u>	<u>Location</u>	<u>Type</u>	<u>Economic base</u>	<u>Land used (in dunums)</u>	<u>Original landowners</u>
25. Mevo Hama	1968	South: overlooks Lake Tiberias	Kibbutz	Agriculture; tourism at Hama Springs, pasture	25,000	Syrian village at Hama Springs
26. Urtal	1978	Centre-west	Kibbutz	Industries planned		Syrian village land
27. Ramath Shalom						
28. Har Shifon						
29. Dalhmiya						

Source: List by the Syrian Government; information on settlements - Ann Lesch.

Israeli settlements in the Gaza Strip

<u>Name</u>	<u>Date founded</u>	<u>Location</u>	<u>Type</u>	<u>Economic base</u>	<u>Land used (in dunums)</u>	<u>Original landowners</u>
1. Netzarim	1972	4 km south of Gaza City; between north-south highway and coast	Mahal became moshav	Agriculture	700	Land expropriated from Abu Madyan Arab tribe, early 1971
2. Kfar Darom	1970	South of Mughazi refugee camp, east side of north-south highway	Mahal until 1978, then kibbutz	Glasshouse vegetables	200	
3. Netzer Hazani	1973	North of Khan Yunis	Mahal until 1977, then moshav	Glasshouse vegetables	300	State land
4. Katif A	1973	West of Netzer Hazani settlement (No. 3) between Dier El Balah and Khan Yunis	Moshav	Glasshouse vegetables	400	
5. Katif B	1978	Close to Katif A settlement		Glasshouse vegetables	150	
6. Morag	1972	On coast between Khan Yunis and Rafah	Mahal, then kibbutz	Agriculture	12,000	Land expropriated from Umm Kalb village, early 1971
7. Eretz Azoof	1969	North-east of Gaza City		Industries	800	

Source: List of settlements and map showing the location - Najib Al-Ahmad, Special Representative, Political Department, Palestine Liberation Organization; information on settlements - Ann Lesch, former representative in the Middle East of the American Friends Service Committee, part of a hearing before the Sub-Committee to the Committee on International Relations, United States House of Representatives, 19 October 1977.

Israeli settlements in the Sinai

<u>Name</u>	<u>Date founded</u>	<u>Location</u>	<u>Type</u>	<u>Economic base</u>	<u>Original landowners</u>
1. Yamit	1973; first settlers, Sept. 1975	Rafah area: on coast 7 km south of Rafah town	Urban settlement	Beach resort	Bedouin lands; most evicted in 1971-1973
2. Talmei Yosef	1977	Rafah area, near Yamit (No. 1)	Moshav	Tomatoes grown in glass hothouses (2 dunums per family)	Bedouin lands, including almond groves
3. Pri'el	1977 started	Rafah area: near Yamit	Moshav	(Under construction)	Bedouin lands
4. Merkaz Avshalom	1973	Rafah area; junction of Gaza Strip-Sinai highway	Rural centre	Gas station, shops services	Adjoins area where Bedouins resettled
5. Netiv Ha'asara	1973	Rafah area: 7 km south of Rafah	Moshav	Tomatoes, flowers; 40 dunums and 20,000 cu m water yearly per family; hire Bedouin labourers	Bedouin lands, including school and cement houses (demolished)
6. Ogda	1975	Rafah area: 1 km south of settlement (No. 5)	Moshav	Glasshouse tomatoes; 8 dunums and 9,500 cu m water yearly per family	Bedouin lands
7. Sufa (Succot)	1974	Rafah area: between Yamit settlement and main highway	Nahal until Jan. 1977, then kibbutz	Field crops, mangos, glasshouse vegetables	Bedouin lands; almond and peach groves uprooted in 1974-1975
8. Holit	1977 started	Rafah area: on highway east of Sufa	Nahal	Glasshouse tomatoes 100 dunums mangos	Bedouin lands
9. Sadot	1971	Rafah area; just west of No. 5	Moshav	Tomatoes, citrus	Bedouin lands
10. Nir Avraham	1977 started	Rafah area: 1 km south of Sadot (No. 9)	Moshav	Glasshouse tomatoes	Bedouin lands
11. Dikla	1969	Rafah area: 11 km south of Rafah town	Nahal until March 1971, then moshav	Tomatoes, pecking shed; 10,000 cu m water yearly per family	Site of former Egyptian desert development company

<u>Name</u>	<u>Date founded</u>	<u>Location</u>	<u>Type</u>	<u>Economic base</u>	<u>Original landowners</u>
12. Haruvit	1975	Sinai coast: 18 km south-west of Dikla (No. 11)	Nahal	Tomatoes, vegetables, fishing	
13. Sinai	1967	Sinai coast: east El Arish city	Nahal	Cultivated 1,000 dunums olives, citrus	Partly expropriated from El Arish
14. Yam	1967	Sinai coast: lake Bardawil, 70 km south-west of El Arish	Nahal until May 1973, then kibbutz	Fishing	Egyptian fishing site
15. Kadesh Barnea	Planned in 1977	Sinai: oasis near the 1967 border	Nahal	Archaeological site	Bedouin oasis
16. Neviot	1971	Gulf of Aqaba: coast road, 60 km south of Eilat	Moshav	Resort area	Muweibeb oasis
17. Di-Zahav	1971	Gulf of Aqaba: coast road; 60 km south of Neviot settlement (No. 16)	Moshav	Resort area	Dhahab village, at mouth of Wadi Nasib
18. Ophira	1967	Gulf of Aqaba: Sharm al-Sheikh	Urban settlement	Military base, port; 190 families (completing 5,000 unit housing project), mostly military	

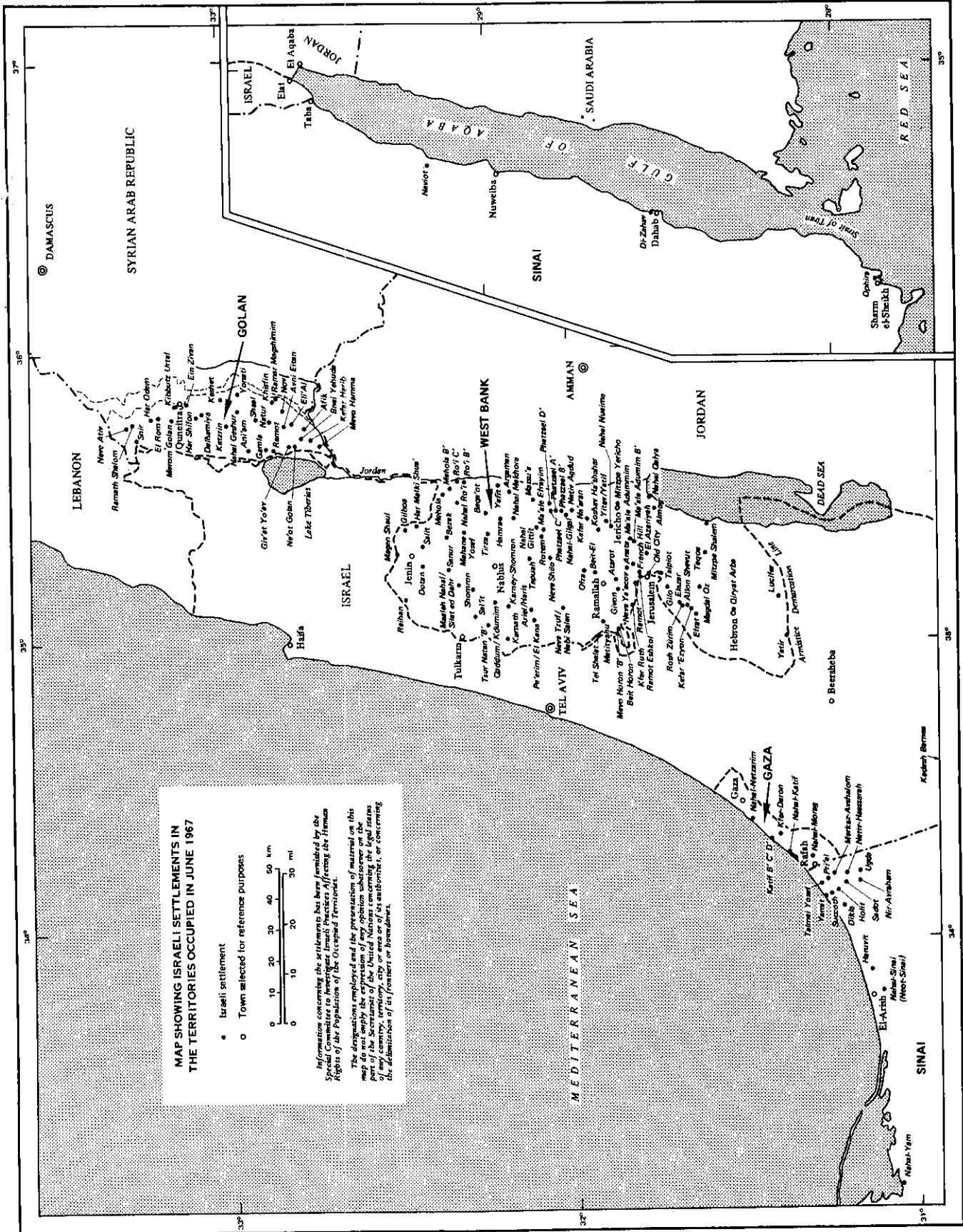
Source: List of settlements and map supplied by the Egyptian Government (in Arabic).

S/13450/Add.1
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Annex IV
Page 1

Annex IV

MAP OF SETTLEMENTS

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Annex V

DOCUMENTATION RETAINED IN THE CUSTODY OF THE SECRETARIAT

A. Documents received by the Commission during its visit to the area

I. AMMAN, JORDAN

Government of Jordan

- Report on Israeli Settlements in the Occupied West Bank, including Arab Jerusalem since 1967
- Israeli Documents Relating to Confiscation of Land and Homes in the West Bank, May 1969 (Annex to Report submitted by the Government of the Hashemite Kingdom of Jordan to Security Council Commission)
- Economic Development of Jordan in the Regional Context. Government of Jordan, Amman, January 1978.

Witness No. 5 (Anonymous)

- Paper on "The Arabism of Jerusalem", 10 pp.
- Copy of memorandum dated 7 April 1978 from P. W. Lapp to R. Chase regarding the "Treatment of Cultural Property and Antiquities Sites in Occupied Jordan", 4 pp.
- List of West Bank Settlements dated 9 April 1979 which was compiled by two persons who have travelled extensively in the area (anonymous)
- Clipping from The Jerusalem Post showing dead vines on Ja'abari Hill, Hebron; some 550 vines on the hill were cut down systematically in an apparent protest against a government decision not to allow Kiryat Arba settlers to build on the hill
- Copy of telegram sent to President Carter regarding Hebron and Beit Sahour
- Map showing Hebron Municipality Borders and confiscated area for Kiryat Arba settlement

Witness No. 15 (Ruhi Al-Khatib)

Annex 1. Notice published in Israel Official Journal No. 1425 of 11 January 1968 relating to confiscation and expropriation of Arab lands

Annex 2. Order issued by the Israeli Finance Minister and published in the Israel Official Journal No. 1443 relating to confiscation and expropriation of land amounting to 116 dunums, with 700 buildings on it

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- Annex 3. Order issued by the Finance Minister and published in Official Journal No. 1443 of 14 April 1968, relating to expropriation of Arab lands outside the walls of Jerusalem
- Annex 4. Order relating to expropriation of an area of 11,680 dunums
- Annex 5. Map indicating all the sites of expropriated land (above-mentioned 11,680 dunums)
- Annex 6. Map showing location of excavations in various places under Arab quarters which had been expropriated, especially in areas near the west and south walls of the Mosque of the Dome of the Rock in Jerusalem
- Annexes 7 and 8. Photos showing an Israeli bulldozer striking the last of the remaining real estate neighbouring the south and west sides of the Al-Aqsa Mosque
- Annex 9. Photo showing a Moslem girls' school which had been demolished
- Annex 10. Photocopy of notice sent to all Arab inhabitants asking them to evacuate the area
- Annex 11. Clipping from a newspaper, Al Qouds, reporting the case of an Arab inhabitant who was expelled on 8 August 1973
- Annex 12. List of families expelled, names received up to 30 June 1976
- Annexes 13 and 14. Copy of map and list of names of Israeli settlements which appeared in Arab Week, a Lebanese Arabic magazine
- Annex 15. Clipping from The Jerusalem Post entitled "On building a fortress Jerusalem", a report full of photographs, documentation and maps concerning the settlements established by the Israelis
- Annex 16. Abdul-Hadi, Mahdi. Israeli Settlements in Occupied Jerusalem and West Bank (1967-1977). Jerusalem, 1978.
- Annex 17. Al-Khatib, Rouhi. The Judaization of Jerusalem. Amman, Jordan: Al-Tawfiq Press.
- Cattan, Henry. Palestine, the Arabs and Israel. London: Longmans, Green and Co., Ltd., 1969.
- Al-Khatib, Rouhi. Memorandum regarding the continuation of Israeli acts of aggression towards changing the status of Jerusalem and the surrounding towns and villages. Amman, Jordan, 1977.
- List of deportees compiled by Al-Khatib
- Report No. 35, "Deportations from the West Bank and the Gaza Strip, 1967-1976", compiled by Ann M. Lesch

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Witness No. 17 (Anonymous)

- Map showing the boundaries of Hebron and the boundaries of the limitation of the area taken away from the Mount of Hebron by a military order
- Photos showing bulldozers demolishing the houses and opening new roads

Witness No. 19 (Anonymous)

- Land survey of Anata during Hashemite Kingdom rule
- Map of lands in Anata village which had been divided into three zones in accordance with order received from Military Governor of Ramallah on 20 January 1975
- Plan, list of names of landowners in Anata whose lands had been expropriated
- Copy of telegram sent to President Sadat by Anata village Mukhtar requesting him to intervene in order to stop expropriation of villagers' lands
- Copy of a letter addressed to the Military Governor of the West Bank concerning land expropriated from Anata
- Military order confiscating some lands, together with a map showing the area involved
- Israeli map of Anata showing industrial zone planned by Israel
- Order forbidding inhabitants to enter closed zones
- Legal documents from the Israeli High Court pertaining to expropriation of villagers' lands

Witness No. 21 (Shawkat M. Hamdi)

- Copy of his testimony before the Security Council Commission
- Report on the "Policy of Settlements and its Implications for Arab Jerusalem"
- A study on some Israeli violations of human rights in occupied Arab territories
- A study on the major violations and contraventions on the part of the Israeli authorities
- Map 1, showing the ruins and sacred places of Islam
- Map 2, relating to excavation operations
- Map 3, settlements in the West Bank and Jerusalem
- Map 4, the "Greater Jerusalem" project

II. DAMASCUS, SYRIA

Haytham Keylani, Ministry of Foreign Affairs

Map showing location of 29 settlements and location of the Arab Syrian towns and villages which have been destroyed and replaced by new settlements

Majib Al-Ahmad, Special Representative, Political Department, PLO

- his written statement to the Security Council Commission
- List of Israeli settlements on the West Bank from 1967-1979
- Map showing Israeli settlements on the West Bank since 1967
- Map of the British Archaeological School in Jerusalem (Burgoyne, M. H., Some Mameluke Doorways in the Old City of Jerusalem. Reprinted from "Levant III, 1971")
- Plan for building fortress Jerusalem
- Photos of Al-Aqsa Dome taken during the fire and when fire was being put out
- Photo of synagogue built under the Al-Aqsa Mosque taken during its installation
- Data on excavations
- List of prisoners who obtained winter clothing during 1978 from the Union of Charitable Organizations in Jerusalem
- Names of prisoners who obtained winter clothing from the Red Cross
- List of Arab inhabitants whose lands have been confiscated in the village of Majdel, Beni Fadal in the region of Nablus
- List of houses blown up, with description and location of each house
- List of people deported from each village
- Translation of a notice of expropriation as published in Hebrew in Official Gazette No. 1656 of 30 August 1970
- Letter of complaint from the Moslem community in Jerusalem concerning the rights of the Palestinian people
- Letter of complaint from Islamic Waqf in Jerusalem addressed to the Military Governor of the West Bank concerning acts of desecration committed against Al-Aqsa Mosque
- Sample of forgery used to expropriate Arab land
- Report on the Ibrahimi Mosque in Hebron

Witness No. 23 (Abdul Salam)

Le Golan avant l'agression: une étude illustrée

Habib Kahwaji, Member of the Executive Committee, PLO

- Copy of his statement to the Security Council Commission
- Paper on "Racial Discrimination against the Arabs in the Occupied West Bank and Gaza Strip since 1967" (prepared by Kahwaji)
- List of Israeli Settlements in the Occupied West Bank and Gaza Strip (prepared by Kahwaji)
- Paper on "Education in the Occupied West Bank and Gaza Strip since 1967" (prepared by Kahwaji)
- Paper on "Jewish Settlement Plans for the Future" (prepared by Kahwaji)
- Translation by Saif Eddin Zubi, Arab member of the Knesset, of an article on "The König Memorandum" which was published in the Israeli newspapers Davar of 25 July 1976 and El Hamishmar of 7 September 1976

Abdul Abou Meizar, Member of the Executive Committee, PLO

- Report on Political Deportations Carried Out by the Israeli Authorities against Palestinian Citizens
- A booklet which details some activities conducted by the PLO concerning the so-called Day of the Land in occupied Palestine
- Deportees from the West Bank

III. CAIRO, EGYPT

Foreign Minister Boutros-Ghali

- Map of Israeli Settlements in the Occupied Arab Territories
- Report on Israeli Settlements in the Occupied Arab Territories, including Jerusalem since 1967 up to the present

Witness No. 36 (Yehia Aboukar)

- Written statement by the witness

Witness No. 37 (Ibrahim Shukrallah)

- Paper on "Israeli Settlements in the Occupied Arab Territories"
- "Israeli Settlements in the Occupied Territories", compiled by Ann M. Lesch, Journal of Palestine Studies.

B. List of documents delivered to the Security Council Commission in New York by the Permanent Mission of the Hashemite Kingdom of Jordan to the United Nations on 30 April 1979

1. The Significance of Some West Bank Resources to Israel. Economics Department, Royal Scientific Society.
2. Information on the Resources of the Occupied West Bank. Economics Department, Royal Scientific Society
3. Eight maps
4. The Jerusalem File (1967-72), Council for the Advancement of Arab-British Understanding.
5. The desecration of Christian Cemeteries and Church property in Israel. Beirut Lebanon: The Institute for Palestine Studies, 1968.
6. Background Memorandum on Jerusalem: The Islamic World and Jerusalem
7. Israeli Plans for Jerusalem - The Merip Report
8. Hirst, David. "Rush to Annexation: Israel in Jerusalem", International Journal of Middle East Studies, vol. 5, No. 2 (April 1974).
9. Lesch, Ann Mosley. "Israeli Settlements in the Occupied Territories, 1967-1977", Journal of Palestine Studies.
10. A Survey of Israeli Settlements - The Merip Report
11. Israeli Settlements - The Merip Reports
12. Quiring, Paul. "Israeli Settlements and Palestinian Rights", Palestine Digest, No. 9.
13. Thesis on "The Legal Status of Jerusalem". The Royal Committee for Jerusalem Affairs.

C. Documents received from United Nations bodies

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

S/12377 Letter dated 29 July 1977 from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to the President of the Security Council

A/33/154 Letter dated 21 June 1978 from the Chairman of the Committee to the Secretary-General

- S/13132 Letter dated 2 March 1979 from the Chairman of the Committee to the President of the Security Council
- ST/SG/SER.F/1 Study on "The Origins and Evolution of the Palestine Problem" (Part I, 1917-1947 and Part II, 1947-1977)
- ST/SG/SER.F/2 Study on "The Right of Return of the Palestinian People"
- ST/SG/SER.F/3 Study on "The Right of Self-Determination of the Palestinian People"
- A/31/35) Reports and recommendations of the Committee to the
A/32/35) thirty-first, thirty-second and thirty-third sessions
A/33/35) of the General Assembly

II. Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories

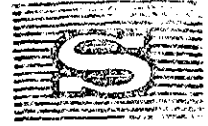
- A/8089)
A/8389 and Add.1,)
Corr.1-2)
A/8828)
A/9148) Reports submitted by the Special Committee
A/9817) since its establishment
A/10272)
A/32/218)
A/32/284)
A/33/356)

Documents A/AC.145/R.158 (December 1978), A/AC.145/R.163 (January 1979)
A/AC.145/R.165 (February 1979)

Map showing Israeli settlements as of April 1979

III. Secretariat papers

- S/AC.21/PV.9-17 Verbatim records of the Security Council Commission during its Mission to the Middle East



UNITED NATIONS
SECURITY
COUNCIL



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S/13450/Corr.1
14 July 1979

ENGLISH ONLY

REPORT OF THE SECURITY COUNCIL COMMISSION ESTABLISHED UNDER
RESOLUTION 446 (1979)

Corrigendum

Page 39, delete the two paragraphs Nos. 217 and replace them with the following:

216. The Commission feels compelled to state that it considers such a lack of co-operation on the part of a Member State of the United Nations as an act of disregard for a decision of the Security Council.

217. Having spared no effort to obtain information from a variety of sources, the Commission believes that the present report contains a fairly accurate assessment of the prevailing situation it was entrusted to examine.

At the same meeting, the Council also decided to extend an invitation, under rule 39 of the provisional rules of procedure, to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

At the same meeting, the Council further decided, by a vote, that an invitation should be accorded to the representative of the Palestine Liberation Organization to participate in the debate and that that invitation would confer upon it the same rights of participation as those conferred on a Member State when it was invited to participate under rule 37 of the provisional rules of procedure.

Adopted by 10 votes to 1 (United States of America), with 4 abstentions (France, Norway, Portugal, United Kingdom of Great Britain and Northern Ireland).

In a note dated 29 June 1979,²⁸ the President of the Council stated that the Chairman of the Security Council Commission established under resolution 446 (1979) to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem, had informed him on behalf of the Commission that, in view of the current heavy schedule of the Council and also the extensive volume of testimony and other documentary information received by the Commission during its visit to the area, the Commission requested an extension of the date of submission of its report until 15 July. The President, after holding consultations with the members of the Council, stated that it had been found that no member of the Council had any objection to the request of the Commission.

At its 2156th meeting, on 18 July 1979, the Council decided to invite the representatives of Egypt, Israel and Jordan to participate, without vote, in the discussion of the item entitled "The situation in the occupied Arab territories: report of the Security Council Commission established under resolution 446 (1979) (S/13450 and Corr.1 and Add.1)".²⁹

At the same meeting, the Council also decided to extend an invitation, under rule 39 of the provisional rules of procedure, to the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

²⁸ *Official Records of the Security Council, Thirty-fourth Year, Supplement for April, May and June 1979, document S/13426.*

²⁹ *Ibid., Supplement for July, August and September 1979.*

At the same meeting, the Council further decided, by a vote, that an invitation should be accorded to the representative of the Palestine Liberation Organization to participate in the debate and that that invitation would confer upon it the same rights of participation as those conferred on a Member State when it was invited to participate under rule 37 of the provisional rules of procedure.

Adopted by 10 votes to 1 (United States of America), with 4 abstentions (France, Norway, Portugal, United Kingdom of Great Britain and Northern Ireland).

At its 2157th meeting, on 19 July 1979, the Council decided to invite the representative of the Syrian Arab Republic to participate, without vote, in the discussion of the question.

Resolution 452 (1979)

of 20 July 1979

The Security Council

Taking note of the report and recommendations of the Security Council Commission established under resolution 446 (1979) of 22 March 1979 to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem, contained in document S/13450 and Corr.1 and Add.1,²⁹

Strongly deploring the lack of co-operation of Israel with the Commission,

Considering that the policy of Israel in establishing settlements in the occupied Arab territories has no legal validity and constitutes a violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹⁰

Deeply concerned by the practices of the Israeli authorities in implementing that settlements policy in the occupied Arab territories, including Jerusalem, and its consequences for the local Arab and Palestinian population,

Emphasizing the need for confronting the issue of the existing settlements and the need to consider measures to safeguard the impartial protection of property seized,

Bearing in mind the specific status of Jerusalem and reconfirming pertinent Security Council resolutions concerning Jerusalem, and in particular the need to protect and preserve the unique spiritual and religious dimension of the Holy Places in that city,

Drawing attention to the grave consequences which the settlements policy is bound to have on any attempt to reach a peaceful solution in the Middle East,

1. *Commends* the work done by the Security Council Commission established under resolution 446 (1979)

in preparing the report on the establishment of Israeli settlements in the Arab territories occupied since 1967, including Jerusalem;

2. *Accepts* the recommendations contained in the report of the Commission;

3. *Calls upon* the Government and people of Israel to cease, on an urgent basis, the establishment, construction and planning of settlements in the Arab territories occupied since 1967, including Jerusalem;

4. *Requests* the Commission, in view of the magnitude of the problem of settlements, to keep under close survey the implementation of the present resolution and to report back to the Security Council before 1 November 1979.

Adopted at the 2159th meeting by 14 votes to none, with 1 abstention (United States of America).

Decisions

In a letter dated 24 July 1979,³⁰ the Secretary-General informed the President of the Council as follows:

“I have taken note of the recent Security Council consultations concerning the United Nations Emergency Force. I understand that members of the Council are agreed that there should be no extension of the mandate of the Force, which, accordingly, will lapse at midnight on 24 July. It is my intention, therefore, to make all the necessary arrangements for an orderly withdrawal of the Force.”

In a letter dated 26 July 1979³¹ addressed to the President of the Council, the Secretary-General stated that, for reasons of economy, the United Nations Disengagement Observer Force (UNDOF) had hitherto relied to a great extent on the United Nations Emergency Force (UNEF) for third-line logistic support in such areas as transport and maintenance, movement control, postal services and field engineering. With the termination of the mandate of UNEF, that logistic support was no longer available and, consequently, it had become necessary to strengthen the existing Canadian and Polish logistic units of UNDOF. In that connexion, he proposed that the logistic component of UNDOF should be increased by 200 men. He added that it was his intention, subject to the usual consultations, to make the necessary arrangements to that effect. In a letter dated 1 August,³² the President of the Council informed the Secretary-General as follows:

“I have brought your letter of 26 July 1979 concerning the United Nations Disengagement Observer

Force to the attention of the members of the Security Council, who agree with the proposal contained therein.

“The representative of China has informed me that China, not having participated in the voting on resolution 350 (1974) of 31 May 1974 and subsequent resolutions relating to the Force, dissociates itself from the matter.”

At its 2160th meeting, on 27 July 1979, the Council decided to invite the representative of the German Democratic Republic to participate, without vote, in the further discussion of the item entitled “The question of the exercise by the Palestinian people of its inalienable rights: letters dated 13 March 1979 and 27 June 1979 from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to the President of the Security Council (S/13164⁶ and S/13418)”.¹⁵

At the same meeting, the Council also decided to extend an invitation, under rule 39 of the provisional rules of procedure, to the Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

At its 2161st meeting, on 23 August 1979, the Council decided to invite the representatives of Afghanistan, Cuba, Iraq, the Lao People's Democratic Republic and Yugoslavia to participate, without vote, in the discussion of the question.

At its 2162nd meeting, on 24 August 1979, the Council decided to invite the representatives of Morocco, Senegal and Turkey to participate, without vote, in the discussion of the question.

In a note dated 9 August 1979,³³ the Secretary-General recalled that, when the Iranian battalion was repatriated in March 1979, he had taken action, after consultation with the Security Council, as a temporary measure, to transfer a company of the Finnish battalion of UNEF to UNDOF. The replacement of the Iranian battalion by a Finnish company had resulted in a reduction of 139 men in the total strength of UNDOF. As a consequence, the workload of the contingents had markedly increased and the number of UNDOF daily

³⁰ *Ibid.*, document S/13468.

³¹ *Ibid.*, document S/13479.

³² *Ibid.*, document S/13480.

³³ *Ibid.*, document S/13499.



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14 November 1979

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STATEMENT BY THE PRESIDENT OF THE SECURITY COUNCIL

Following consultations among the members of the Security Council, I am authorized as President of the Council to express, on behalf of the Council, the Council's concern at the imprisonment and threatened deportation of Mayor Bassam Al-Shaka of Nablus. As President of the Security Council I can only regret this development which might contribute to increase the tension in the Middle East region. Meanwhile, the Council will follow developments very closely.



UNITED NATIONS
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COUNCIL



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S/13679
4 December 1979

ORIGINAL: ENGLISH

REPORT OF THE SECURITY COUNCIL COMMISSION ESTABLISHED UNDER
RESOLUTION 446 (1979)

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Letter of transmittal

4 December 1979

In our capacity as members of the Security Council Commission established under resolution 446 (1979), we have the honour to transmit to you herewith the second report of the Commission, prepared pursuant to paragraph 4 of resolution 452 (1979).

This report was unanimously adopted today, 4 December 1979.

We avail ourselves of this opportunity to express the hope that the Commission has fulfilled its mandate to the satisfaction of the Security Council and our deep appreciation for the confidence shown by the Council in designating our respective delegations to be members of the Commission.

Accept, Sir, the assurances of our highest consideration.

(Signed) Leonardo MATHIAS, Portugal
(Chairman)

(Signed) Julio de ZAVALA, Bolivia

(Signed) Kasuka Simwinji MUTUKWA, Zambia

INTRODUCTION

1. This is the second report presented by the Commission established on 22 March 1979 by Security Council resolution 446 (1979).
2. The original mandate of the Commission was "to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem".
3. On 3 April, the President of the Security Council announced that the Commission would be composed of Bolivia, Portugal and Zambia.
4. At its first meeting held in New York on 10 April, the Commission decided that its chairmanship would be assumed by Portugal.
5. On 12 July 1979, the Commission submitted its first report (S/13450 and Add.1) in accordance with paragraph 5 of resolution 446 (1979). The report was considered by the Security Council at its 2156th to 2159th meetings from 18 to 20 July 1979.
6. At the 2159th meeting on 20 July 1979, the Security Council adopted resolution 452 (1979) which reads as follows:

The Security Council,

Taking note of the report and recommendations of the Security Council Commission established under resolution 446 (1979) to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem, contained in document S/13450,

Strongly deploring the lack of co-operation of Israel with the Commission,

Considering that the policy of Israel in establishing settlements in the occupied Arab territories has no legal validity and constitutes a violation of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,

Deeply concerned by the practices of the Israeli authorities in implementing that settlements policy in the occupied Arab territories, including Jerusalem, and its consequences for the local Arab and Palestinian population,

Emphasizing the need for confronting the issue of the existing settlements and the need to consider measures to safeguard the impartial protection of property seized,

Bearing in mind the specific status of Jerusalem, and reconfirming pertinent Security Council resolutions concerning Jerusalem and in particular the need to protect and preserve the unique spiritual and religious dimension of the Holy Places in that city,

Drawing attention to the grave consequences which the settlements policy is bound to have on any attempt to reach a peaceful solution in the Middle East,

/...

1. Commends the work done by the Commission in preparing the report on the establishment of Israeli settlements in the Arab territories occupied since 1967, including Jerusalem;
2. Accepts the recommendations contained in the above-mentioned report of the Commission;
3. Calls upon the Government and people of Israel to cease, on an urgent basis, the establishment, construction and planning of settlements in the Arab territories occupied since 1967, including Jerusalem;
4. Requests the Commission, in view of the magnitude of the problem of settlements, to keep under close survey the implementation of the present resolution and to report back to the Security Council before 1 November 1979.
7. In organizing its programme of work, the Commission, at its 20th meeting, held on 5 September 1979, considered the modalities that it should follow in order to carry out its new mandate, namely, to keep under close survey the implementation of resolution 452 (1979).
8. The Commission decided once more to establish direct contact with the parties involved in the matter, with a view to seeking their co-operation in the fulfilment of its mandate, and also to continue its consultations with relevant United Nations bodies which might be in a position to supply useful current information.
9. Bearing in mind that the Security Council, in resolution 452 (1979), had accepted the recommendations contained in the Commission's first report, particularly with regard to Jerusalem, the Commission also decided to establish contact with a number of high-ranking representatives of the three monotheistic faiths.
10. When preparing its report to the Security Council, the Commission realized that it would be difficult for it to report to the Security Council by 1 November, as called for in paragraph 4 of resolution 452 (1979). Accordingly, the Chairman of the Commission, in a letter to the President of the Security Council, requested that the time-limit for submission of the report be postponed until 10 December 1979.
11. Following informal consultations with members of the Council, the President informed the Chairman that no member of the Council had any objection to the Commission's request (S/13586).
12. The Commission held five meetings, from 5 September to 4 December 1979, at Headquarters in New York.
13. The present report was unanimously adopted on 4 December 1979.

I. ACTIVITIES OF THE COMMISSION

A. Requests to the parties for co-operation

14. In accordance with its previous decisions and in order to carry out its

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mandate objectively and comprehensively, the Commission requested its Chairman to establish informal contacts with the Israeli delegation in order to ascertain its reaction to the Commission's new mandate.

15. At its 21st meeting on 17 September, the Chairman informed the Commission of the results of his contacts. The Deputy Permanent Representative of Israel to the United Nations had informed him that there had been no change in his Government's policy with regard to the Commission and that the Commission could not count on any co-operation from the Israeli Government in the fulfilment of its mandate. The Chairman had expressed to the Deputy Permanent Representative his regret and disappointment at the position taken by the Israeli Government. In spite of that attitude, however, the Commission intended to fulfil to the best of its ability the mandate entrusted to it by the Security Council and would therefore formally send a letter to the Permanent Representative of Israel requesting his Government's co-operation and expressing the hope that Israel would reconsider its attitude towards the Commission.

16. On 18 September 1979, letters were sent to the Permanent Representatives of Egypt, Jordan, Lebanon and the Syrian Arab Republic requesting that the Commission be provided as soon as possible with any newly available information pertinent to its mandate.

17. Also on 18 September, the Commission sent a similar letter to the Permanent Observer of the Palestine Liberation Organization (PLO).

18. Requests for information were also addressed to the Chairman of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories and the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

19. On 28 September, the Commission sent a letter to the Permanent Representative of Israel, expressing the hope that his Government would reconsider its position regarding the Commission and co-operate with it by providing it with any available information pertinent to its mandate.

20. In his reply dated 19 September, the Permanent Representative of Egypt again assured the Commission of his Government's intention to co-operate fully in the implementation of its mandate. He also informed the Chairman that Mr. Boutros Boutros Ghali, Minister of State for Foreign Affairs of Egypt and head of that country's delegation to the thirty-fourth session of the General Assembly, would be in New York from 30 September to 7 October and would be happy to meet with the members of the Commission for an exchange of ideas on the mandate of the Commission.

21. In his reply dated 21 September, the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People transmitted copies of a statement issued by the Committee on 19 September and of letters it addressed on the same day to the President of the Security Council and the Secretary-General of the United Nations regarding the decision by the Government of Israel to abrogate the restrictions hitherto placed on the purchase or acquisition by Israeli citizens

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and organizations of land in the occupied territories of the West Bank and Gaza. By a subsequent communication dated 18 October, the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People also transmitted a press communiqué issued by the Committee concerning the decision by the Israeli Cabinet to expand seven existing settlements, as well as a document entitled "Master plan for the development of settlement in Judea and Samaria", attributed to the World Zionist Organization.

22. On 9 October, the Commission received from the Permanent Observer of PLO a set of documents, including the "World Zionist Organization's master plan for the development of settlement in Judea and Samaria"; "Estimated land areas of West Bank settlements" and "Human rights and Israeli settlements".

23. In his reply dated 16 October to the Commission's communication of 28 September, the Deputy Permanent Representative of Israel informed the Commission that the position of his Government remained as set out in the letter of 17 May 1979 from the Permanent Representative of Israel to the President of the Security Council, namely, that "having regard to the circumstances in which the Commission was set up, the Government of Israel had rejected resolution 446 (1979) in its entirety and accordingly could not extend any form of co-operation to a Commission set up under it". The Deputy Permanent Representative further stated that "Israel's reservations were more than justified by the report presented by the Commission on 12 July 1979 (S/13450)".

24. In its reply dated 18 October, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories again assured the Commission of its full co-operation in providing precise information relevant to its mandate.

25. In a letter dated 3 December 1979, the representative of Lebanon, referring to the Commission's letter of 18 September, informed the Commission that his Government had nothing further to add to the information it had already given to the Commission or to what its representative had stated on this matter over the years at the United Nations.

26. As indicated in paragraph 9 above, the Commission, bearing in mind the unique religious and spiritual dimensions of Jerusalem, and guided by its deep concern that Israel's policy of settlement could lead to irreversible situations with regard to the status of the Holy City, has sought to receive the views of representatives of the three great monotheistic religions in that regard. Replies received in time to be included are reproduced in the annex to the present report.

B. Meetings with officials

1. Meeting with the Minister of State for Foreign Affairs of Egypt

27. On 5 October, the members of the Commission had a meeting at United Nations Headquarters with H.E. Mr. Boutros Boutros Ghali, Minister of State for Foreign Affairs of Egypt, with whom they had an exchange of views pertaining to the mandate of the Commission.

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28. The Minister of State briefed them on the steps taken by the Egyptian Government since the Commission's visit to Cairo the preceding June with regard to the question of settlements in the occupied Arab territories. He mentioned, in particular, the creation, within his Department, of a special Committee to monitor the latest developments with regard to the settlements, the publication of official communiqués protesting Israel's policy in that regard and the organization of a seminar on the settlements with the participation of specialists from several countries. The purpose of the seminar was to awaken Egyptian, Arab and world opinion to the problem and to emphasize that peace with Israel did not mean agreeing with its policy of settlements.

29. The Minister of State for Foreign Affairs also stated that, taking advantage of the new possibilities offered by the Israeli-Egyptian treaty, he had, on several occasions, directly conveyed to the Israeli public Egypt's conviction that Israel's policy of settlements was an obstacle to the peace process.

30. In answer to questions raised by the representative of Bolivia regarding the position of Egypt on Jerusalem and the creation of new settlements, the Minister of State further stated:

(a) That both during its ongoing negotiations with Israel and in public statements, Egypt had reiterated its position on Jerusalem, namely, that East Jerusalem was part of the West Bank and must be returned to the Arabs. Once that was achieved, it was up to the Palestinians and Israelis to devise modes of co-operation;

(b) That to his knowledge there had been only declarations of intent on the part of the Israelis, but no actual building of new settlements.

2. Meeting with the head of the Political Department of PLO

31. On 5 October, the members of the Commission held a meeting with Mr. Farouk Kaddoumi, head of the Political Department of PLO, during which they exchanged views pertaining to the Commission's mandate.

32. Mr. Kaddoumi stated that, far from improving, the situation in the occupied territories had, in fact, worsened. It was becoming clear, he said, that Israel, through the establishment of new settlements and the enactment of new laws, was forcing people to leave the area and thus paving the way for the annexation of the West Bank. Detailed information on the matter would be shortly sent to the Commission by the PLO Observer's Office.

33. In response to questions from the representative of Zambia, Mr. Kaddoumi maintained that there was, indeed, evidence that people were still leaving the West Bank, that contrary to statements by Israeli officials, there was no religious freedom in Jerusalem for Christians and Moslems, and that access to the Holy Places was still restricted.

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3. Meeting with the Permanent Representative of Jordan to the United Nations

34. On 19 October, the members of the Commission had an informal meeting with H.E. Mr. Hazem Nuseibeh, Permanent Representative of the Hashemite Kingdom of Jordan, with whom they proceeded to an exchange of views pertaining to the mandate of the Commission.

35. Mr. Nuseibeh expressed the profound concern of his Government at the relentless ongoing process of colonization of the West Bank and at the serious economic and social effects resulting to the Arab population from the seizure by the Israeli occupying authorities of the vital water sources in the territory.

36. While recognizing that the work done by the Commission had helped to "crystallize the picture", he regretted that earlier decisions by the Security Council had had no effect in remedying a situation which was becoming extremely serious.

37. Ambassador Nuseibeh again assured the Commission of his Government's co-operation and assistance. His Government hoped to present very shortly an integrated report on the question of settlements. In the meantime, he was able to present to the Commission a series of documents, including in particular:

(a) A study, in Arabic, concerning the seizure of water resources;

(b) A copy, translated from Hebrew, of the World Zionist Organization's "master plan" for the development of settlement in the West Bank of Jordan for the period 1979-1983;

(c) Information on the recent decision to allow Israeli nationals to purchase lands and property in the West Bank;

(d) Information regarding the expropriation of additional Arab lands;

(e) A memorandum prepared by the inhabitants of Jerusalem concerning Israel's plan designed to seize the Aqsa Mosque and the Dome of the Rock.

C. Review of recent developments regarding the settlements

38. In preparing this second report, the Commission, in accordance with its mandate, has deemed it necessary to call the attention of the Security Council particularly to those actions undertaken by Israel since the adoption of resolution 452 (1979), which, inter alia, called upon the Israeli Government and people to cease, on an urgent basis, the establishment, construction and planning of settlements in the Arab territories occupied since 1967, including Jerusalem.

39. Once more, in its careful endeavour to review the situation most objectively, the Commission decided, as a first step, to approach the interested parties, with a view to receiving any factual information pertinent to its mandate. Regrettably, however, the Commission once again was confronted by Israel's negative response to its approach and by that Government's reaffirmed decision not to co-operate with the Commission.

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40. While deploring this persistently negative attitude, which deprives it of the opportunity of receiving explanations and comments from the Government of Israel, the Commission is satisfied that its present report contains an accurate assessment of the current situation, as most of the information upon which it is based was derived from Israeli sources or was widely covered by the media.

41. On the basis of the information available to it, the Commission is able to report the following recent developments:

(a) It has come to light that in the last few months, additional private Arab land totalling over 40,000 dunums (1 dunum = 1,000 square metres) has been confiscated by Israeli occupation authorities for the purpose of expanding settlements in the West Bank, mostly in the Nablus, Bethlehem, Beit Shahour and Jerusalem areas.

(b) On 16 September 1979, the Israeli Cabinet unanimously adopted a decision allowing Israeli citizens to purchase land in the occupied West Bank and Gaza, thus rescinding a previous decision which had hitherto prohibited Israeli citizens and organizations from purchasing land beyond the armistice lines of the six-day war.

(c) On 14 October 1979, the Israeli Cabinet adopted a decision to expand seven existing settlements in the occupied West Bank, using 1,125 acres of land allegedly not privately owned by Arab inhabitants. The Commission issued a statement on 17 October, expressing its disappointment and concern at this new action by the Israeli Government.

(d) On 28 October, the Israeli Cabinet decided that the Elon Moreh (Qaddum) settlement, which Israel's High Court of Justice had ruled illegal, would be moved to a new site on the occupied West Bank. The settlement is built on 220 dunums of land seized from Rujib, near Nablus.

(e) According to information received from various sources, Israel is in the process of implementing a plan prepared by the World Zionist Organization which calls for the building of 46 new settlements in the years 1979-1983. The Commission is calling attention to this project inasmuch as some of the settlements appearing in the plan are already under construction.

(f) The attention of the Commission was drawn again to the increasingly serious problem facing Arab farmers in the occupied territories as a result of Israel's intensive exploitation of the area's traditional water sources for use in Israel proper and by Israeli settlements established in the occupied territories.

42. According to a study on water resources in the West Bank made available to the Commission, Israel pumps away some 500 million cubic metres of the West Bank's total annual supply of 620 million cubic metres by means of artesian wells drilled within its 1948 borders. The traditional water sources, such as wells and springs, are also being depleted through the use of modern drilling equipment to drain off water for the Israeli settlements in the occupied areas. As the water level continues to drop because of excessive Israeli consumption, the Israeli authorities have resorted to restrictive measures on the use of water by the Arab inhabitants, such as the prohibition of drilling new wells on the western side of the West Bank.

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43. As a result of the use of powerful modern drilling and pumping equipment by the Israelis and the restrictions imposed upon the Arab inhabitants, the traditional groundwater sources of Arab villages are drying up, resulting in considerable losses.

44. One case in point is the village of Al-Auja (2,000 inhabitants) situated 12 kilometres north of Jericho in the arid part of the Jordan Valley. Last August, the inhabitants of that village protested to the Israeli authorities that their economy was being ruined because Israeli wells and the water network supplying the nearby settlements of Yitar, Na'aran and Gilgal had drastically depleted the village's water resources, resulting in the loss of banana and citrus planted land.

II. CONCLUSIONS AND RECOMMENDATIONS

A. Conclusions

45. In the period since it submitted its first report to the Security Council, the Commission has detected no evidence of any basic positive change in Israel's policy with regard to the construction and planning of settlements in the Arab territories under occupation, particularly in the West Bank of Jordan. On the contrary, the Commission is of the view that that policy has largely contributed to a deterioration of the situation in the occupied territories and that it is incompatible with the pursuit of peace in the area.

46. In complete disregard of United Nations resolutions and Security Council decisions, Israel is still pursuing its systematic and relentless process of colonization of the occupied territories. This is evidenced by the stated policy of constructing additional settlements in the most viable parts of the West Bank and by the expansion of others already in existence, as well as the long-term planning of still more settlements.

47. The methods used by the occupation authorities to seize the lands needed for the construction or expansion of settlements are those already referred to by the Commission in its earlier report, as evidenced by the appeals made recently to Israel's High Court of Justice by groups of dispossessed inhabitants.

48. From all indications available, the Commission continues to believe that the Israeli Government has to bear responsibility for the settlement programme, which is being implemented as an official policy.

49. In the case of the Elon Moreh settlement, where a ruling by the Israeli High Court of Justice would seemingly provide some measure of protection against arbitrary seizure of Arab land, the Commission, while taking note of the Court's decision, cannot but deplore the efforts of the Israeli Government to side-step that decision. The Commission is inclined to believe that that episode, unfortunately, does not represent any significant departure from official Israeli policy regarding the settlements or from the ideological claims put forward as justification for that policy.

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50. The Commission views with particular concern the decision taken recently by the Israeli Cabinet to allow Israeli citizens and organizations to purchase land in the occupied West Bank and Gaza. Even though the measure contains restrictions on the purchase of privately owned lands, it is the considered opinion of the Commission that such a decision, applied as it is to a population under military occupation, could lead to intolerable pressures to obtain lands owned for generations by Arab families.

51. In the light of its findings, the Commission wishes to reiterate most emphatically its view that Israel's policy of settlement, relentlessly pursued in spite of all Security Council decisions and appeals, is incompatible with the pursuit of peace in the area and that it is bound to lead to a further deterioration of the situation in the occupied territories.

B. Recommendations

52. On the basis of its conclusions, the Commission deems it necessary to reiterate its earlier recommendation that the Security Council, bearing in mind the inalienable right of the Palestinians to return to their homeland, again draw the attention of the Government and people of Israel to the disastrous consequences which the settlement policy is bound to have on any attempt to reach a peaceful solution in the Middle East.

53. It is the view of the Commission that Israel should be made aware of the serious deterioration of the situation in the occupied territories resulting from its policy of settlement and called upon, as a matter of urgency, to cease the establishment, construction, expansion and planning of settlements in those territories.

54. The Commission therefore recommends that the Security Council adopt effective measures to prevail on Israel to cease the establishment of settlements in occupied territories and to dismantle the existing settlements accordingly.

55. In view of the vital importance of water resources for the prosperity of the occupied Arab territories, and of the reported serious depletion of those resources as a result of intensive exploitation by the Israeli authorities, mainly for the benefit of the Israeli settlements, the Security Council might wish to consider measures aiming at investigating the matter further, with a view to ensuring the protection of those important natural resources of the territories under occupation.

56. With regard to Jerusalem, bearing in mind what was already stated in its first report, the Commission again strongly recommends that the Security Council urge the Government of Israel to implement fully the Security Council resolutions adopted on that question as from 1967 and further desist from taking any measures which would change the status of Jerusalem, including the pluralistic and religious dimensions of that Holy City.

57. In view of the magnitude of the problem of settlements and its direct effect on the over-all deterioration of the situation in the occupied territories and, therefore, its implications for peace in the region, as well as for international peace and security, the Security Council should keep the situation under constant review.

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Annex

COMMUNICATIONS RECEIVED BY THE COMMISSION IN CONNEXION
WITH PARAGRAPH 26 OF THE REPORT

- A. Letter dated 16 November 1979 from the Commission of the Churches on International Affairs of the World Council of Churches addressed to the Chairman of the Commission

With reference to your letter of 14 November, I have the honour to send you the following relevant resolutions on Jerusalem and the Holy Places which state the current official positions of the World Council of Churches:

Statement on Jerusalem, adopted by the Central Committee of the WCC, meeting in Berlin (West), August 1974

Statement on Jerusalem, adopted by the Fifth Assembly of the WCC, meeting in Nairobi, December 1975.

I am also forwarding today a copy of your letter to the Director of this Commission, Dr. Leopoldo J. Willus, with the request that he send you additional materials arising out of recent discussions on the matters included in the mandate of your Commission.

(Signed) Dwain C. EPPS
Executive Secretary

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Attachment I

Statement by the Central Committee of the World Council
of Churches, meeting in Berlin (West), August 1974

The Central Committee affirms that, in order to reach a satisfactory position regarding Jerusalem, the following facts should be taken into account:

1. Jerusalem is a Holy City for three monotheistic religions: Judaism, Christianity and Islam. The tendency to minimize Jerusalem's importance for any of these three religions should be avoided.

2. Its importance for Christianity is reflected in the following statement of the Executive Committee of the WCC at Bad Saarow (February 1974): "Christian Holy Places in Jerusalem and the neighbouring areas belong to the greatest extent to member churches of the WCC, specifically the Eastern Orthodox and Oriental Orthodox Churches, and are also of concern to other Christians."

But the question of Jerusalem is not only a matter of protection of the Holy Places; it is organically linked with living faiths and communities of people in the Holy City.

Any proposed solution as to the future of the Holy Places in Jerusalem should take into account the legitimate rights of the churches most directly concerned.

3. Any solution on Jerusalem should take into account the rights and needs of the indigenous peoples of the Holy City.

4. We are of the opinion that matters related to jurisdiction over Jerusalem will only find their lasting solution within the context of the settlement of the conflict in its totality.

The Central Committee recommends that the above should be worked out with member churches, initially those churches most directly concerned, and in consultation with the Roman Catholic Church. These issues should also become subjects for dialogue with Jewish and Muslim participants.

Attachment II

Statement by the Fifth General Assembly of the World Council
of Churches, meeting in Nairobi, December 1975

1. For many millions of Christians throughout the world, as well as for the adherents of the two great sister monotheistic religions, namely, Judaism and Islam, Jerusalem continues to be a focus of deepest religious inspiration and attachment. It is therefore their responsibility to co-operate in the creation of conditions that will ensure that Jerusalem is a city open to the adherents of all three religions, where they can meet and live together. The tendency to minimize Jerusalem's importance for any of these three religions should be avoided.

2. The special legislation regulating the relationship of the Christian communities and the authorities, guaranteed by international treaties (Paris 1856 and Berlin 1878) and the League of Nations and known as the Status Quo of the Holy Places must be fully safeguarded and confirmed in any agreement concerning Jerusalem. Christian Holy Places in Jerusalem and neighbouring areas belong to the greatest extent to member churches of the WCC. On the basis of the Status Quo none of the church authorities of a given denomination could represent unilaterally and on behalf of all Christians the Christian point of view, each church authority of a given denomination representing only its own point of view.

3. Many member churches of the WCC are deeply concerned about the Christian Holy Places. However, the question of Jerusalem is not only a matter of protection of the Holy Places; it is organically linked with living faiths and communities of people in the Holy City. Therefore the General Assembly deems it essential that the Holy Shrines should not become mere monuments of visitation but should serve as living places of worship integrated and responsive to Christian communities who continue to maintain their life and roots within the Holy City and for those who out of religious attachments want to visit them.

4. While recognizing the complexity and emotional implications of the issues surrounding the future status of Jerusalem, the General Assembly believes that such status has to be determined within the general context of the settlement of the Middle East conflict in its totality.

5. However, the Assembly thinks that apart from any politics, the whole settlement of the interreligious problem of the Holy Places should take place under an international aegis and guarantee which ought to be respected by the parties concerned, as well as the ruling authorities.

6. The General Assembly recommends that the above should be worked out with the most directly concerned member churches, as well as with the Roman Catholic Church. These issues should also become subjects for dialogue with Jewish and Muslim counterparts.

7. The Assembly expresses its profound hope and fervent prayers for the peace and welfare of the Holy City and all its inhabitants.

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B. Statement received from the Permanent Observer of the Holy See to the United Nations on 3 December 1979

1. It is commonly felt that the failure to find a solution to the question of Jerusalem, or an inadequate solution, or even a resigned postponement of the problem could bring into question the settlement of the whole Middle East crisis. The Holy See also considers it important that in this matter there should not be created irreversible situations which would prejudice the desired solution.

2. In his speech of 21 December 1973, His Holiness Pope Paul VI expressed the confident hope that the Holy See would fittingly be able to make its voice heard when the problem of Jerusalem became the subject of concrete discussions in the context of the peace negotiations for the Middle East.

On his part, His Holiness Pope John Paul II, in his address to the General Assembly of the United Nations on 2 October 1979, stated: "I also hope for a special statute that, under international guarantees - as my predecessor Paul VI indicated - would respect the particular nature of Jerusalem, a heritage sacred to the veneration of millions of believers of the three great monotheistic religions, Judaism, Christianity and Islam."

It hardly seems necessary to emphasize that the Holy See's interest in this question has a spiritual, historical and juridical basis, that its nature is not political but religious and that its aims are conciliation and peace. The intention of the Holy See is to preserve and guarantee to the Holy City its identity as a religious centre, unique and outstanding in the history of the world, in such a way that it may become a stable place of encounter and concord for the three great monotheistic religions (Judaism, Christianity and Islam).

Needless to say, on this subject, the Holy See endeavours to keep in contact not only with the religious authorities of the various Christian Churches but also with the principal leaders of Islam and Judaism.

3. The ideal and historical reality of the Holy City is manifested in the fact that Jerusalem has been and continues to be the most important centre of all three great monotheistic religions, inasmuch as the City is the seat of three religious communities that live together there and is the site of shrines and memorials venerated by the followers of these religions, who, numbering almost a billion and a half throughout the world, regard Jerusalem as a common sacred patrimony.

This composite presence in Jerusalem of various groups means that an equitable, stable and peaceful solution of the problem of Jerusalem implies, above all, the recognition of an historical and religious pluralism, to be put into practice by according all of the three religions, in their particular expression as communities, full enjoyment of their respective rights, excluding positions of predominance and, indeed, favouring the prospect of a useful human and religious dialogue.

4. The Holy See's view is that such considerations are of primary and determining importance with regard to the problem of political sovereignty itself.

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That is to say: whatever solution be found to the question of sovereignty over Jerusalem (not excluding the hypothesis of the "internationalization" of the City), the satisfying and safeguarding of the above-mentioned requirements must be ensured, and, at the same time, the international community ought to be the guarantor of interests that involve numerous and diverse peoples.

This does not mean, however, that any solution of the political problem of the sovereignty of Jerusalem can be considered irrelevant to the global settlement of the question. Rather, the Holy See, the more because of the particular character of Jerusalem, acknowledges the need for a solution that will be based on the principles of justice and attained by peaceful means.

5. This perspective gives rise to the need for a "special statute, internationally guaranteed" for Jerusalem, which the Holy See is earnestly hoping for.

The content of this "statute" would include, among other things, two orders of guarantees:

(a) Parity, for three religious communities, of freedom of worship and of access to the Holy Places; of protection of rights of ownership and of other rights acquired by the individual communities; of the preservation and safeguarding of the historical and urban aspects proper to the City.

(b) Equal enjoyment of the rights of the three religious communities, with guarantees for the promotion of their spiritual, cultural, civil and social life, including adequate opportunities for economic progress, education, employment etc.

It will be necessary, furthermore, to define the territory and list the Holy Places, as well as provide for the guarantees and for the supervision which the international community will have to give to the "statute" and for the juridical form of this commitment and of the accord of the interested parties.

6. In many localities of the Holy Land apart from Jerusalem there are important Shrines and Holy Places of one or other religious confession. Suitable guarantees, analogous to those for the City of Jerusalem and in some way linked to an international juridical protection, should be provided for these places also.

Resolution 465 (1980)

of 1 March 1980

The Security Council.

Taking note of the reports of the Security Council Commission established under resolution 446 (1979) to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem, contained in documents S/13450 and Corr. 1 and Add.1¹⁸ and S/13679,¹⁹

Taking note also of letters from the Permanent Representative of Jordan²⁰ and the Permanent Representative of Morocco, Chairman of the Islamic Group,²¹

Strongly deploring the refusal by Israel to co-operate with the Commission and regretting its formal rejection of resolutions 446 (1979) and 452 (1979),

Affirming once more that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,²² is applicable to the Arab territories occupied by Israel since 1967, including Jerusalem,

Deploring the decision of the Government of Israel officially to support Israeli settlements in the Palestinian and other Arab territories occupied since 1967.

Deeply concerned by the practices of the Israeli authorities in implementing that settlements policy in the occupied Arab territories, including Jerusalem, and its consequences for the local Arab and Palestinian population,

Taking into account the need to consider measures for the impartial protection of private and public land and property, and water resources,

Bearing in mind the specific status of Jerusalem and, in particular, the need to protect and preserve the unique spiritual and religious dimension of the Holy Places in the city,

Drawing attention to the grave consequences which the settlements policy is bound to have on any attempt to reach a comprehensive, just and lasting peace in the Middle East,

Recalling pertinent Security Council resolutions, specifically resolutions 237 (1967), 252 (1968), 267 (1969), 271 (1969) and 298 (1971), as well as the consensus statement made by the President of the Council on 11 November 1976,²³

Having invited Mr. Fahd Qawasma, Mayor of Al-Khalil (Hebron), in the occupied territory, to supply it with information pursuant to rule 39 of the provisional rules of procedure,

1. *Commends* the work done by the Security Council Commission established under resolution 446

(1979) in preparing the report contained in document S/13679;

2. *Accepts* the conclusions and recommendations contained in the report of the Commission;

3. *Calls upon* all parties, particularly the Government of Israel, to co-operate with the Commission;

4. *Strongly deplores* the decision of Israel to prohibit the free travel of Mayor Fahd Qawasma in order to appear before the Security Council and requests Israel to permit his free travel to United Nations Headquarters for that purpose;

5. *Determines* that all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, or any part thereof have no legal validity and that Israel's policy and practices of settling parts of its population and new immigrants in those territories constitute a flagrant violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East;

6. *Strongly deplores* the continuation and persistence of Israel in pursuing those policies and practices and calls upon the Government and people of Israel to rescind those measures, to dismantle the existing settlements and in particular to cease, on an urgent basis, the establishment, construction and planning of settlements in the Arab territories occupied since 1967, including Jerusalem;

7. *Calls upon* all States not to provide Israel with any assistance to be used specifically in connexion with settlements in the occupied territories;

8. *Requests* the Commission to continue to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem, to investigate the reported serious depletion of natural resources, particularly the water resources, with a view to ensuring the protection of those important natural resources of the territories under occupation, and to keep under close scrutiny the implementation of the present resolution;

9. *Requests* the Commission to report to the Security Council before 1 September 1980 and decides to convene at the earliest possible date thereafter in order to consider the report and the full implementation of the present resolution.

Adopted unanimously at the 2203rd meeting.

Decisions

At its 2204th meeting, on 31 March 1980, the Council decided to invite the representatives of Egypt, Iraq, Israel, Jordan and Lebanon to participate, without vote, in the discussion of the item entitled:

¹⁸ See *Official Records of the Security Council, Thirty-fourth Year, Supplement for July, August and September 1979.*

¹⁹ *Ibid.*, Supplement for October, November and December 1979.

²⁰ *Ibid.*, Thirty-fifth Year, Supplement for January, February and March 1980, document S/13801.

²¹ *Ibid.*, document S/13802.

²² United Nations, *Treaty Series*, vol. 75, p. 287.

²³ *Official Records of the Security Council, Thirty-first Year, 1969th meeting.*

Yemen to participate, without vote, in the discussion of the question.

At its 2221st meeting, on 8 May 1980, the Council decided to invite the representatives of Israel and Jordan to participate, without vote, in the discussion of the item entitled "The situation in the occupied Arab territories: letter dated 6 May 1980 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council (S/13926)".²⁵

At the same meeting, the Council also decided, by a vote, that an invitation should be accorded to the representative of the Palestine Liberation Organization to participate in the debate and that that invitation would confer upon it the same rights of participation as those conferred on a Member State when it was invited to participate under rule 37 of the provisional rules of procedure.

Adopted by 10 votes to 1 (United States of America), with 4 abstentions (France, Norway, Portugal, United Kingdom of Great Britain and Northern Ireland).

Resolution 468 (1980)

of 8 May 1980

The Security Council,

Recalling the Geneva Convention of 1949,³⁵

Deeply concerned at the expulsion by the Israeli military occupation authorities of the Mayors of Hebron and Halhoul and of the Sharia Judge of Hebron,

1. *Calls upon the Government of Israel, as the occupying Power, to rescind these illegal measures and to facilitate the immediate return of the expelled Palestinian leaders so that they can resume the functions for which they were elected and appointed;*

2. *Requests the Secretary-General to report upon the implementation of the present resolution.*

Adopted at the 2221st meeting by 14 votes to none, with 1 abstention (United States of America).

Decisions

At the same meeting, the Council further decided to invite the representative of Yugoslavia to make a

³⁵ Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 (United Nations, *Treaty Series*, vol. 75, p. 287).

statement in connexion with the tribute paid to the memory of His Excellency Mr. Josip Broz Tito, President of the Socialist Federal Republic of Yugoslavia.

At its 2222nd meeting, on 20 May 1980, the Council decided to invite the representatives of Israel and Jordan to participate, without vote, in the discussion of the item entitled "The situation in the occupied Arab territories: letter dated 16 May 1980 from the Permanent Representative of Jordan to the United Nations addressed to the President of the Security Council (S/13941)".²⁵

At the same meeting, the Council also decided, by a vote, that an invitation should be accorded to the representative of the Palestine Liberation Organization to participate in the debate and that that invitation would confer upon it the same rights of participation as those conferred on a Member State when it was invited to participate under rule 37 of the provisional rules of procedure.

Adopted by 10 votes to 1 (United States of America), with 4 abstentions (France, Norway, Portugal, United Kingdom of Great Britain and Northern Ireland).

At the same meeting, the Council further decided, at the request of the representative of Tunisia,³⁶ to extend invitations to Mr. Fahd Qawasma, Mr. Mohamed Milhem and Mr. Rajab Attamimi under rule 39 of the provisional rules of procedure.

Resolution 469 (1980)

of 20 May 1980

The Security Council,

Having considered the report³⁷ submitted by the Secretary-General on 13 May 1980, under Security Council resolution 468 (1980),

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,²² and in particular article 1, which reads "The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances", and article 49, which reads "Individ-

³⁶ Document S/13942, incorporated in the record of the 2222nd meeting.

³⁷ *Official Records of the Security Council, Thirty-fifth Year, Supplement for April, May and June 1980, document S/13938.*



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REPORT BY THE SECRETARY-GENERAL UNDER SECURITY COUNCIL
RESOLUTION 468 (1980)

1. In its resolution 468 (1980) of 8 May 1980 concerning the expulsion of the Mayors of Hebron and Halhoul and of the Sharia Judge of Hebron, the Council called upon the Government of Israel as occupying Power to rescind these illegal measures and to facilitate the immediate return of the expelled Palestinian leaders so that they could resume the functions for which they were elected and appointed. The Council further requested the Secretary-General to report upon the implementation of the resolution.
2. The text of the above resolution was immediately brought to the attention of the Government of Israel by the Secretary-General, who had also previously made representations to the Government of Israel in this regard.
3. On 9 May the Permanent Mission of Israel informed the Secretary-General that the Government of Israel was unable to allow the expelled Mayors of Hebron and Halhoul and the Sharia Judge of Hebron to return, for reasons indicated in the statement made by the Permanent Representative of Israel before the Security Council.
4. In this connexion the Secretary-General has noted reports that the Mayors of Hebron and Halhoul and the Sharia Judge of Hebron were denied re-entry into the West Bank by the Israeli authorities on 11 May.

Yemen to participate, without vote, in the discussion of the question.

At its 2221st meeting, on 8 May 1980, the Council decided to invite the representatives of Israel and Jordan to participate, without vote, in the discussion of the item entitled "The situation in the occupied Arab territories: letter dated 6 May 1980 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council (S/13926)".²⁵

At the same meeting, the Council also decided, by a vote, that an invitation should be accorded to the representative of the Palestine Liberation Organization to participate in the debate and that that invitation would confer upon it the same rights of participation as those conferred on a Member State when it was invited to participate under rule 37 of the provisional rules of procedure.

Adopted by 10 votes to 1 (United States of America), with 4 abstentions (France, Norway, Portugal, United Kingdom of Great Britain and Northern Ireland).

Resolution 468 (1980)

of 8 May 1980

The Security Council,

Recalling the Geneva Convention of 1949,³⁵

Deeply concerned at the expulsion by the Israeli military occupation authorities of the Mayors of Hebron and Halhoul and of the Sharia Judge of Hebron,

1. *Calls upon the Government of Israel, as the occupying Power, to rescind these illegal measures and to facilitate the immediate return of the expelled Palestinian leaders so that they can resume the functions for which they were elected and appointed;*

2. *Requests the Secretary-General to report upon the implementation of the present resolution.*

Adopted at the 2221st meeting by 14 votes to none, with 1 abstention (United States of America).

Decisions

At the same meeting, the Council further decided to invite the representative of Yugoslavia to make a

³⁵ Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 (United Nations, *Treaty Series*, vol. 75, p. 287).

statement in connexion with the tribute paid to the memory of His Excellency Mr. Josip Broz Tito, President of the Socialist Federal Republic of Yugoslavia.

At its 2222nd meeting, on 20 May 1980, the Council decided to invite the representatives of Israel and Jordan to participate, without vote, in the discussion of the item entitled "The situation in the occupied Arab territories: letter dated 16 May 1980 from the Permanent Representative of Jordan to the United Nations addressed to the President of the Security Council (S/13941)".²⁵

At the same meeting, the Council also decided, by a vote, that an invitation should be accorded to the representative of the Palestine Liberation Organization to participate in the debate and that that invitation would confer upon it the same rights of participation as those conferred on a Member State when it was invited to participate under rule 37 of the provisional rules of procedure.

Adopted by 10 votes to 1 (United States of America), with 4 abstentions (France, Norway, Portugal, United Kingdom of Great Britain and Northern Ireland).

At the same meeting, the Council further decided, at the request of the representative of Tunisia,³⁶ to extend invitations to Mr. Fahd Qawasma, Mr. Mohamed Milhem and Mr. Rajab Attamimi under rule 39 of the provisional rules of procedure.

Resolution 469 (1980)

of 20 May 1980

The Security Council,

Having considered the report³⁷ submitted by the Secretary-General on 13 May 1980, under Security Council resolution 468 (1980),

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,²² and in particular article 1, which reads "The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances", and article 49, which reads "Individ-

³⁶ Document S/13942, incorporated in the record of the 2222nd meeting.

³⁷ *Official Records of the Security Council, Thirty-fifth Year, Supplement for April, May and June 1980, document S/13938.*

ual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive",

1. *Strongly deplors* the failure of the Government of Israel to implement resolution 468 (1980);

2. *Calls again upon* the Government of Israel, as the occupying Power, to rescind the illegal measures taken by the Israeli military occupation authorities in expelling the Mayors of Hebron and Halhoul and the Sharia Judge of Hebron, and to facilitate the immediate return of the expelled Palestinian leaders so that they can resume the functions for which they were elected and appointed;

3. *Commends* the Secretary-General for his efforts and requests him to continue his efforts in order to ensure the immediate implementation of the present resolution and to report to the Security Council on the result of his efforts at the earliest possible date.

Adopted at the 2223rd meeting by 14 votes to none, with 1 abstention (United States of America).

Decision

At its 2224th meeting, on 30 May 1980, the Council proceeded with the discussion of the item entitled "The situation in the Middle East: report of the Secretary-General on the United Nations Disengagement Observer Force (S/13957)".²⁵

Resolution 470 (1980)

of 30 May 1980

The Security Council,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force,³⁸

Decides:

(a) To call upon the parties concerned to implement immediately Security Council resolution 338 (1973);

(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 30 November 1980;

(c) To request the Secretary-General to submit at the end of this period a report on the developments in the situation and the measures taken to implement resolution 338 (1973).

Adopted at the 2224th meeting by 14 votes to none.³⁹

³⁸ *Ibid.*, document S/13957.

³⁹ One member (China) did not participate in the voting.

Decisions

At the same meeting, following the adoption of resolution 470 (1980), the President made the following statement on behalf of the members of the Council:

"In connexion with the adoption of the resolution on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council regarding the resolution just adopted:

"As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force³⁸ states in paragraph 26: "Despite the present quiet in the Israel-Syria sector, the situation in the Middle East as a whole continues to be potentially dangerous and is likely to remain so unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached." This statement of the Secretary-General reflects the view of the Security Council."⁴⁰

At its 2226th meeting, on 5 June 1980, the Council decided to invite the representatives of Bahrain, Egypt, Israel and Jordan to participate, without vote, in the discussion of the item entitled "The situation in the occupied Arab territories: letter dated 3 June 1980 from the Permanent Representative of Bahrain to the United Nations addressed to the President of the Security Council (S/13977)".²⁵

At the same meeting, the Council also decided, by a vote, that an invitation should be accorded to the representative of the Palestine Liberation Organization to participate in the debate and that that invitation would confer upon it the same rights of participation as those conferred on a Member State when it was invited to participate under rule 37 of the provisional rules of procedure.

Adopted by 10 votes to 1 (United States of America), with 4 abstentions (France, Norway, Portugal, United Kingdom of Great Britain and Northern Ireland).

Resolution 471 (1980)

of 5 June 1980

The Security Council,

Recalling once again the Geneva Convention relative to the Protection of Civilian Persons in Time of

⁴⁰ Document S/13970, incorporated in the record of the 2224th meeting.



UNITED NATIONS
SECURITY
COUNCIL



Distr.
GENERAL

S/13960
24 May 1980

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL UNDER SECURITY
COUNCIL RESOLUTION 469 (1980)

1. The present report is submitted in pursuance of Security Council resolution 469 (1980) of 20 May 1980.

2. On 21 May, the Secretary-General cabled the following message to the Prime Minister of Israel:

"As you know, through its resolution 469 (1980) of 20 May, the Security Council called again upon the Government of Israel 'to rescind the illegal measures taken by the Israeli military occupation authorities in expelling the Mayors of Hebron and Halhoul and the Sharia Judge of Hebron, and to facilitate the immediate return of the expelled Palestinian leaders, so that they can resume their functions for which they were elected and appointed'.

"By the same resolution, the Council requested me to continue my efforts in order to ensure the immediate implementation of this resolution and to report to the Security Council on the result of my efforts at the earliest possible date.

"May I once again address an appeal to you, Mr. Prime Minister, to take the necessary action to respond to the call of the Security Council. I hope very much that you will be able to send me a reply on this matter at the earliest possible date, so that I may report to the Council as required."

3. On 23 May, the Secretary-General received from Prime Minister Begin, through the Permanent Mission of Israel, the following reply:

"I thank you for your message of 21 May, 1980.

"To my deep regret, neither the first resolution of the Security Council nor the last, to which your letter refers, makes even a mention of the horrendous atrocity perpetrated by the emissaries of the PLO - whose command in Beirut officially declared responsibility for carrying out their murderous ambush of worshippers returning from prayer. The three men of whom you write openly incited to violence and our Permanent Representative at the United Nations, Professor Blum, brought ample evidence of this fact in his important address before the Security Council.

"I myself read the recent interview with Mr. Kawasmeh in 'Newsweek', in which he states: 'Yassar Arafat is my representative', and 'the PLO is the only representative of the Palestinians' (the Palestinian Arabs).

"Let it be recalled, Mr. Secretary-General, that the organization headed by Mr. Arafat took responsibility for the recent deadly attack on the children of Misgav Am in addition to the murder of the Hebron worshippers, not to speak of all the other innumerable atrocities always aimed at civilians - men, women and children. Neither let it be forgotten that Mr. Arafat uses every possible occasion to declare that his aim is to see the State of Israel wiped off the map. This, as you know, is plainly stated in the so-called charter of the organization that goes by the name of the PLO. What, then, if not bloodshed and incitement to murder can one expect of a man who brazenly proclaims that the PLO and its head are his spokesmen?

"However, Mr. Secretary-General, the whole matter to which you refer is presently sub judice in our country.

"A petition to allow the return of the three men was submitted to our High Court of Justice for consideration. An order nisi was issued by the Court and hearings will be held on the merits of the case in the course of the next six weeks. Then the Supreme Court, sitting as the High Court of Justice, will render its judgement, which will, of course, be carried out by the Government."

4. The Secretary-General is continuing to follow closely developments in regard to this important matter.

ual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive",

1. *Strongly deplors* the failure of the Government of Israel to implement resolution 468 (1980);

2. *Calls again upon* the Government of Israel, as the occupying Power, to rescind the illegal measures taken by the Israeli military occupation authorities in expelling the Mayors of Hebron and Halhoul and the Sharia Judge of Hebron, and to facilitate the immediate return of the expelled Palestinian leaders so that they can resume the functions for which they were elected and appointed;

3. *Commends* the Secretary-General for his efforts and requests him to continue his efforts in order to ensure the immediate implementation of the present resolution and to report to the Security Council on the result of his efforts at the earliest possible date.

Adopted at the 2223rd meeting by 14 votes to none, with 1 abstention (United States of America).

Decision

At its 2224th meeting, on 30 May 1980, the Council proceeded with the discussion of the item entitled "The situation in the Middle East: report of the Secretary-General on the United Nations Disengagement Observer Force (S/13957)".²⁵

Resolution 470 (1980)

of 30 May 1980

The Security Council,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force,³⁸

Decides:

(a) To call upon the parties concerned to implement immediately Security Council resolution 338 (1973);

(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 30 November 1980;

(c) To request the Secretary-General to submit at the end of this period a report on the developments in the situation and the measures taken to implement resolution 338 (1973).

Adopted at the 2224th meeting by 14 votes to none.³⁹

³⁸ *Ibid.*, document S/13957.

³⁹ One member (China) did not participate in the voting.

Decisions

At the same meeting, following the adoption of resolution 470 (1980), the President made the following statement on behalf of the members of the Council:

"In connexion with the adoption of the resolution on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council regarding the resolution just adopted:

"As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force³⁸ states in paragraph 26: "Despite the present quiet in the Israel-Syria sector, the situation in the Middle East as a whole continues to be potentially dangerous and is likely to remain so unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached." This statement of the Secretary-General reflects the view of the Security Council."⁴⁰

At its 2226th meeting, on 5 June 1980, the Council decided to invite the representatives of Bahrain, Egypt, Israel and Jordan to participate, without vote, in the discussion of the item entitled "The situation in the occupied Arab territories: letter dated 3 June 1980 from the Permanent Representative of Bahrain to the United Nations addressed to the President of the Security Council (S/13977)".²⁵

At the same meeting, the Council also decided, by a vote, that an invitation should be accorded to the representative of the Palestine Liberation Organization to participate in the debate and that that invitation would confer upon it the same rights of participation as those conferred on a Member State when it was invited to participate under rule 37 of the provisional rules of procedure.

Adopted by 10 votes to 1 (United States of America), with 4 abstentions (France, Norway, Portugal, United Kingdom of Great Britain and Northern Ireland).

Resolution 471 (1980)

of 5 June 1980

The Security Council,

Recalling once again the Geneva Convention relative to the Protection of Civilian Persons in Time of

⁴⁰ Document S/13970, incorporated in the record of the 2224th meeting.

War, of 12 August 1949,²² and in particular article 27, which reads,

“Protected persons are entitled, in all circumstances, to respect for their persons . . . They shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats thereof . . .”,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War to the Arab territories occupied by Israel since 1967, including Jerusalem,

Recalling also its resolutions 468 (1980) and 469 (1980),

Reaffirming its resolution 465 (1980), by which the Security Council determined “that all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, or any part thereof have no legal validity and that Israel’s policy and practices of settling parts of its population and new immigrants in those territories constitute a flagrant violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East” and strongly deplored the “continuation and persistence of Israel in pursuing those policies and practices”,

Shocked by the assassination attempts against the Mayors of Nablus, Ramallah and Al Bireh,

Deeply concerned that the Jewish settlers in the occupied Arab territories are allowed to carry arms, thus enabling them to perpetrate crimes against the civilian Arab population,

1. *Condemns* the assassination attempts against the Mayors of Nablus, Ramallah and Al Bireh and calls for the immediate apprehension and prosecution of the perpetrators of these crimes;

2. *Expresses deep concern* that Israel, as the occupying Power, has failed to provide adequate protection to the civilian population in the occupied territories in conformity with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War;

3. *Calls upon* the Government of Israel to provide the victims with adequate compensation for the damages suffered as a result of these crimes;

4. *Calls again upon* the Government of Israel to respect and to comply with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, as well as with the relevant resolutions of the Security Council;

5. *Calls once again upon* all States not to provide Israel with any assistance to be used specifically in connexion with settlements in the occupied territories;

6. *Reaffirms* the overriding necessity to end the prolonged occupation of Arab territories occupied by Israel since 1967, including Jerusalem;

7. *Requests* the Secretary-General to report on the implementation of the present resolution.

Adopted at the 2226th meeting by 14 votes to none, with 1 abstention (United States of America).

Decisions

In a note dated 16 June 1980,⁴¹ the President of the Council stated that, following informal consultations, the Council decided to maintain the original composition of the Security Council Commission established under resolution 446 (1979) to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem.

At its 2232nd meeting, on 17 June 1980, the Council decided to invite the representatives of Ireland, Israel, Lebanon and the Netherlands to participate, without vote, in the discussion of the item entitled “The situation in the Middle East: report of the Secretary-General on the United Nations Interim Force in Lebanon (S/13994)”.²⁵

Resolution 474 (1980)

of 17 June 1980

The Security Council,

Recalling its resolutions 425 (1978), 426 (1978), 427 (1978), 434 (1978), 444 (1979), 450 (1979), 459 (1979) and 467 (1980), as well as the statement by the President of the Security Council of 18 April 1980,²⁷

Having studied the report of the Secretary-General on the United Nations Interim Force in Lebanon of 12 June 1980,⁴²

Acting in response to the request of the Government of Lebanon and noting with concern the questions raised in its letters addressed to the Security Council on 8 May,⁴³ 17 May⁴⁴ and 27 May 1980,⁴⁵

Convinced that the present situation has serious consequences for peace and security in the Middle East,

Reaffirming its call for the strict respect for the territorial integrity, unity, sovereignty and political independence of Lebanon within its internationally recognized boundaries,

⁴¹ *Official Records of the Security Council, Thirty-fifth Year, Supplement for April, May and June 1980, document S/14000.*

⁴² *Ibid.*, document S/13994.

⁴³ *Ibid.*, document S/13931.

⁴⁴ *Ibid.*, document S/13946.

⁴⁵ *Ibid.*, document S/13962.

participate, without vote, in the discussion of the question.

At its 2241st meeting, on 30 June 1980, the Council decided to invite the representatives of Algeria, Chad, Democratic Yemen, Djibouti, Gabon, Guinea, Guinea-Bissau, Iran, the Libyan Arab Jamahiriya, Maldives, Mali, Oman, Uganda, the United Republic of Cameroon and the Upper Volta to participate, without vote, in the discussion of the question.

At its 2242nd meeting, on 30 June 1980, the Council decided to invite the representative of the Gambia to participate, without vote, in the discussion of the question.

Resolution 476 (1980)

of 30 June 1980

The Security Council,

Having considered the letter of 28 May 1980 from the representative of Pakistan, the current Chairman of the Organization of the Islamic Conference, contained in document S/13966,²⁵

Reaffirming that the acquisition of territory by force is inadmissible,

Bearing in mind the specific status of Jerusalem and, in particular, the need to protect and preserve the unique spiritual and religious dimension of the Holy Places in the city,

Reaffirming its resolutions relevant to the character and status of the Holy City of Jerusalem, in particular resolutions 252 (1968), 267 (1969), 271 (1969), 298 (1971) and 465 (1980),

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,²²

Deploring the persistence of Israel in changing the physical character, demographic composition, institutional structure and the status of the Holy City of Jerusalem,

Gravely concerned about the legislative steps initiated in the Israeli Knesset with the aim of changing the character and status of the Holy City of Jerusalem,

1. *Reaffirms* the overriding necessity for ending the prolonged occupation of Arab territories occupied by Israel since 1967, including Jerusalem;

2. *Strongly deplotes* the continued refusal of Israel, the occupying Power, to comply with the relevant resolutions of the Security Council and the General Assembly;

3. *Reconfirms* that all legislative and administrative measures and actions taken by Israel, the occupying Power, which purport to alter the character and status of the Holy City of Jerusalem have no legal validity and constitute a flagrant violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East;

4. *Reiterates* that all such measures which have altered the geographic, demographic and historical character and status of the Holy City of Jerusalem are null and void and must be rescinded in compliance with the relevant resolutions of the Security Council;

5. *Urgently calls* on Israel, the occupying Power, to abide by the present and previous Security Council resolutions and to desist forthwith from persisting in the policy and measures affecting the character and status of the Holy City of Jerusalem;

6. *Reaffirms* its determination, in the event of non-compliance by Israel with the present resolution, to examine practical ways and means in accordance with relevant provisions of the Charter of the United Nations to secure the full implementation of the present resolution.

Adopted at the 2242nd meeting by 14 votes to none, with 1 abstention (United States of America).

Decisions

At its 2245th meeting, on 20 August 1980, the Council decided to invite the representatives of Algeria, Bahrain, Chad, Democratic Yemen, Djibouti, Egypt, the Gambia, Guinea, Guinea-Bissau, Indonesia, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Somalia, the Sudan, the Syrian Arab Republic, Turkey, the United Arab Emirates, the Upper Volta and Yemen to participate, without vote, in the discussion of the item entitled "The situation in the Middle East: letter dated 1 August 1980 from the Acting Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council (S/14084)".⁴⁸

At the same meeting, the Council also decided, by a vote, that an invitation should be accorded to the representative of the Palestine Liberation Organization to participate in the debate and that that invitation would confer upon it the same rights of participation as those

⁴⁸ See *Official Records of the Security Council, Thirty-fifth Year, Supplement for July, August and September 1980.*

conferred on a Member State when it was invited to participate under rule 37 of the provisional rules of procedure.

Adopted by 10 votes to 1 (United States of America), with 4 abstentions (France, Norway, Portugal, United Kingdom of Great Britain and Northern Ireland).

Resolution 478 (1980)

of 20 August 1980

The Security Council,

Recalling its resolution 476 (1980),

Reaffirming again that the acquisition of territory by force is inadmissible,

Deeply concerned over the enactment of a "basic law" in the Israeli Knesset proclaiming a change in the character and status of the Holy City of Jerusalem, with its implications for peace and security,

Noting that Israel has not complied with resolution 476 (1980),

Reaffirming its determination to examine practical ways and means, in accordance with the relevant provisions of the Charter of the United Nations, to secure the full implementation of its resolution 476 (1980), in the event of non-compliance by Israel,

1. *Censures* in the strongest terms the enactment by Israel of the "basic law" on Jerusalem and the refusal to comply with relevant Security Council resolutions;

2. *Affirms* that the enactment of the "basic law" by Israel constitutes a violation of international law and does not affect the continued application of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,²² in the Palestinian and other Arab territories occupied since June 1967, including Jerusalem;

3. *Determines* that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purport to alter the character and status of the Holy City of Jerusalem, and in particular the recent "basic law" on Jerusalem, are null and void and must be rescinded forthwith;

4. *Affirms also* that this action constitutes a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East;

5. *Decides* not to recognize the "basic law" and such other actions by Israel that, as a result of this law, seek to alter the character and status of Jerusalem and calls upon:

(a) All Member States to accept this decision;

(b) Those States that have established diplomatic missions at Jerusalem to withdraw such missions from the Holy City;

6. *Requests* the Secretary-General to report to the Security Council on the implementation of the present resolution before 15 November 1980;

7. *Decides* to remain seized of this serious situation.

Adopted at the 2245th meeting by 14 votes to none, with 1 abstention (United States of America).

Decisions

In a note dated 20 August 1980,⁴⁹ the President of the Council stated that the Chairman of the Security Council Commission established under resolution 446 (1979) to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem, had informed him on behalf of the Commission that, in accordance with the decision taken by the Security Council to maintain its original composition, the Commission had resumed its work and that it would, however, be difficult for it to report to the Council before 1 September 1980, as called for in paragraph 9 of resolution 465 (1980), and that the Commission requested an extension of the date of submission of its report to 25 November. The President added that, after informal consultations on the matter, it had been found that no member of the Council had any objection to the request of the Commission.

At its 2256th meeting, on 26 November 1980, the Council proceeded with the discussion of the item entitled "The situation in the Middle East: report of the Secretary-General on the United Nations Disengagement Observer Force (S/14263)".⁵⁰

Resolution 481 (1980)

of 26 November 1980

The Security Council,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force,⁵¹

Decides:

(a) To call upon the parties concerned to implement immediately Security Council resolution 338 (1973);

(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 31 May 1981;

⁴⁹ *Ibid.*, document S/14116.

⁵⁰ *Ibid.*, Supplement for October, November and December 1980.

⁵¹ *Ibid.*, document S/14263.

UNITED NATIONS
SECURITY
COUNCIL



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S/14248
11 November 1980

ORIGINAL: ENGLISH

Report of the Secretary-General under Security Council
resolution 478 (1980)

1. The present report is submitted in pursuance of resolution 478 (1980), which was adopted by the Security Council on 20 August 1980 on the question of Jerusalem. The operative part of that resolution reads as follows:

"The Security Council,

...

"1. Censures in the strongest terms the enactment by Israel of the basic law on Jerusalem and the refusal to comply with the relevant Security Council resolutions;

"2. Affirms that the enactment of the basic law by Israel constitutes a violation of international law and does not affect the continued application of the Fourth Geneva Convention of 12 August 1949 Relative to the Protection of Civilian Persons in Time of War in the Palestinian and other Arab territories occupied since June 1967, including Jerusalem;

"3. Determines that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purport to alter the character and status of the Holy City of Jerusalem, and, in particular, the recent 'basic law' on Jerusalem, are null and void and must be rescinded forthwith;

"4. Affirms also that this action constitutes a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East;

"5. Decides not to recognize the 'basic law' and such other actions by Israel that, as a result of this law, seek to alter the character and status of Jerusalem and calls upon all Members of the United Nations:

(a) to accept this decision;

(b) and upon those States that have established diplomatic Missions in Jerusalem to withdraw such Missions from the Holy City;

"6. Requests the Secretary-General to report to the Security Council on the implementation of this resolution before 15 November 1980;

"7. Decides to remain seized of this serious situation."

2. The text of the resolution was transmitted to the Minister for Foreign Affairs of Israel by the Secretary-General immediately after its adoption by the Security Council on 20 August 1980. In a note dated 6 October addressed to the Permanent Representative of Israel, the Secretary-General drew attention to his reporting responsibility under paragraph 6 of the resolution and requested the Permanent Representative to make available to him by 5 November his Government's comments on the implementation of the resolution. The reply of the Permanent Representative of Israel is contained in a note dated 4 November, which reads as follows:

"The Permanent Representative of Israel to the United Nations presents his compliments to the Secretary-General of the United Nations and, in response to the latter's note of 6 October 1980 concerning Security Council resolution 478 (1980), has the honour to draw attention to the statement made by the Minister for Foreign Affairs of Israel on 29 September 1980 in the course of the General Debate at the 35th regular session of the General Assembly.

"As the Foreign Minister observed, the situation of the various religions represented in Jerusalem has never been better than that prevailing since the reunification of the city in 1967. Israel has assured the free and unfettered observance of the religious rights of members of all faiths, who also administer their communal activities and their Holy Places without any interference.

"The Minister went on to note that throughout recorded history, only the Jewish people has made Jerusalem its capital. For the last one hundred and fifty years the majority of the city's population has been Jewish.

"He further expressed the hope that nations who seek peace, and know the reality which prevails in Jerusalem today, will respect the undivided city of Jerusalem as the capital of Israel, in the same way that Israel respects the Holy Places of all religions and their freedoms in the city."

3. Before the Security Council adopted resolution 478 (1980), the Governments of Chile, Ecuador and Venezuela had announced their decisions to withdraw their diplomatic missions from Jerusalem. Thus, at the time of the adoption of the resolution, 10 States maintained diplomatic missions in Jerusalem. In the course of August-September 1980, the Governments of those States informed the Secretary-General that they had decided to withdraw their respective diplomatic missions from the Holy City. Their communications have been circulated as documents of the Security Council. The dates of the communications and the symbols of the relevant Security Council documents are set forth below:

/...

<u>States</u>	<u>Dates of communication</u>	<u>Document symbols</u>
El Salvador	22 August 1980	S/14124
Costa Rica	26 August 1980	S/14126
Panama	26 August 1980	S/14127
Colombia	28 August 1980	S/14135
Haiti	29 August 1980	S/14137
Bolivia	29 August 1980	S/14138
Netherlands	29 August 1980	S/14144
Guatemala	5 September 1980	S/14151
Dominican Republic	9 September 1980	S/14163
Uruguay	9 September 1980	S/14168



UNITED NATIONS
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REPORT OF THE SECURITY COUNCIL COMMISSION ESTABLISHED
UNDER RESOLUTION 446 (1979)

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Letter of transmittal

25 November 1980

In our capacity as members of the Security Council Commission established under resolution 446 (1979), we have the honour to submit to you herewith the report prepared by the Commission pursuant to paragraph 9 of resolution 465 (1980).

This report was adopted unanimously today, 25 November 1980.

Please accept, Mr. President, the assurances of our highest consideration.

(Signed) Leonardo MATHIAS, Portugal,
(Chairman)

Julio de ZAVALA, Bolivia,

Kasuka Simwinji MUTUKWA, Zambia

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I. INTRODUCTION

A. Mandate and composition of the Commission

1. The present report is the third 1/ which the Commission has the honour to submit to the Security Council in implementation of its mandate as determined in paragraph 4 of resolution 446 (1979) which reads as follows:

"The Security Council ... establishes a Commission consisting of three members of the Security Council ... to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem."

2. Following the submission of the Commission's second report, the Security Council adopted at its 2203rd meeting on 1 March 1980 resolution 465 (1980) which reads as follows:

"The Security Council,

Taking note of the reports of the Commission of the Security Council established under resolution 446 (1979) to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem, contained in documents S/13450 and Corr.1 and S/13679,

Taking note also of letters from the Permanent Representative of Jordan (S/13801) and the Permanent Representative of Morocco, Chairman of the Islamic Group (S/13802),

Strongly deploring the refusal by Israel to co-operate with the Commission and regretting its formal rejection of resolutions 446 (1979) and 452 (1979),

Affirming once more that the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 is applicable to the Arab territories occupied by Israel since 1967, including Jerusalem,

Deploring the decision of the Government of Israel to officially support Israeli settlement in the Palestinian and other Arab territories occupied since 1967,

Deeply concerned over the practices of the Israeli authorities in implementing that settlement policy in the occupied Arab territories, including Jerusalem, and its consequences for the local Arab and Palestinian population,

Taking into account the need to consider measures for the impartial protection of private and public land and property, and water resources,

Bearing in mind the specific status of Jerusalem and, in particular, the need for protection and preservation of the unique spiritual and religious dimension of the Holy Places in the city,

1/ The first and second reports were submitted to the Council on 12 July 1979 (S/13450 and Add.1) and 4 December 1979 (S/13679) respectively.

Drawing attention to the grave consequences which the settlement policy is bound to have on any attempt to reach a comprehensive, just and lasting peace in the Middle East,

Recalling pertinent Security Council resolutions, specifically resolutions 237 (1967) of 14 June 1967, 252 (1968) of 21 May 1968, 267 (1969) of 3 July 1969, 271 (1969) of 15 September 1969 and 298 (1971) of 25 September 1971, as well as the consensus statement made by the President of the Security Council on 11 November 1976,

Having invited Mr. Fahd Qawasmeh, Mayor of Al-Khalil (Hebron) in the occupied territory, to supply it with information pursuant to rule 30 of the provisional rules of procedure,

1. Commends the work done by the Commission in preparing the report contained in document S/13679;
2. Accepts the conclusions and recommendations contained in the above-mentioned report of the Commission;
3. Calls upon all parties, particularly the Government of Israel, to co-operate with the Commission;
4. Strongly deplores the decision of Israel to prohibit the free travel of Mayor Fahd Qawasmeh in order to appear before the Security Council, and requests Israel to permit his free travel to the United Nations Headquarters for that purpose;
5. Determines that all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, or any part thereof, have no legal validity and that Israel's policy and practices of settling parts of its population and new immigrants in those territories constitute a flagrant violation of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East;
6. Strongly deplores the continuation and persistence of Israel in pursuing those policies and practices and calls upon the Government and people of Israel to rescind those measures, to dismantle the existing settlements and in particular to cease, on an urgent basis, the establishment, construction and planning of settlements in the Arab territories occupied since 1967, including Jerusalem;
7. Calls upon all States not to provide Israel with any assistance to be used specifically in connexion with settlements in the occupied territories;
8. Requests the Commission to continue to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem, to investigate the reported serious depletion of natural resources, particularly the water resources, with a view to ensuring the protection of

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those important natural resources of the territories under occupation, and to keep under close scrutiny the implementation of the present resolution;

9. Requests the Commission to report to the Security Council before 1 September 1980, and decides to convene at the earliest possible date thereafter in order to consider the report and the full implementation of the present resolution."

3. The term of Bolivia as a member of the Security Council having expired on 31 December 1979, the President of the Council announced on 16 June 1980 that a decision had been taken to maintain the original composition of the Commission, i.e., Portugal (Chairman), Bolivia and Zambia. 2/ The Council further decided on 20 August to extend the deadline for the submission of the present report until 25 November 1980. 3/

B. Activities of the Commission at Headquarters

4. In the course of its work, which resumed on 18 June, the Commission paid particular attention to the discussions which during that period were taking place on matters related to its mandate in both the Security Council (5 June, 27 and 30 June and 20 August), and the General Assembly which held its seventh emergency special session, on the question of Palestine, between 22 and 29 July 1980.

5. More specifically the Commission had on its table the following resolutions:

(i) For the Security Council:

471 (1980) of 5 June 1980 condemning assassination attempts on the lives of the Mayors of Nablus, Ramallah and Al Bireh; 476 (1980) of 30 June 1980 regarding the status of Jerusalem; and 478 (1980) of 20 August 1980 censuring Israel for the enactment of the "basic law" on Jerusalem proclaiming a change in the character and status of the Holy City.

(ii) For the General Assembly: resolution ES-7/2 of 29 July 1980 regarding the question of Palestine.

6. Furthermore, the Commission was kept informed of relevant publications recently or currently published by other organs of the United Nations.

7. After having studied again its terms of reference as renewed and clarified by the Council in resolution 465 (1980), the Commission decided to focus its efforts on two specific goals: first, to obtain as much information as possible on the developments which had occurred in the area since its last report, giving special attention to the question of depletion of natural resources, particularly the water resources; and secondly, to ascertain from the parties directly concerned their views on those developments.

8. On that basis the Commission decided to seek assistance again from the Governments concerned. Accordingly letters were addressed to the Permanent Representatives of Egypt, Jordan, Lebanon and the Syrian Arab Republic expressing appreciation for the help the Commission had already received from their respective

2/ See S/14000.

3/ See S/14116.

Governments when preparing its previous reports and requesting them to provide any new available information that would have a bearing on the Commission's tasks.

9. A letter was sent also to the Permanent Representative of Israel. In that letter, the Commission, regretting Israel's lack of response to the Commission's repeated appeals for co-operation, expressed the hope that the Israel Government would reconsider its position and provide any relevant information which the Commission would take into consideration when drafting its next report.

10. In a letter addressed to the Permanent Observer of the Palestine Liberation Organization, the Commission, recalling with appreciation the assistance already received from that organization, appealed for further assistance.

11. Similar letters were addressed to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and to the Chairman of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories.

12. The Commission, having considered that the League of Arab States might be in a position to provide substantial information, decided to request its assistance also.

13. At its 27th meeting, on 27 August, the Commission was provided with a slide and sound presentation by a representative of the Jordanian Mission on the situation now prevailing on the West Bank of the Jordan River, including Jerusalem. The Jordanian representative also informed the Commission that more information would be made available to it, either at Headquarters or preferably on the spot if the Commission decided to visit the area again in order to make an evaluation of the situation there since its last visit.

14. In response to the Commission's letters, several Governments expressed their keen interest in the renewal of its efforts, and offered their full assistance.

15. The Governments of Jordan, Egypt and the Syrian Arab Republic indicated that should the Commission decide to visit their capitals, meetings could be arranged with government officials and possibly individual witnesses who would be heard by the Commission.

16. Also the Permanent Observer of the Palestine Liberation Organization informed the Commission that Chairman Arafat would appreciate the opportunity to meet with the Commission whenever it visited the area.

17. Meanwhile the Commission took note of the contents of a letter dated 8 July 1980 addressed to the Deputy Permanent Representative of Portugal by the Permanent Mission of Israel, in which the Chargé d'Affaires a.i. recalled his Government's position with regard to the Commission's mandate and stated that the position had remained unchanged. ^{4/}

^{4/} See S/13450, paras. 17 and 23 and S/13679, para. 15.

18. After further consultations with the parties concerned, the Commission reached the conclusion that in order to report usefully to the Council, it should not only obtain as much information as possible on recent incidents but also make an evaluation of the earlier findings brought to the attention of the Council after the Commission's visit to the area in May-June 1979. Such an evaluation, it was felt, could be more comprehensive if conducted on the spot. Accordingly, despite the short time which could be devoted to such a visit, a decision was taken by the Commission at its 28th meeting, on 11 September, to make a second visit to the area.

19. In view of that decision, the Commission felt that the meeting envisaged with the representatives of the League of Arab States could take place in Tunis with the Secretary-General of that organization. The Tunisian Government, having been informed of the Commission's intention to visit Tunisia, proposed that a meeting be held also with government officials, a proposal which the Commission gratefully accepted.

20. The Commission also decided to seek an audience with His Majesty King Hassan II in his capacity as President of the Committee on Jerusalem of the Islamic Conference, a decision which was welcomed by the Government of Morocco.

21. On the eve of its departure the Commission met at Headquarters with Mr. Boutros Ghali, Minister of State for Foreign Affairs of Egypt, who examined with the members matters relating to the Commission's mandate and assured them of the full support of his Government, although, to his regret, he could not personally be in Cairo at that time.

22. Also the Commission, bearing in mind the unique character and spiritual dimension of Jerusalem, decided to send new letters to those of the representatives of the great monotheistic religions who, as indicated in the second report, had informed the Commission of their views on Jerusalem, in order to ascertain whether they had any new elements to add to their previous communications.

23. A reply dated 10 November 1980 was received from the Commission of the Churches on International Affairs of the World Council of Churches and may be found in annex IV.

24. In his reply dated 14 November 1980, the Permanent Observer of the Holy See, referring to its communication of 3 December 1979, the text of which was included in the second report, 5/ said that he had no new element to provide to the Commission.

25. The present report is based on elements of information which have been gathered from various sources both at Headquarters and during the visit to the area. In addition to the present introductory chapter, it contains four parts, i.e. chapter II, which relates the Commission's visit to the area; chapter III, which describes the prevailing situation relating to settlements in the occupied Arab territories with particular emphasis on the question of water resources there; chapter IV, devoted to observations; and chapter V, which contains the Commission's conclusions and recommendations.

26. The present report was unanimously adopted on 25 November 1980.

5/ S/13679, annex B.

II. VISIT TO THE AREA

A. Organization of the visit

27. During its visit to the area, the Commission was composed of the following members:

Ambassador Leonardo Mathias (Portugal), Chairman

Ambassador Julio de Zavala (Bolivia)

Dr. Kasuka Simwinji Mutukwa (Zambia)

28. They were accompanied by Mr. Fernando Neves from the Permanent Mission of Portugal to the United Nations.

29. The Commission decided that, as during the previous visit, it would hold consultations with the government authorities concerned and also receive at hearings, or individual interviews oral or written materials by other authorities, organizations or private individuals.

30. In that connexion, it was decided that the rules of procedure which the Commission intended to follow during those hearings would be the same as those it had applied during the first visit. 6/

31. The Commission organized its visit to the area as follows: the Hashemite Kingdom of Jordan - 26-28 September; the Syrian Arab Republic - 28-29 September; the Arab Republic of Egypt - 29 September to 1 October; Tunisia - 1-3 October; and the Kingdom of Morocco - 3-4 October 1980.

32. During its visit the Commission held consultations with the government authorities concerned and with other authorities speaking on behalf of relevant organizations. It also received testimony from private individuals.

33. In the course of the meetings held in that regard, tireless efforts were expended on a critical and analytical examination of the pertinent issues and clarification of the various points raised by members of the Commission. The Commission benefited from those extensive exchanges of views, which proved most useful in providing additional information and in further elucidating matters previously brought to its attention. The Commission would therefore like to express its most sincere appreciation to all the authorities and individuals concerned for their co-operation.

6/ S/13450, paras. 34 to 36.

B. Visit to Jordan (26-28 September 1980)

(a) Meetings with His Highness the Crown Prince of Jordan and with government officials

34. On 27 September 1980, the Commission had a working meeting in Amman at the Ministry for Occupied Territories Affairs, where it was received by Mr. Hassan Ibrahim, Minister of State for Occupied Territories Affairs. Also present at the meeting were Mr. Shawkat Mahmoud, Under-Secretary, Ministry for Occupied Territories Affairs, and other government officials.

35. After welcoming the members of the Commission, the Minister of State said that the Government of Jordan had noted with grave concern that, as a result of the persistence of Israel in its settlement policies and practices, the situation in the occupied territories, with particular reference to the West Bank, was becoming increasingly difficult. The Government had therefore felt it necessary to create a new ministry, the Ministry for Occupied Territories Affairs, which had been put specifically in charge of following closely the developments in the areas concerned and, in particular, to undertake practical efforts to alleviate the deteriorating living conditions of the Arab population of the occupied West Bank.

36. Reviewing the situation in the West Bank the Minister of State observed that Israel had not complied with the terms of Security Council resolutions 452 (1979) of 20 July 1979 or 465 (1980) of 1 March 1980. He pointed out in that regard that Israel had neither ceased the establishment, construction and planning of settlements in the territories occupied since 1967, including Jerusalem, as called for in the former resolution, nor had it dismantled the existing settlements, as called for under the terms of the latter. On the contrary, Israel was establishing, constructing and planning new settlements, as well as expanding those already established.

37. In that connexion the Minister of State drew attention to a plan said to have been announced in Israel, 7/ under which 46 Israeli settlements were to be set up in the occupied Arab territories by the end of 1983, at a cost of 32 billion Israeli pounds. 8/ By a subsequent amendment 22 more settlements would be added to the original 46. The policy of settlements was therefore very much active in all the occupied territories including the Golan Heights and Gaza, where roads were being built and electricity and water systems installed in preparation for the establishment of further Israeli settlements, thus causing the Arab population to despair and leave.

38. In its efforts to induce the Arab population to remain on the West Bank, the Government of Jordan was providing financial support, through the Jordanian Palestinian Commission, to projects there, such as those providing housing

7/ The so-called "Master Plan for the Development of Settlements in Judea and Samaria 1979-1983", prepared in October 1978 by M. Drobles, Department for Rural Settlement of the World Zionist Organization.

8/ Approximately equal at the time to 1.77 billion US dollars.

or educational facilities. By recent decisions, however, Israel was endeavouring to stop the flow of funds from Jordan. Mr. Ibrahim noted in that regard that those new restrictions by the occupying authorities not only hampered Jordan's efforts to assist the Palestinians in their plight but had also to be seen as a direct obstacle to the generous initiative of the Arab countries, which at the 1978 Baghdad Summit had established a special fund for that very purpose.

39. Another instance of non-compliance by Israel with the aforementioned Security Council resolutions was a decision adopted by the Israeli Cabinet on 16 September 1979, which allowed Israelis to purchase lands and property in the occupied West Bank, including Jerusalem.

40. Turning to the question of Israeli settlements, the Minister of State said that, between March 1979 and September 1980, 28 new settlements had been established in the West Bank and 4 existing settlements further expanded. As to the extent of the land which had been confiscated on the West Bank during the same period, he said that it amounted to some 300 million square metres, thus bringing the total of the land confiscated on the West Bank to one third of the full area.

41. Israeli policy towards the people of the occupied territories, according to the Minister of State, had become more severe in the last months, as evidenced, for example, by the deportation of mayors from the West Bank, attempts on the lives of the mayors of Nablus, Ramallah and Al-Birah, destruction of crops in Hebron, curfews established to confine people to their homes, heavy fines or imprisonment for political activity, punitive destruction of private houses and indiscriminate killing of young students.

42. The Minister of State also drew attention to the changes brought to existing Jordanian law in the West Bank concerning education and labour which gave Israel full control in those two fields. He noted further that whenever members of the Jordanian staff who had remained in the Jordanian Administration in the occupied West Bank after 1967 had to quit for retirement or any other reason, their posts were systematically taken over by Israeli officers.

43. Concerning Jerusalem, the Minister of State said that in addition to the land and properties already confiscated, as previously reported, there was a new plan to expropriate 79 million square metres and to build 12,000 housing units in the north and east of the city. This would affect 27 Arab villages and could lead to the emigration of 130,000 Arab citizens. Furthermore, in connexion with the decision by the Israeli Prime Minister to move his office to East Jerusalem, Arab families living in that area had been ordered to vacate their dwellings.

44. The intervention of Israeli authorities to control every sector had not spared the religious authorities who were now required to submit to new regulations making it compulsory to obtain written authorization from the Israeli Ministry of Religion in order to erect a building or even to repair or maintain existing structures.

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45. In conclusion, the Minister of State for Occupied Territories Affairs appealed to the Commission to convey to the Security Council the conviction of the Jordanian Government that in the recent months the situation in the occupied territories had taken a turn for the worse and that Israel had launched an all-out effort to establish itself as the permanent and final authority in the area.

46. In the same afternoon of 27 September 1980, the members of the Commission were received by the Acting Minister for Foreign Affairs and Minister of Information, Mr. Adnan Abu Odeh, who was accompanied by other government officials. He welcomed the members of the Commission on their second visit to Jordan. The fact that the conclusions and recommendations in its two reports had been accepted and approved by the Security Council was, he said, a testimony of the accuracy and objectivity maintained by the Commission, as also demonstrated by resolution 465 (1980) which was adopted unanimously, that the situation would improve. Unfortunately, things had become only worse on account of the negative response of Israel, which had decided to ignore that resolution, like so many others on the Middle East question.

47. Reviewing the course of events on the West Bank since the Commission's last visit in 1979, the Acting Minister for Foreign Affairs said that the total number of Israeli settlements had gone up from 78 to 106, an increase of 28. Moreover the so-called "Drobles plan" had called for the gradual establishment of additional settlements in the West Bank by 1983.

48. As the establishment of new settlements necessitated the expropriation of new Arab land, the amount of land that had so far passed under direct Israeli control had increased from 27.5 per cent to 33.3 per cent of the West Bank. Furthermore, four of the existing settlements had been expanded during that period.

49. Adverse developments had also occurred in the field of human rights: the repression of Arab liberties in all aspects of life had further increased the frustrations of the Arab inhabitants on the West Bank and was making the conditions of daily life intolerable. He gave specific instances, such as the expropriation of the property of a high-ranking leader, the expulsion of mayors and their deportation from the West Bank, and an attempt on the lives of other mayors, two of whom, gravely hurt, were still in serious condition.

50. With the deterioration in relations between the Israelis and the Arab inhabitants, coupled with the deliberate aggravation of Arab conditions, the people of the West Bank were becoming more and more demoralized and anxious to leave their occupied land, if only to guarantee certainty of future to their children. In fact it appeared that Israel was purposely promoting such a feeling. It was common, for instance, for the Israelis to subject young schoolchildren to hard and intimidating interrogation at police stations in order to create fear and other psychological problems both for the children themselves and their families.

51. Mr. Adnan Abu Odeh also gave a general assessment of the relations between

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Israel and its neighbours and of the attitude of Israel on the Middle East problem itself. He said that the level of bitterness between the people of Israel and those of the neighbouring countries had reached a point even higher than in 1967. In fact, despite the prevailing conditions of occupation relations had started to improve and there had been a promising possibility of accepting coexistence. But then Jewish religious fanatics, led by the Gush Emunim Movement, had increased their activities on the West Bank, culminating in the establishment of settlements which were nothing but a clear act of aggression in violation of international law.

52. In that connexion the Acting Foreign Minister identified three patterns of relations between Israel and its neighbours as follows:

- (i) The case of the Egypto-Israeli initiative, which was an attempt to normalize relations between the two countries;
- (ii) The Jordanian pattern, based on the observance of the cease-fire;
- (iii) The Lebanese pattern, based on the mobilization of forces and intermittent military engagements (that pattern, he said, was potentially the most dangerous one because it gave Israel a pretext for its policy of expansionism).

53. Referring to Israel's intransigent and adamant attitude, the Acting Minister for Foreign Affairs said that Israel derived encouragement from the unreserved support it was receiving from the United States; that privileged treatment, he said, constituted a big obstacle for the aspirations of the Palestinian people and for the attainment of a peaceful solution concerning the occupied territories.

54. Mr. Abu Odeh expressed doubts concerning Israel's efforts to justify the establishment of its settlements in the occupied territories on the basis of internal or external security. The real problem in the present circumstances, he said, was not one of security but one of acceptability. Israel felt that it was an alien and isolated body in the area, and feared that its isolation was bound to increase with every sign of solidarity and cohesion within the surrounding components.

55. Consequently Israel had found its safeguard in being a divisive element both inside the occupied territories and outside, where it purposely incited warlike activities which, because of its present strong military position, it could control: that actually explained the present situation in Lebanon.

56. The Acting Minister for Foreign Affairs concluded that Israel could afford such an attitude only because its alliances left it with the option of war or peace while, for the present, the Arab countries had only the option of peace. The fact that Israel was taking advantage of its present position to obstruct the just expectations of the Arab countries was creating nothing but bitterness and frustration.

57. On 28 September, His Highness Crown Prince Hassan Bin Talal received the

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Commission. Present at the meeting was also Dr. Bassam Sakat, Director of the Economics Department of the Royal Scientific Society. At that meeting an extensive exchange of views took place on the subject of settlements, in particular the impact of those settlements on the future of the West Bank. The exchange covered also Israel's policies affecting the economic and social developments in the area as well as the prospects of peace.

58. The Crown Prince said that by early September 1979 Israel had established 106 settlements and confiscated 183,000 hectares of land in the West Bank. He also pointed out that exploitation of the West Bank resources was not limited to land only but was practically extended to all its resources including water, manpower and the area's external trade.

59. The Crown Prince also indicated that, in establishing those settlements, Israel had undermined the agriculture and economic life of the West Bank by expropriating large areas of farm land and utilizing the available water resources for the benefit of the settlements.

60. Regarding the external trade of the area, Israel followed a policy aiming at linking the economy of the West Bank to that of its own territory. In the process it had resorted to various practices which gave Israel full control over the economy of the area, transforming it into a market for its products, resulting in a trade surplus to its advantage.

61. At the same time Israel subjected the trade from East to West Bank to restrictions and levied exorbitant duties on imports from Jordan. Another example of controlling the area's economy was to place Israeli labels on West Bank industrial and agricultural products, making it impossible for Jordan or other Arab countries to accept the import of such products.

62. Referring to the restriction of development opportunities for the Arabs in the occupied West Bank, Prince Hassan said that the level of Jordanian investments channelled into the West Bank was being subjected to strict regulations established by the occupying Power. Financial restrictions imposed by Israel rendered Jordanian promotion of Arab agriculture and industry in the West Bank very difficult. Promotion of only vertical growth in both sectors was possible but any attempt to encourage development of the West Bank, such as in a programme recently suggested by UNDP, was negated. In fact, all endeavours to preserve the Arab identity in the West Bank through educational planning or otherwise were being blocked by Israel. Furthermore, he said, there was a deliberate attempt by Israel to treat the West Bank as a political and economic zone separate from the Gaza Strip and to link the West Bank to the Israeli economy.

63. The Crown Prince continued saying that when Jordan agreed to an "open bridge" policy between the East and the West Bank it had in mind the necessity to maintain a contact with Arab inhabitants in the West Bank so that a part of their economic, trade and social needs would be met. He pointed out that that policy had been adopted mainly for humanitarian reasons which could not be ignored.

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64. Crown Prince Hassan reminded the Commission that Jordan's position concerning Jerusalem and the West Bank had been repeatedly stated. On Jerusalem, he said that Jordan considered the Holy City as an integral part of the West Bank. It was an essential problem which, once solved, could lead to a comprehensive solution.

65. The Crown Prince stressed that Israel continued to deny the rights of the Palestinians and was attempting to impose on them a solution which ignored those rights. In his view, the idea of so-called "autonomy" was not the answer because, while giving Israel economic and political advantages, it ignored the wishes, aspirations as well as the inalienable rights of the people under occupation and therefore could not be considered the solution to the problem.

66. Referring to Israel's contentions that the population of the West Bank had rather increased since 1967 and that the settlements did not adversely affect its growth, the Crown Prince indicated that contrary to those contentions the population of the West Bank had decreased. At present the annual growth rate in the West Bank was only 1.2 per cent while in the East Bank it was 3.4 per cent.

67. Other aspects of economic difficulties encountered by the West Bank population were mentioned by Dr. Bassam Sakat, who cited three particular areas in which Israel was concentrating its efforts with the ultimate objective of making the West Bank economy dependent on Israel, namely production (labour), land and capital. In pursuit of that objective, large industrial Israeli complexes were being established in the midst of densely populated Arab areas and, while the Arab enterprises had been financially hurt as a result of the closing of all Arab banks in the occupied territories, the Israeli Government lent continuous support to Israeli industrial enterprises, making Arab industries less competitive and eroding their ability to survive.

68. The Crown Prince's statement was highlighted by a presentation of slides on Israeli settlements in the West Bank (including Jerusalem) as well as statistical charts. Comments made during the presentation emphasized Israel's determination to strengthen its presence in the West Bank by fortifying its settlements and by surrounding Jerusalem with a ring of residential buildings practically cutting it off from the rest of the West Bank.

69. The presentation indicated also that the real advantage which Israel was deriving from its occupation was not the enforcement of its security but the alleviation of its national economic plight through the control and exploitation of the occupied Arab territories.

(b) Hearings held in Amman

70. During its stay in Jordan the Commission had the opportunity of having six witnesses who had expressed the wish to appear before it. A summary of each statement received by the Commission can be found in annex I to the present report.

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71. Among those statements, the Commission noted with particular interest that of Mr. Ruhi El-Khatib (Witness No. 2), who was the Mayor of Jerusalem when he was expelled from that city in 1968. Mr. El-Khatib, who had already testified before the Commission in 1979, 9/ said that since his last appearance, Israel's policy of judaizing Jerusalem by eliminating Arab presence and history had been systematically enforced. He referred in particular to the archeological excavations which, pursued despite United Nations and UNESCO resolutions, were gravely damaging Moslem shrines and driving away Arab inhabitants; the taking over of Arab public services such as the Electricity Company of Jerusalem, a case presently pending before an Israeli Court; the decision to transfer the Prime Minister's office to the Old City of Jerusalem, for which Arab inhabitants in the coveted area had been evacuated, and work on which had started; the law declaring Jerusalem the capital of Israel; and the closure of one of the few remaining Arab educational institutions on the West Bank. Mayor El-Khatib insisted that the time was running short before the trend became irreversible.

72. Another witness (no. 3), described the incidents which had taken place in Hebron in connexion with the establishment of settlements in that area. He said that a military post had first been set up in the hills overlooking the town. It had soon been transformed into a settlement that proliferated on expropriated lands, despite the inhabitants' protests. Describing the ceaseless provocations endured by the population, which led to molestations, a period of famine and cases of deaths, he emphasized that those instances of violence were not the acts of unruly individuals but were well known to the authorities who sometimes instigated them.

73. The fourth witness was a university professor, who said he had been summarily deported three months earlier for an unknown reason. He described to the Commission the difficulties of Arab teachers and students, strictly controlled in their teachings and studies and frequently threatened by the occupying authorities. He felt that his unexplained expulsion was meant to be a warning to his colleagues.

74. Witnesses Nos. 5 and 6 dwelt on the question of the confiscation of Arab lands by the Israelis, through the brutal process of direct and sudden confiscation or the more subtle means of water resource depletion, which unavoidably brought despair and surrender among the farmers.

75. In that connexion Witness No. 6 referred elaborately to the case of the village of Al-Auja, near Jericho, already brought to the attention of the Council, 10/ where citrus plantations had been ruined as a result of the unilateral diversion of the water resources that used to feed the village spring for the exclusive use of the newly established Israeli settlements.

9/ S/13450/Add.1, Witness No. 15.

10/ See document S/13679, para. 44.

C. Visit to the Syrian Arab Republic (28-29 September 1980)

Meeting with government officials

76. The Commission travelled to Damascus on Sunday, 28 September 1980. It was received the following morning by the Vice-Minister for Foreign Affairs, Mr. Nasser Kadour. Mr. Taher Houssami, Deputy Director of International Organizations, was also present. The Vice-Minister welcomed the members of the Commission on their second visit to Syria, and pointed out that the existence of Israeli settlements in the occupied Arab territories was a matter that portended extreme danger for the area. He assured the Commission of the full co-operation of his Government.

77. Turning to the developments which had taken place in the occupied Golan Heights since the last visit of the Commission, the Vice-Minister said that Israel had officially declared its intention to establish five new settlements in the Golan Heights by the end of 1981. These new settlements would bring the total number to 35, since at present there were already 23 official settlements and 7 posts. The following locations were indicated for the proposed new settlements:

- (i) At Sukayk, on the road leading to Mas'adah;
- (ii) At the slope of Mountain Qata, near Lake Mas'adah;
- (iii) Near Tell Abu Qatif, i.e., near the village of Ayn Ayshah;
- (iv) At Mazra'at Quneitra;
- (v) Near the village of Dabbusiyah, adjacent to the Al-Rahhad River.

78. Mr. Nasser Kadour explained that the posts to which he had referred were described by Israel as control towers and that, according to Israel, those posts necessitated military fortifications, which meant that barracks for soldiers had to be constructed around them. A chain reaction was thereby established in a subtle manner, intended to disguise the actual intentions of the occupying authorities: first to establish posts in the guise of protective units for the nearby settlements, and then to establish military fortifications for the protection of the protective posts, which thereafter became actual settlements.

79. He added that, in continuation of its endeavours to absorb the remaining Arab population, Israel was pursuing the destructive policies which had been reported to the Commission during its previous visit to the area. ^{11/} Those included biased educational programmes, compulsory nationality registration and, of course, absolute control of manpower, economic, industrial and agricultural activities.

80. He also noted that Israel's refusal to co-operate with the Commission was not only consistent with its past record of defiance of United Nations decisions

^{11/} S/13450, chap. II, sect. C (a).

but that, in the present circumstances, it expressed the clear intention of Israel to hide from the Security Council the truth about the disastrous conditions prevailing in the occupied Arab territories.

81. The Vice-Minister for Foreign Affairs also emphasized that at the core of the problem in the Middle East, which had started in 1947, was the failure to deal with the rights of the Palestinian people. For that reason, he said, it was highly regrettable that Egypt had felt it appropriate to go on its own and, abandoning the Arab cause, had decided to enter into bilateral relations with Israel in complete disregard of the Palestinian issue. In doing so, Egypt, the largest country in the Arab world, had left the battlefield, and the alliance which it had signed with Israel had changed the balance of power.

82. Mr. Nasser Kadour added that, considering that Israel depended totally on the support of its allies, it was incumbent on the Arab States to develop their own forces and achieve solidarity. Once the gap in the balance of power was eliminated, he said, then meaningful negotiations between the parties concerned could be undertaken on a basis of parity. In Syria's view such negotiations should then preferably be conducted under the auspices of the United Nations.

83. As to the prerequisites of a comprehensive and lasting peace upon which such negotiations could be centred, the following were suggested:

- (i) The withdrawal by Israel from all the occupied Arab territories;
- (ii) The implementation by Israel of the relevant articles of the Charter of the United Nations prohibiting the acquisition of territory by force;
- (iii) The recognition by Israel of the inalienable rights of the Palestinian people for self-determination and an independent State; and
- (iv) The implementation by Israel of the resolutions adopted by the United Nations on the matter, in particular, General Assembly resolution ES-7/2 of 29 July 1980 on the question of Palestine.

84. Concluding his statement, the Vice-Minister pointed out that, while Israel had repeatedly stated its need to keep the Golan Heights under its control as an area of the greatest strategic significance, the same reason of security applied to Syria concerning that region, which was an integral part of Syrian territory and which therefore the Government of Syria would never abandon.

D. Visit to Egypt (29 September-1 October 1980)

(a) Meetings with government officials

85. On 29 September the Commission arrived in Cairo. The following morning, it was received at the Prime Minister's Office by Mr. Fouad Mohyeldeen, Deputy Prime Minister of Egypt. Also present at the meeting was Dr. Samir Ahmed, Under-Secretary for International Organizations, Ministry of Foreign Affairs.

86. The Deputy Prime Minister said that Egypt was following with great concern the crucial issue of settlements in the occupied Arab territories; it was deplorable that, in spite of numerous condemnations by the international community, Israel had continued to establish a substantial number of settlements in those territories.

87. Israel sometimes claimed that its settlements were built on public property, although in fact it was also using privately-owned land. It also claimed that some of its settlements were created for the purpose of military security, but security for Israel could not be found in building settlements, whatever their type, size or geographical locations; Israel's security could be guaranteed, as President Sadat had declared, only through fostering good relations with its neighbours.

88. Mr. Mohyeldeen said that the dismantling and relinquishing of settlements from the Sinai had established a precedent that henceforth could be applied in dealing with other occupied territories. As such, the existence of Israeli settlements in any occupied Arab territories should no longer be considered as a sign of permanent Israeli presence there.

89. The Deputy Prime Minister also pointed out that when Egypt felt that the negotiations for the autonomy in Gaza and the West Bank were not going as expected, it had suspended the negotiations. President Sadat, in exchanging letters with Prime Minister Begin, had included the following reasons for the suspension of negotiations: the decision to annex Jerusalem as the capital of Israel, the establishment of additional settlements in the West Bank and Gaza and the renewed repression of the Arab population.

90. The Deputy Prime Minister assured the Commission of his appreciation for its continued efforts and expressed the hope that the pressure of public opinion could be exerted in favour of a solution for the crucial question of settlements.

91. He also pointed out that while his Government felt that it might be easier to start the peace process concerning the occupied territories within the Gaza Strip, Egypt would not agree to separate the question of Gaza from the issue of the West Bank as a whole.

92. On the same day, the Commission was received at the Ministry of Foreign Affairs by Dr. Usama El-Baz, First Under-Secretary, and afterwards held a working session with Dr. Samir Ahmed, Under-Secretary for International Organizations. Ambassador Ahmed Ezzat Abdel-Latif, Director, Department of Palestine Affairs, and other government officials also attended those meetings.

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93. Dr. El-Baz expressed Egypt's appreciation for the work of the Commission. He said in particular that, despite Israel's refusal to co-operate, the work of the Commission was most useful not only for its impact on international public opinion but also in fostering the position of those in Israel who questioned the wisdom of the settlements policy in the occupied territories. Dr. El-Baz assured the Commission of the continuing co-operation of his Government in particular by providing to it all available information in furtherance of the Commission's tasks.

94. In the course of his remarks, Dr. El-Baz reiterated the conviction of the Government of Egypt that, without resolving the Palestinian question, there would be no solution to the Middle East problem as a whole and consequently no peace in the area. With that premise in mind Egypt had decided to enter into direct negotiations with Israel, a process which was still continuing. However, he said, the experience of the Egyptian negotiators had been one of disappointment because of the negative stance of the Israeli authorities, who had deliberately shown insistence on protocol and procedural issues rather than willingness to deal with the substance of the matter. Consequently, there had been a series of setbacks which led to unavoidable suspensions of the negotiations.

95. Nevertheless, the Government of Egypt felt bound not to put a final stop to the negotiation process, in the deep conviction that, because of its commitments, Israel for the first time had found itself bound by its own signature regarding some aspects of the Palestinian rights.

96. Noting furthermore that the absence of such a negotiation process would not have restrained Israel from continuing its construction of further settlements, Dr. El-Baz emphasized that the dialogue started at and embodied in those agreements had introduced a new dynamism in the situation, with legal and psychological consequences for both sides. For the Arabs, it had demonstrated that the physical presence of the settlements was not an irreversible phenomenon, and for the Israelis it had destroyed the myth that the establishment of a settlement in an Arab territory conveyed a guarantee of permanent Israeli presence in that area.

97. Thus when, as a result of direct negotiations, an Israeli settlement, highly and extensively developed, was relinquished to an Arab authority, a legal and historical precedent had been established in El Arish, which would have been considered inconceivable previously.

98. Egypt also felt that the negotiation process afforded an opportunity to enlighten public opinion both inside and outside Israel regarding the real consequences of the settlements policy; in particular, it focused attention on the fact that contrary to Israel's claims, the establishment and maintenance of settlements in the occupied territories constituted a liability far more than an element of security for that country. Indeed, daily incidents demonstrated that those settlements were the main source of friction between the Israelis and the Palestinians, often generating serious acts of violence, which by their very existence contradicted Israel's security claim.

99. Dr. El-Baz noted in that regard that during the negotiations, the Egyptian delegation had requested the Israeli representatives to provide any evidence

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justifying the security value of each settlement. The Israeli representatives had failed to put forward any consistent and coherent explanation concerning the settlements as guarantees for Israel's security. Instead, they had resorted to their well-known claims of so-called historical and biblical rights.

100. Nevertheless, a moratorium on further construction of Israeli settlements during the period of the direct negotiations had been the subject of an oral agreement. But Israel had reneged on that agreement, as amply demonstrated.

101. Recalling that Egypt regarded the Israeli settlements as utterly illegal and constituting a direct obstacle to peace, Dr. El-Baz pointed out that Egypt's stand corresponded to the position of the United Nations as indicated in Security Council resolutions, in particular resolutions 242 (1967) and 338 (1973).

102. Turning specifically to the question of the Gaza Strip, Dr. El-Baz stated that Gaza was part of the Palestinian entity whose territorial integrity must be preserved. Therefore, Egypt would never accept an agreement on Gaza separate from the West Bank. Both Gaza and the West Bank had to be subjected to the same legal process and the inhabitants of those areas as a whole must be granted their inalienable rights, including, naturally, their right to self-determination. For that reason, Egypt believed that the voting rights of the inhabitants of East Jerusalem should be exercised there and not anywhere else as had been suggested as a compromise.

103. However, he said, if it were felt appropriate, the implementation of the autonomy plan could well start in the Gaza Strip which, because of its small size, would be administratively easier to organize. Then, if successfully conducted, such experience would facilitate Israel's acceptance of the idea that the evolution towards autonomy did not automatically lead to mass violence and terrorism.

104. As to the final agreement concerning the right of self-determination of the Palestinian people, Dr. El-Baz stressed pointedly that Egypt did not claim in any way to speak for the Palestinians in that account. The Camp David framework, he said, was only a transitional arrangement intended to provide a basis for the final settlement which should be reached as a result of direct negotiations between the Palestinians and the Israelis.

105. Following that meeting the Commission held a working session with Dr. Samir Ahmed, Under-Secretary for International Organizations.

106. After recalling the position of the Egyptian Government on the question of the Middle East and the Government's particular concern regarding the pursuance by Israel of its settlement policy, despite the moratorium which had been agreed upon at Camp David, the Under-Secretary gave information on the settlements in the Gaza Strip.

107. According to the most recent information, the seven settlements which had been reported previously to the Commission were still active; and one of them, Kfar Darom, a Nahal military settlement established near the refugee camp of Mughasi, had been doubled to accommodate 400 settlers.

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108. Since then three new settlements had been established: one close to Gaza, called Nahal Taadeel, where some 4000 settlers lived; one near Rafat, called Holeet, which contained some 300 housing units; and another one between Dier El Balah and Khan Yunis, which had joined its agricultural activities with the two other settlements of Katif A and Katif B, already reported upon, thus bringing the total number of settlers of those three settlements from 550 to more than 1000. In addition, a settlement called Beit Lahat was under construction north of Gaza.

109. Commenting on the purpose of the Israeli Government in pursuing a policy which was everywhere condemned as contrary to all relevant tenets of international law, Dr. Ahmed refuted the "untenable" biblical claims on the basis of which some Israeli leaders were referring to the West Bank as Judea and Samaria, as well as the "security myth" which, he said, was not even supported in high levels of the Israeli military command, which considered that in case of war the current situation in those territories would be fraught with danger.

110. The real purpose of those operations, he said, was to separate by a demographic line the Arab and Jewish populations which had originally lived together. Then, by pushing away that line and filling the land vacated by the Arabs with Israeli settlers, a political and even geographical transformation of the area was taking form which, once completed, would render virtually impossible the return of those Arab lands to their legitimate owners.

111. Egypt, the Under-Secretary continued, faced with the practical reality that it was no longer feasible in the present circumstances to resort to war as a means of resolving the Middle East question, had taken the only course of action which was left open toward the search for a comprehensive peace in the area.

112. As a result of its initiative, the Egyptian Government was heartened by the fact that for the first time in history, Israel had appended its signature to certain concepts of legal and political relevance for the Palestinians, a step which heretofore would have been considered inconceivable. Thus, Israel had acknowledged the existence of the Palestinian issue and had pledged itself to participate in solving the Palestinian question in all its aspects. It had agreed to withdraw the Israeli military government and its civilian administration from the West Bank and Gaza and have them replaced by an elected Palestinian authority, which at the end of a specified transitional period would hold direct negotiations with Israel towards self-determination for the Palestinians.

113. In his view, Egypt's initiative in the matter had also another consequence of importance. For years, public opinion had been made to believe that, if no negotiations were taking place, it was the fault of the Arabs. Now that an agreement had been signed and that furthermore a main Power, the United States, had testified that a verbal moratorium on the establishment of further settlements had been jointly agreed upon, the situation was reversed, and Israel was henceforth held accountable to international public opinion in the event that it reneged on any part of it.

114. Dr. Samir Ahmed added that Egypt would faithfully support any effort of the United Nations which could lead towards the achievement of a comprehensive peace in the area.

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(b) Hearings held in Cairo

115. During its stay in Egypt, the Commission heard six witnesses who had expressed the wish to appear before it. As with the hearings held in Amman, the Commission decided to append a brief summary of each of the statements received in Cairo in annex I to the present report.

116. Those six witnesses, most of whom had come from the Gaza Strip, spoke about the living conditions of the population in that area. They said that before 1967 the Gaza Strip, with its small size of 360 square kilometres, with an Arab population of some 600,000 and scarce resources, was already overpopulated. The arrival of thousands of Israeli settlers had rendered the situation hopeless.

117. They confirmed the plight of the inhabitants, as it had already been reported to the Commission during its previous visit ^{12/} and said that the policy of expropriation of land to establish new settlements or expand others had been ruthlessly pursued. They added that by now the compulsory payment for every cubic metre of water, even when taken from private family wells, had been generalized while by contrast, water was free for the settlers. They also said that a recent order by Israeli military authorities prohibiting construction in a wide area had rendered the relocation of refugees even more difficult.

118. Complaining about the provocations which, they said, were currently being made by armed settlers who could not be taken to court for their actions, they described the situation as one of despair and requested the Commission to make their statements known to world opinion.

E. Statement by the Secretary-General of the Executive Committee of the Palestine Liberation Organization

119. On 29 September, the Commission had a meeting in Damascus with Mr. Mohammed Zuhdi Nashashibi, Secretary-General of the PLO Executive Committee.

120. Mr. Nashashibi conveyed to the Commission the deep regrets of Chairman Arafat who, being outside the area to pursue his efforts for peace between Iraq and Iran, could not come himself despite his personal wishes and the considerable importance which his Organization attached to the work of the Commission.

121. Mr. Nashashibi gave an account of his experience as a Palestinian who had been expelled from his own land. He then pointed out the biased attitude of zionism which, while advocating the right for the Jews to be recognized as a people, was systematically hostile to any Palestinian entity, rejecting even the right of the Palestinians to return to their land as well as their right for self-determination.

122. He added in that connexion that while the existence of Israel had been the result of an international decision taken by the United Nations some 35 years ago, the right of the Palestinians to independence and sovereignty was the result of a long and continuous process. The fact that that process had been hampered by the expansionist policy of zionism, despite the repeated and pressing decisions taken by the United Nations on the matter, would not put a stop to that historic process.

^{12/} S/13450, sect. E (b).

123. The duplicity of the Israeli Government in its approach to the question appeared also from its attempted justifications for its illegal occupation of Palestine. Depending on circumstances, Israel spoke of political borders, security borders, hydraulic borders and, when none applied, it claimed those supposedly established by the Bible. Needless to say, such an approach had little to do with the principles of the United Nations Charter and with international law as a whole.

124. Criticizing the Camp David Agreement, Mr. Nashashibi said that the idea of self-rule as envisaged in its context was a clear denial of the very existence of the Palestinian people. It was nothing but an attempt to legalize the occupation of Arab territories, justify the Israeli settlements and put a final stop to any hope that the Palestinians, who under duress had been compelled to leave their country, could ever return there. Meanwhile Israel's grip on those territories continued unabated.

125. Referring to a presentation which the PLO had made recently to an industrial conference of Arab States, Mr. Nashashibi described the measures used by the occupying authorities to suffocate Arab business. He said that Arab industries were prevented from importing basic materials from Arab countries so that they would be compelled to buy Israeli materials only. The manpower was entirely controlled by Israeli authorities. As to the finished products, if not sold inside Israel or the occupied territories, they had to be shipped through Israeli ports where automatically Israeli labels were affixed on them. As a result of this, Arab countries were prevented from accepting goods which in fact had been produced by Arabs.

126. Banking facilities were also used as a means of pressure. Arab banks having been closed or taken over, it was extremely difficult for Arab industries to obtain financial assistance; thus the competition was practically impossible with Israeli enterprises which, by contrast, were receiving full support from their banks.

127. As to international aid, which as a general rule is made available to any developing country, including Israel, the Israeli authorities did not allow contributions to be received by the Palestinians in the occupied territories from Arab or other international sources.

128. Mr. Nashashibi added that that lack of financial support was not hampering only the industry but the farmers as well, whether as individuals or grouped in co-operative societies.

129. Pointing out that the purpose of Israel in doing so was to drive the Arab population to despair and to compel them to leave, the Secretary-General of the Executive Committee appealed to the Commission to draw once again the attention of the Security Council to the plight of the Palestinians who, faced with the continuing development of foreign settlements, were being driven out of their own land.

F. Meeting in Tunisia with the Secretary-General of the League
of Arab States

130. On 2 October 1980 the Commission was received by the Secretary-General of the League of Arab States, Mr. Chedly Klibi, at the headquarters of the League in Tunis. Mr. Klibi was accompanied by Mr. Mohamed El-Arbi Daoudi, Director for Palestinian Affairs and other officials.

131. The Secretary-General of the Arab League welcomed the members of the Commission and expressed the hope that the Commission's work would lead to the establishment of peace in the area. He noted that the question of Palestine must be examined from two standpoints - i.e. the outrages, injustices, wrongs and other acts which were being perpetrated in the occupied territories; and the interconnexion between the problems inherent to those territories and the Middle Eastern question as a whole.

132. Concerning the situation in the occupied territories, he said that, through threats of imprisonment, exile or even attempted murders, Israel was tightening its stranglehold on the mayors; controlling all aspects of the public administrative and educational systems. Recently the world had witnessed in attacks against Palestinian leaders a return by Israel to the very methods of terrorism which were practised before the establishment of that State by such organizations as the Irgun and the Stern.

133. While those acts of persecution were being perpetrated, the Israeli military authorities were establishing settlements, in complete disregard of condemnations by world organs as contrary to basic principles of international law and in spite of warnings from friendly Governments, including its main supporter.

134. Indeed the two operations were linked because the real purpose of the settlement policy was to drive out the Arab inhabitants from the occupied territories so as to replace them with a Jewish population. That plan was in conformity with the declarations made by various Israeli leaders since the establishment of the State of Israel. Thus in 1971 the former Prime Minister, Mrs. Golda Meir, had declared that the border of Israel lay wherever there were Jews and not where a mere line had been drawn on a map; and similarly in 1973 the former Defence Minister Moshe Dayan, after pointing out that Israel would never leave nor abandon any of its settlements, had said that the borders of Israel reached wherever the Israeli army marched, and that every Zionist generation had the task of extending those borders. The fact that the present Prime Minister, Mr. Begin, insisted on referring to the West Bank as Judea and Samaria showed that despite the United Nations stand on the matter, he also considered those areas an integral part of Israel.

135. In view of such a clear design, the Secretary-General of the Arab League wondered what the sense was of the negotiations undertaken between Israel and Egypt. Indeed the Egyptian Government was wasting its time while Israel kept pursuing the consolidation of its objectives under the cover of internationally publicized negotiations.

136. Although the United Nations was commendably attaching great importance to the human aspect of the consequences of the occupation and to the oppressive acts which

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were taking place in the occupied territories, it should not be ignored that those crimes, in violation of human rights, had as their major political objective the final obliteration of an entire people. Israel was in search of its "espace vital", its "lebensraum". It was therefore expelling Arab inhabitants so that the occupied territories thus vacated could become an integral part of Israel.

137. Mr. Klibi added that an end should be put to the conspiracy currently prevailing against the Palestinians. The United Nations, with all its power, should take the necessary measures which would ensure the liberation of the occupied territories and place them temporarily under an international administration prior to a referendum under the auspices of the United Nations by which the Palestinian people could freely express their wishes.

138. Pointing out that the unabating activities of Israel in the occupied territories were rendering the situation more difficult every day, the Secretary-General of the Arab League emphasized that all States could help to facilitate the achievement of a just solution which alone could consolidate a comprehensive and lasting peace in the area. For that reason, he said, the European initiative - even though its outcome was uncertain - was welcomed as a well-intentioned endeavour.

139. Mr. Klibi then appealed to the Commission to do its utmost not only to alleviate the burden of oppression imposed on the inhabitants of those occupied territories but above all to focus attention on the fact that what was happening there was only a prelude to the eclipse of a people who, numerically and qualitatively, was by no means inferior to the Jewish people. Indeed, the vitality and distinction of the Palestinian people had come to be recognized at the international level by their determination to preserve their identity and their resolve to fight to the end in order to achieve freedom and true self-determination.

G. Meeting with officials of the Tunisian Government

140. While in Tunisia, the Commission had the opportunity to pay a courtesy call on the Tunisian Government authorities and to have an exchange of views with them.

141. On 2 October, the Commission was received at the Ministry of Foreign Affairs by Mr. Mahmoud Mestiri, Secretary-General of the Ministry. Ambassador Ridha Bachbaouab, Director, Department of International Organizations and Conferences, and Ambassador Mohamed Amamou, Director, Arab Affairs, and other government officials of the Foreign Ministry were also present.

142. The Secretary-General of the Foreign Ministry welcomed the Commission and said that his Government regarded the situation in the Middle East with the greatest apprehension. Tunisia categorically condemned the settlement activities of Israel, which constituted a fundamental tenet of Zionism, and was convinced that the continuation of those activities in defiance of United Nations resolutions created an acute problem which should be considered with the utmost concern by the Security Council.

143. Noting that in addition to its moral and political authority the Council possessed other means of action under Chapters VI and VII of the Charter of the

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United Nations, the Secretary-General of the Foreign Ministry emphasized that his Government considered that if the credibility and respectability of the world Organization were to be maintained, the United Nations should bring pressure upon those of its members who were in a position to exert influence on Israel.

144. Mr. Mestiri felt that the time factor was of great importance when dealing with the Israeli settlements problem in so far as any delay would be exploited by the Israelis to establish more settlements and deprive the Arab population of its own land. The United Nations, he pointed out, had already provided in various resolutions, in particular Security Council resolution 242 (1967), a framework for the solution of the Middle East question which would guarantee secure and recognized borders for all concerned. The only short-coming in Security Council resolution 242 (1967) was its failure to provide for the establishment of a Palestinian State and for the exercise of the right of self-determination by the Palestinian people.

145. Turning to the question of the settlements, Mr. Mestiri spoke of the changes in the demographic structure resulting from the establishment of those settlements and the consequent expulsion of the Arab population from those areas. The ultimate objective of the Israeli settlements policy, he added, was the destruction of the Palestinian entity. In that context, he felt that the United Nations had a basic role and a fundamental duty to reverse the situation.

146. On the question of Jerusalem, the Secretary-General of the Foreign Ministry voiced the grave concern of Tunisia which, he said, was shared by almost 1 billion Moslems all over the world in connexion with the purported annexation of East Jerusalem by Israel. He noted in that connexion that the Tunisian community, which had been living for generations in East Jerusalem, had been expelled by Israel and forced to flee to other Arab countries.

147. Mr. Mestiri stated that Tunisia favoured a solution of the Middle East problem through peaceful negotiations and considered that the United Nations should take the appropriate initiative in that regard.

H. Audience with His Majesty the King of Morocco, Chairman of the Committee on Jerusalem of the Islamic Conference

148. On 4 October, at Ifrane, Morocco, the Commission was received in audience by His Majesty King Hassan II. Addressing the Commission as Chairman of the Committee on Jerusalem of the Islamic Conference, King Hassan stressed the necessity of establishing a global, just and lasting peace in the Middle East.

149. After observing that, if a new conflict should break out in the region, it would be of infinitely graver proportions than in the past, owing to the ever-growing military capacity of the parties concerned, the King stated that, in order to be lasting, such a peace must guarantee security without humiliating anyone.

150. Jerusalem, he said, was a special problem within the context of the occupation by Israel of Arab territories, an unjust occupation that was incompatible with the most elementary principles of international law. What was in question in the case

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of the Holy City was not only the exercise of a right to sovereignty over a territory but also the administration of a spiritual centre of world-wide significance. Thus, by attempting to alter the status of the Holy City with the intention of making it the capital of the Jewish State, Mr. Begin's Government had trampled on the dignity of both the Arab world and the Christian world.

151. King Hassan added in that regard that, when the Arabs had requested the Holy See and other Christian authorities to join in their efforts, they had ipso facto recognized that the question of Jerusalem also had a Christian dimension. Consequently, he said, it was expected that the future status of the City would take into account the moral and material contribution of Christianity; it was interesting to note that, whereas there were differences of opinion even among the Moslems on other aspects of the question of Palestine, there was, with respect to the future of Jerusalem, agreement of principle not only among the Moslems themselves but apparently between them and the Christians.

152. That was probably why Mr. Begin's Government systematically turned down every opportunity to negotiate on the Holy City, a matter on which it doubtless felt too vulnerable. However, the King added, that was also precisely why any negotiations should begin with Jerusalem, the possible key to a solution for the over-all question of the occupied territories. Jerusalem could thus serve as a starting point in peace efforts. Such efforts would initiate a process that would subsequently extend to the other occupied territories.

153. As to the strategy which the Arabs were thinking of adopting, through the Committee on Jerusalem, in order to exert the necessary pressure on Israel, it would be necessary to establish economic sanctions covering petroleum or other products, which the Islamic Conference would co-ordinate in order to make them fully effective. If an embargo were to be imposed, it would be strictly applied by Morocco. The King then alluded to the "Jihad", and explained that the word basically signified a global struggle in which all the potentialities of the Moslem world were mobilized, both at the cultural and information levels and in the economic, political and military fields. He emphasized, however, that only as a last resort would recourse be had to war, as the final stage in efforts to attain an objective.

154. It must be realized that Israel benefited from two important means of assistance in addition to help from its allies. First, it received the unconditional support of most members of the Jewish faith; and second, thanks to their control of the mass media in many countries, it benefited from the ignorance of the rest of the world concerning the situation prevailing in the areas concerned.

155. The least that should be secured for the Holy City was the status quo ante of 1967, leaving aside for the time being the question of sovereignty, which could only be settled simultaneously with the other territorial questions concerning the occupied territories. It would therefore appear desirable to entrust the administration of Jerusalem to spiritual leaders under some form of guardianship arrangement. That would be a provisional measure, pending an ultimate solution,

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which could be achieved through negotiations once the voices of reason with Israel succeeded in making themselves heard. But as long as the Government of Mr. Begin persisted in speaking of Judea and Samaria to designate the West Bank of Jordan, no such solution could be contemplated.

156. After affirming that the goal was the recognition of the right to security and survival of all the States of the region, including a Palestinian State, King Hassan expressed the hope that one day the Israeli and Palestinian peoples, united in a joint effort, would be in a position to compete with the most powerful by virtue of their human potential and the intellectual and material resources available to them.

157. During the exchange of views which followed, King Hassan dwelt on the advantages to be derived by the Commission from seeking an opportunity of having contact with the Holy See, not only because Christianity, and especially the Vatican, had an important role to play in solving the question of Jerusalem but also out of deference to the remarkable personality of His Holiness the Pope, whose advice and support could facilitate the efforts being undertaken.

III. INFORMATION ON THE ISRAELI SETTLEMENTS AND ON THE DEPLETION
OF WATER RESOURCES IN THE OCCUPIED ARAB TERRITORIES

A. Information on settlements in the occupied Arab territories,
including Jerusalem

(a) Introduction

158. In resolution 446 (1979) of 22 March 1979 by which the Commission was created, the Security Council determined that "the policy and practices of Israel in establishing settlements in the Palestinian and other Arab territories, occupied since 1967 have no legal validity and constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East".

159. In its two previous reports, the Commission indicated that, despite the Council's appeals to Israel, as the occupying Power, to abide by the 1949 Fourth Geneva Convention, and, in particular not to transfer parts of its own civilian population into the occupied Arab territories, Israel was pursuing its policy of settlements.

160. On the occasion of its recent visit to the area, the Commission endeavoured to obtain additional information and to compare the present situation with that which it had brought to the attention of the Council in its two previous reports following its first visit in May 1979.

(b) Implementation by Israel of its settlement policy

161. In its first report the Commission indicated that between 1967 and May 1979, Israel had established altogether 133 settlements in the occupied territories, consisting of 79 in the West Bank, 29 in the Golan Heights, 7 in the Gaza Strip and 18 in the Sinai. ^{13/}

162. According to recent information, the settlements which have been established since then or which are under construction in the various occupied territories number as follows: 28 in the whole West Bank, including 5 which were already under construction in May 1979 but had not been reported to the Commission at the time; and 4 in the Gaza Strip. In addition, one settlement was founded in the Golan Heights during 1980 and 5 new ones are planned there by the end of 1981.

163. As a whole, therefore, leaving aside the Sinai area, where settlements have been vacated, Israel has established 33 new settlements since the adoption by the Council of its resolution 446 (1979) referred to above, bringing the total number to 148. ^{14/} In addition, a number of the existing settlements have been expanded, sometimes to more than twice their original size.

^{13/} S/13450, para. 220.

^{14/} For a list of settlements, see annex II to the present report.

164. With the active support of the Government of Israel, the number of settlers has also increased. According to information available to the Commission, a report from the Director General of the Prime Minister's Office indicated that since the present Government came to power in 1977, the number of settlers in the West Bank alone had risen from 3,200 to 17,400. Those figures do not include the settlers in East Jerusalem and the Jerusalem area which by now number approximately 80,000.

165. Furthermore, the Commission's attention was again drawn to the so-called "Master plan for the development of settlements in Judea and Samaria, 1979-1983", which was prepared by Mr. Matatiah Drobles, Director of Settlement Affairs, World Zionist Organization.

166. That plan, which in its original form called for the establishment of 46 new settlements to be built in the West Bank by 1983 with a view to housing 27,000 families, has already been amended to add 22 more settlements to be established there by the same date.

167. In addition to an extensive building programme the Drobles plan, as it is generally referred to, is said to provide for the construction of a highway and road system which would effectively implement the division of the West Bank into 22 districts. In each of those districts settlements would be established, thus giving credence to information previously reported to the Commission that the location of the settlements in the West Bank was planned with the aim of "compartmenting" the Arab population. 15/

168. It should also be noted that the settlement policy is not limited to rural areas. Thus, in connexion with the West Bank, the Commission was informed that the Israeli Ministry of Construction and Housing had submitted a plan for the establishment in Hebron of 200 housing units for settlers. Similarly, in addition to Hebron, the towns of Beit Jala and Al-Bireh are now surrounded by Israeli settlements. As a result of this, those towns are not only barred from expanding but also threatened with a reduction in their present limits. In fact, that has already been the case for an important part of Al-Bireh and almost one third of Beit-Jala which were taken away for the expansion of Jerusalem.

169. As to the Gaza Strip, witnesses heard in Cairo testified to the Commission that large areas of lands had been delineated by the occupying authorities and declared out of bounds for any Arab construction. That division caused fear among the inhabitants that a development programme might be under contemplation there also.

(c) Acquisition of land

170. In order to implement the establishment of new settlements and the expansion of existing ones the occupying authorities have taken not only public land, but also privately owned land. The Commission was informed that the extent of the land confiscated in the West Bank had increased from 27 per cent of the total area in May 1979 to 33.3 per cent last September. No precise figure has been given for additional confiscation of land in the Golan Heights. However, on the basis that

15/ S/13450, para. 225.

only 5 Arab villages have been left and that only some 8,000 inhabitants have been able to remain out of the original population of 142,000, it seems fair to conclude that the occupying authorities control virtually all the land.

171. Similarly in the Gaza Strip, according to witnesses, confiscation of land is final; however, no reliable figures have been made available to show the extent of the land confiscated so far.

172. In the West Bank, some judicial actions have been taken by Arab inhabitants in an attempt to protect their rights, but apparently without any significant result.

173. It may be worth recalling in this regard the various methods used by the Israeli authorities to acquire land or property. Those methods, which were described in the first report, 16/ may be summarized as follows:

- (i) Acquisition of public lands allocated for public facilities or for the expansion of municipal zones;
- (ii) The expropriation of privately owned land by invoking the Emergency Law, which in its revised form authorized military governors to declare certain areas as zones closed for military purposes;
- (iii) The confiscation of "Absentees' property"; and
- (iv) The compulsory sale of land under military pressure.

174. This time, however, the particular attention of the Commission was drawn to another aspect of the matter, namely that the establishment of a settlement in the occupied territories is by no means a static event, but, the beginning of a dynamic process of expansionism. In such circumstances, the chances are not equal between the Israeli settlers and the Arab inhabitants, and the Commission was repeatedly informed of increased harassment of the Arabs, particularly those living close to the neighbouring settlements. It was noted in that regard that such harassment, which in the past was essentially initiated by the occupying authorities, was now frequently resorted to by the settlers themselves, acting without any restraint from the military authorities, for the purpose of bringing the Arab owners to despair thus causing them to abandon their coveted land.

(d) Jerusalem

175. Deep concern about the unilateral transformation of East Jerusalem has been expressed by every authority with whom the Commission has had an opportunity to exchange views.

176. The Commission was reminded that shortly after the 1967 war, East Jerusalem was the subject of an illegal and unilateral decision by Israel to annex the Holy City and to incorporate it into the Israeli Jerusalem Municipality. Then a special policy was applied to the Holy City to alter its demographic character by creating conditions for the replacement of the Arab inhabitants with a Jewish population through an intensive programme of settlement.

16/ S/13450, para. 201.

177. Despite United Nations resolutions opposing any measures which could alter the demographic character of the Holy City, the construction programme by Israel which started several years ago has been actively pursued. According to recent information, by early 1980 six major new residential suburbs housing over 50,000 Israelis had been practically finished, thus encircling the 110,000 Palestinians who were still living in East Jerusalem and separating them from the rest of the West Bank. Furthermore, a plan was announced last March for the construction of a wide living complex in the district of Beit Hanina. In addition, the Commission was also informed of the existence of another plan called the "Greater Jerusalem Plan" which is reported to be under implementation. That plan would lead to the additional expropriation or dispersion of some 130,000 Arab inhabitants living in 27 villages in order to include the area concerned within the city limit of "Greater Jerusalem".

178. On several occasions the Commission was also reminded of Israel's recent announcement that Jerusalem had become the united capital of Israel. Following that so-called "basic law", although it was censured by the Security Council, initiatives were taken by the Israeli authorities to transfer into East Jerusalem not only the Office of the Prime Minister - a move which raised international concern - but also a number of official services and several ministries.

179. As to the building to be used by the Prime Minister and his Cabinet, the work is said to be proceeding. Arab properties adjacent to it have already been confiscated and several Arab families have been ordered to vacate their nearby houses due to be demolished.

B. Depletion of water resources in the occupied Arab territories

(a) Introduction

180. Early in the course of its examination of the situation relating to settlements in the occupied Arab territories including Jerusalem, the Commission came upon three basic elements regarding the question of water resources in those territories, namely: that the use and control of water resources there was a matter of vital importance for the economic and social life of the Arab inhabitants; that a significant part of those water resources was used by Israel to sustain its own economic viability and that of its settlements; and that the Israeli authorities were manipulating the allocation of water in the occupied territories as a means of economic pressure for political purposes against the Arab population there.

181. The matter was brought to the attention of the Security Council. At the 2203rd meeting on 1 March 1980, the Council adopted resolution 465 (1980), which requested the Commission to continue to examine the situation in the territories, it also requested the Commission to investigate the question of the depletion of natural resources, particularly the water resources, with a view to ensuring their protection.

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182. Accordingly during its recent visit to the area, the Commission sought to obtain as much additional information as possible on the matter. It also examined relevant documentation published by Governments, international bodies, organizations or private experts.

183. The following account contains a summary of the information so obtained, all gathered from sources considered reliable. The Commission undertook efforts to check and verify the accuracy of the information so received, where necessary, with representatives of those Governments which had expressed willingness to co-operate with the Commission.

(b) Importance of the availability of water in the area

184. An adequate supply of water for drinking, personal hygiene and other domestic purposes is essential to public health and well-being. Furthermore, in many rural areas, the amount of water available for agricultural irrigation and animal consumption is considered as one of the most determinant factors of success or failure in agriculture and animal husbandry. But when the question of water availability arises in connexion with an arid land, it may become a key to life and eventually a major cause of conflict.

185. Such has been the case in the area concerned where, because of climate and geography, water resources are scarce, the only permanent sources being the Jordan River and its tributary system and the subterranean aquifer.

186. The Jordan River flows southward in the rift which extends from northern Syria across the Red Sea into Egypt. It is formed in the Hulah Basin in northern Israel by the confluence of 3 separate headwater springs - the Hasbani, the Banias and the Dan - which rise in Lebanon, Syria and Israel respectively. These converge about 25 kilometres above Lake Tiberias to form the Upper Jordan which, enlarged by numerous springs, flows in a narrow channel to Lake Tiberias. At the southern end of the Lake, it is joined by its main tributary, the Yarmouk which forms part of the border between Syria and Jordan. It then flows through the Jordan Valley to the Dead Sea. As the Jordan River reaches the Dead Sea, its salinity increases. Although the river is not navigable, its waters are valuable for irrigation but do not solve the problem of water shortage in the area. The situation is rendered more complex by the fact that the Jordan basin forms a single hydrologic unit; and that, furthermore Israel and the West Bank constitute a single natural and geological region for the exploitation of underground water and the collection of surface run-off water.

187. Therefore, in an area which is so politically divided, whoever controls the sources of the water supply and its subsequent use retains powerful means of determining the level of the economic activity of the whole area with significant social and political consequences.

188. For that reason, over the years numerous plans have been drawn up for the utilization of the water resources of the Jordan River. ^{17/} Any attempt to find a comprehensive solution to the Middle East question has generally been accompanied with proposals concerning the distribution of water resources, such as the Unified Development of the Water Resources of the Jordan Valley Region which was prepared at the request of UNRWA and proposed in 1955. Essentially for political reasons, that plan as well as all the others were not found acceptable by some or all of the parties concerned and no peaceful solution could be found to the water problem, which has never ceased to be crucial. It should be noted in that regard that until 1967, many of the incidents which took place between Israel and its Arab neighbours had their origin in attempts by one side or the other to control, divert or use unilaterally the water resources of the area. Bitterness is still vivid in that regard: for instance, the Commission was reminded of a military action conducted by Israeli troops before 1967 against the village of Qalqilia, located just across

^{17/} Following is a chronological list of such "Development Plans" as provided by K. B. Doherty in a study entitled "Jordan Waters Conflict" in the Carnegie Endowment for International Peace Series. See: International Conciliation, No. 553, May 1965.

Chronological List of Water Development Plans

	Year proposed
Ionides Survey	1939
Lowdermilk Proposal	1944
Hays Plan	1948
MacDonald Report	1951
All Israel Plan	1951
Bunger Plan	1952
Israeli Seven-Year Plan	1953
Main Plan*	1953
Cotton Plan*	1954
Arab Plan (revised)*	1954
Baker-Harza Plan	1955
Unified Plan*	1955
Israeli Ten-Year Plan	1956
National Water Plan	1956 <u>a/</u>
East Ghor Canal Project	1958 <u>b/</u>
Arab Headwater Diversion	1964

* Regional development plans.

a/ The plan became operational in 1964 and was to be completed by 1969.

b/ The project became operational in 1961.

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the Israeli-Jordanian border, as a result of which 11 artesian wells were purposely destroyed. 18/

189. The availability of water resources in the area has always been recognized as a matter of paramount importance. In this connexion it may be recalled that in an article published in 1956 by the Carnegie Endowment for International Peace, which analysed the essentials of the Israeli water programme submitted by the Israel Ministry of Finance to the Jerusalem Conference of World Zionist Leaders in October 1953, the author concluded that while Israel's concerted efforts to carry out all the preliminary stages of those long-range plans had had a striking success, it was also clear that within the limits of its then existing water resources, Israel could not complete many of the projects needed to relieve its heavy dependence on food imports. 19/

190. After the 1967 war, Israel gained almost full control of the main sources of water in the area and since then has strictly organized the system of water distribution in the occupied territories with close links to its own national water system.

(c) Interest of Israel in obtaining additional water resources

191. The present population of Israel is given as 3,903,700. 20/ The Arab population in the West Bank is estimated at 673,000; in addition in 1979 there were some 91,000 Israeli settlers in the West Bank including 76,000 living in the Jerusalem area. 21/

192. From the time of its establishment in 1948 until 1967 Israel's annual water consumption rose by more than 600 per cent. 22/ During that period, Israel obtained one third of its annual water requirements by drilling artesian wells and pumping water from the water aquifer system that also contains the water reserves for the West Bank. As its water needs have increased since then, Israel has

18/ S/13450, para. 97.

19/ International Conciliation No. 506, January 1956, p. 248.

20/ Monthly Bulletin of Statistics, Israel Central Bureau of Statistics, vol. XXXI, June 1980. According to the United Nations Monthly Bulletin of Statistics (vol. XXXIV, No. 10, October 1980) the population of Israel at mid-1979 stood at 3,780,000, and the United Nations Demographic Yearbook (30th ed., 1978) gave the population of Israel for 1978 as 3,690,000 "including data for East Jerusalem and Israeli residents in certain other territories under occupation by Israeli military forces since June 1967".

21/ 1979 estimates reported by Jordan, in particular the Jordanian Royal Scientific Society, Economic Department, in the revised edition of The Significance of Some West Bank Resources to Israel (April 1979).

22/ Israel Economic Development, issued by the Economic Planning Authority Prime Minister's Office, Tel Aviv, 1968, p. 378.

continued to avail itself of this source of water. It is estimated that the water retained in underground aquifers amounts to 600 million cubic metres per year (MCM). This, in addition to 250 MCM of surface run-off and the waters of the Jordan River, makes a total potential of 850 MCM, 23/ of which only 620 MCM is reported to be easily usable. 24/ According to available figures, Israel is currently drawing some 500 MCM from the aquifer, 25/ thus leaving about 120 MCM of water for all the inhabitants of the West Bank.

193. In a recent study submitted at the United Nations Water Conference, the representative of Israel indicated that the total known feasible water resources in Israel amounted to 1,700 MCM which he said was sufficient to irrigate about 10 per cent of the gross area. Adding that the coastal area contained ground water supplies but that excessive over-all withdrawal rates must therefore be avoided to prevent sea-water intrusion, he said that the amount of water presently utilized in Israel exceeded 90 per cent of the utilizable portion of Israel's water potential. 26/

194. Considering that it is estimated that by 1985 Israel's total requirements will rise to approximately 2,000 MCM, 27/ additional water sources are clearly needed.

195. In that regard Israel has reported a number of experiences with cloud seeding and weather modification for creation of artificial rain, desalinization of sea water, reclamation and purification of water from sewage, and development of water-saving technologies. 28/ However, either on account of prohibitive costs, uncertainty or the small yield of expected results, or because of the long span of time required to obtain the requisite product, none of the proposed measures has given confident optimism for filling the projected deficit in Israel's water

23/ "Agricultural Sector and Water Resources in the West Bank," a study to be published before the end of 1980 under the auspices of the Jordanian Royal Scientific Society, Economics Department.

24/ "Israel drains West Bank Water Resources," a study by Rami Khouri, water expert, published in Al Ra'i on 13 September 1979.

25/ Ibid.; see also Hisham Awartani (Chairman, Department of Economics, Al Najah National University, Nablus, West Bank), Water Resources and Water Policies on the West Bank, Bulletin No. 2, October 1979.

26/ Saul Arlosoroff, Deputy Water Commissioner, Israeli Ministry of Agriculture - Water development and management, Proceedings of the United Nations Water Conference, vol. I, Part 4.

27/ Sources: Uri Davis, Antonia E. L. Maks, John Richardson, "Israel's Water Policies, in the Journal of Palestine Studies, Beirut, Winter 1980, No. 34; and, Significance of Some West Bank Resources to Israel, revised ed., Jordanian Royal Scientific Society, Economics Department, April 1979.

28/ Davis, Maks, Richardson, op. cit.

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supply. Accordingly, internal pressure has been exerted on Israeli authorities to increase Israel's water supply from West Bank sources.

(d) Depletion of water resources in the West Bank

196. According to figures quoted by the Jordanian Royal Scientific Society 29/ from a study by Hisham Awartani, 30/ average individual total water consumption on the West Bank amounts to 142 cubic metres per year compared to 537 cubic metres in Israel. Of that amount, 13 cubic metres is used for domestic consumption in the West Bank and 86 cubic metres in Israel. The total amount of water used for agriculture in Israel is about 15 times greater than the corresponding amount used on the West Bank (1,325 MCM to 90 MCM per annum).

197. The combined annual total for industrial and domestic use in Israel amounts to 395 MCM as compared to 10 MCM for the West Bank. Furthermore, the present circumstances of occupation make it inevitable that the total quantity of water left for use on the West Bank must be shared between the Arab population and the Israeli settlers. It is reported that Israeli settlements in the West Bank are presently using about 15 MCM of water per year, 5 million of which is spent in the agricultural sector. Future agricultural development in those settlements, it is estimated, may require as much as 50 MCM of water annually. 31/

198. The above figures tend to justify the growing apprehension among the Arab inhabitants of the West Bank for their own survival in view of their present deprivation, which is exacerbated by Israel's catering to the needs of an increasing number of its settlers. Such is the extent of deprivation that, according to the information received so far, the economic activity of a number of the Arab inhabitants has already been reduced to subsistence level, as the water originally available to them has been turned to the benefit of the Israeli settlers. In some cases, it has been reported that Arab villagers have been forced to abandon their exsiccated farmlands in order to find an alternative livelihood elsewhere.

199. Since 1967 the Israeli Water Company, Mekorot, has drilled 17 deep-bored wells to serve Israeli settlements in the Jordan Valley alone, many of the new wells in close proximity to the existing Arab wells in the area, numbering 88. During 1977-1978 the 17 Israeli wells produced 14.1 MCM of water (i.e. approximately 830,000 CM per well), as compared to 9.9 MCM from the 88 Arab wells

29/ "Agricultural sector and water resources in the West Bank."

30/ Awartani, Water Resources and Water Policies on the West Bank, op. cit.

31/ The West Bank-Gaza Economy: Problems and Prospects, report prepared by the Foreign Affairs and National Defense Division of the Congressional Research Service, Library of Congress for the Subcommittee on Europe and the Middle East of the Committee on Foreign Affairs, U.S. House of Representatives (96th Congress, second session, 1980).

(i.e. approximately 112,500 CM per well), 32/ a yield by far inferior to their earlier output. That situation was attributed to two main factors: the depletion of the available amount of ground water diverted to the exclusive use of the Israeli settlers, and the restrictive control imposed on the Arab population by the occupying Power concerning the water resources. 33/

(e) Israel's policies concerning the control of water resources in the occupied Arab territories

200. All matters concerning the exploitation, distribution and use of water in Israel are under the direct control of the Israel Water Commission. Two companies, Mekorot (Israel Water Company) and Tahal (Water Planning for Israel Company) both operating under that Commission, as well as the Commission's Department for Water Allocation and Certification, are entrusted with supply and management of water resources to all users under Israeli rule. Since 1967, the Israeli Water Commission, through its Department of Water Allocation and Certification, has taken over direct control of the water supply in the occupied Arab territories. 34/

201. The policies and objectives attributed to the Israeli authorities with regard to the handling of water resources in the occupied territories, particularly in the West Bank, have already been referred to by the Commission in its previous reports. In the course of the examination of the information made available to it, the Commission came across evidence that most of the Israeli practices in that regard fell under the following categories: measures based on claims of national security requirements; restrictive measures aimed at controlling the search for, and the development and use of, water by the Arab population; and practices resulting in quantitative reduction of, and subsequent qualitative damage to, the water made available to them.

202. A number of instances were pointed out to the Commission in substantiation of those practices. Thus, the Commission was told that in the early days of the occupation, Israeli authorities under the claim of security blew up 140 Arab pumps installed on the West Bank of the River Jordan. As a result of that action, the Arab farmers were prevented from pumping water from the river for agricultural irrigation whereas the Israeli settlers in the area were allowed to continue to do so. Also, in the summer of 1979, Israeli military authorities destroyed the irrigation canals alongside many of the citrus and banana plantations in the district of Al-Jiftlik on grounds of establishing a new security belt, thus causing the dessication and destruction of extensive areas of crops.

32/ Israeli Settlements in the Occupied West Bank including Arab Jerusalem since 1967, report dated May 1979 submitted to the Commission by the Government of Jordan; and Hisham M. Awartani, West Bank of Agriculture "A New Outlook", Research Bulletin No. 1, Al-Najah National University, Nablus, West Bank, November 1978.

33/ The question of the adverse impact of the Israeli wells drilled in proximity to existing Arab wells was repeatedly brought to the attention of the Commission in particular by individual witnesses.

34/ Davis, Maks, and Richardson, op. cit.

203. As to any endeavours by Arab farmers to undertake water development projects, it was said that they were systemically discouraged by the occupying authorities. In contrast, new hydrological surveys have been undertaken by the Israeli settlement authorities in co-operation with the Mekorot Company to meet the water needs of the Israeli agricultural settlements. On the basis of those surveys, Mekorot has since 1968 drilled altogether 30 new artesian wells in the West Bank for the exclusive use of the Israeli settlements. Moreover a number of wells belonging to those whom Israel calls Arab absentee owners are now being used exclusively for the settlements. Furthermore, since the early seventies, all users have been required to install meters on their wells to enable the Israeli authorities to check on the water used. Only meagre quantities of extraction from Arab wells are permitted, and penalties are imposed for pumping in excess of the authorized limits.

204. The drilling of any new artesian wells or deepening of existing ones is forbidden without special permits. Since 1967 no such permit has been granted to any Arab inhabitant in connexion with irrigation wells; and under heavy public pressure, only seven permits have been granted for the purpose of boring wells for domestic purposes. 35/

205. It is worthy of note that under no circumstances are Arab inhabitants permitted to drill wells close to the borders of Israel. The rejection of such a request by the inhabitants of Nablus in that regard is a case in point. In contrast, as already stated, many Israeli wells have reportedly been drilled in close proximity to existing Arab wells and springs, with a most detrimental effect on the quality and quantity of water made available to Arab inhabitants. 36/ In some cases, village wells and springs have dried up altogether. Specific references were made in that regard to the villages of Al-Auja, Ramallah, Al-Bireh, Bardala, Tel-el-Beida, and Kardala whose water supply had been drastically diminished owing to the new wells dug for Israeli settlements within a few hundred metres of the existing Arab springs or wells.

35/ Paul Quiring, "Israeli Settlements and Palestinian rights", Middle East International (London), October 1978, No. 88. The Awartani study (Bulletin No. 2, op. cit.) identifies the location of five of those wells as follows: two in Nablus and one each in Qalqilia, Tulkarm and Jenin. There are also seven wells owned by the Israeli Military Administration in the vicinity of Israeli settlements which provide drinking water to those settlements and to some Arab villages. However, the ultimate purpose of these wells located at Qabatiya, Beit Ayba, Arraba, Al Fari'a, Bethlehem, Al Zawiya and Shabtin, is to cater for the interests of the adjacent Israeli settlements.

36/ Through technological advances, Israeli wells can be drilled to depths of 300 to 500 metres, whereas the existing Arab wells are limited to a depth of no more than 100 metres. There is little doubt, according to Jordanian assessments, about the effect on the Arab wells and springs of the proximity and depth of Israeli wells. In fact, Jordanian law prohibits the drilling, under areas of the same artesian pressure, of any new wells within 2 kilometres of an existing well. Also, for areas under the same water table systems, no two wells must be drilled within 500 metres of each other.

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206. That policy was said to be followed in disregard of the vital interest of the Arab population. Thus in the instance of the village of Tel-el-Beida, Mekorot advised the neighbouring Israeli settlement of Mehola in 1968 that a planned new well for the settlement would adversely affect the five neighbouring Arab wells and springs; nevertheless the proposed Israeli well was dug, and as a result of it, the output of water from the central spring of Tel-el-Beida fell from 80 cubic metres per hour before 1970 to barely 5 cubic metres per hour in 1976. 37/

207. It happened that in such cases the occupying authorities offered to the Arab inhabitants concerned, as an alternative arrangement, to have their water provided by the Israeli settlement. That offer was made, for instance, to the inhabitants of Bardala at the time their well's pump had to be reset deeper. The Mekorot Company then offered to connect the village's water supply to that of the neighbouring Israeli settlement in exchange for closing the village well. The villagers refused the offer, for fear of becoming dependent on the whims of the settlers and they reset their pump. But thereafter, a second Israeli well was drilled in the immediate vicinity, raising the fears of the villagers that after their well dried up they would be compelled anyway to buy water from the Israeli settlement on a per-person basis. In that connexion the Commission was reminded that in the Bardala/Tel-el-Beida area mentioned above, 11 springs and all but one of the eight Arab artesian wells had dried up.

(f) Depletion of the water resources in the Golan Heights and the Gaza Strip

208. Although evidence of the Israeli water policies is documented mostly in connexion with the West Bank, similar practices have been experienced by the Arab inhabitants in the Golan Heights and in the Gaza Strip. Before 1967, according to information provided by the Syrian authorities, more than 140,000 Arab inhabitants in the Golan Heights were using 12.5 MCM per year. Presently, barely some 8,000 of the original Arab inhabitants still remain in the Golan Heights, while the number of Israeli settlers is estimated at 6,400. Additional plans have been announced to increase the number of settlers up to 10,000 by the end of 1981 and 50,000 by 1985, of whom 20,000 are expected to be settled in agricultural and industrial villages. 38/ In order to meet the water requirements of the settlers by then, the Israeli plan calls for increasing the water supply in the Golan Heights to a level of consumption amounting to 46 MCM which may deprive the Arab population of its own supply.

209. With regard to the Gaza Strip, the Commission received information similar to that already reported above concerning, in particular, the restrictions imposed on the amount of water that could be used for irrigation by the Arab inhabitants who furthermore had to pay high prices for each cubic metre of water, while by contrast

37/ Awartani, Water Resources and Water Policies on the West Bank, Quiring, op. cit.; Ann Lesch, "The impact of Israel's settlements," Palestine Human Rights Bulletin, September 1979, No. 22.

38/ Davis, Maks and Richardson, op. cit.

water was free for Israeli settlers. Furthermore, it was repeatedly pointed out to the Commission that the Arab inhabitants in Gaza, like those in the West Bank and the Golan Heights, were deprived of any possibilities of developing their own water resources.

(g) Information relevant to other natural resources

210. Information was also received about a decision taken last August by the Israeli Cabinet by which it had approved in principle a plan to construct a canal connecting the Mediterranean Sea with the Dead Sea. The proposed route for that canal would start at the village of Katif in the Gaza Strip north of Khan Yunis, and run in a southeastern direction across the Negev desert to Ein Bokek on the Dead Sea. Full details of the plan and the impact of the canal are not yet known. However, the Commission feels it appropriate to draw the Council's attention to the plan which, according to data reported to the Commission, might, through a drastic rise in the water level, alter the mineral content of the Dead Sea, damage its ecology and endanger Jordan's mineral works on the eastern shore.

IV. OBSERVATIONS

211. With the submission of this third report, the Commission considers that it has fulfilled the mandate which was originally entrusted to it by Security Council resolution 446 adopted on 22 March 1979, i.e. "to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem", and which was first renewed on 20 July 1979 and again on 1 March 1980 together with an additional request to investigate the reported depletion of water as one of the most important natural resources of those territories.

212. During that period of 20 months the Commission has followed closely the developments in the occupied Arab territories and has also had the opportunity not only to receive the views of government and other officials, leaders of organizations and private individuals, all of those directly concerned with the question, but also to reassess periodically the accuracy of its earlier findings through renewed or additional contacts. The Commission cannot but deplore that despite the repeated appeals it has made, in particular, on 13 April, 28 September 1979 and 18 June 1980, it has been unable to obtain the co-operation of the Government of Israel.

213. In concluding this report the Commission would like therefore to give both its assessment of the present situation and its views on the trend of developments which it has carefully observed during the period of its mandate.

214. Concerning the present situation, the Commission has been informed that since the adoption by the Council of resolution 446 (1979) referred to above which also called upon Israel "... not to transfer parts of its own civilian population into the occupied Arab territories", Israel has established 33 additional settlements and expanded the size of a number of others.

215. The establishment and expansion of those settlements has led to further confiscation of Arab lands. In the West Bank, for instance, the extent of the land confiscated has increased from 27 per cent of the total area in May 1979 to 33.3 per cent in September 1980.

216. As foreseen by the Commission in its last report, 39/ the pursuance of that settlement policy has led to a further deterioration in the situation in the occupied Arab territories. The Commission considers that that deterioration has been felt in particular in the human, economic and demographic areas.

A. Impact of the settlement policy on the living conditions of the Arab population

217. The consequences of the settlement policy on the living conditions of the Arab population have already been described in the first report of the Commission. 40/

39/ S/13679 para. 51.

40/ S/13450 III, A (b).

218. During its last visit the Commission was informed that the situation in that regard had further deteriorated. Among the means of repression, both individual and collective, the most frequently cited were the imposition of heavy fines or even imprisonment for anything which could be described as "political activity"; the establishment of curfews and sometimes the isolation of a city bringing further hardship to the population, as was the case in Hebron; the destruction of crops and of private houses; and the control of water resources.

219. Arab leaders who dare oppose Israel's policies are subjected to particular harassment which may include confiscation of their property or expulsion as was the case examined by the Security Council in May 1980.

220. The occupying authorities have taken control of the educational field including the programme of studies and the texts to be used, in a further attempt to discourage the Arab population from remaining in the area. Students have been arbitrarily arrested. As a most disconcerting example of harassment, the attention of the Commission was again drawn to cases of arrest of young school children. Such cases had previously been reported to the Commission. ^{41/} It was said that such arrests had become a method used to frighten the Arab population in the context of creating conditions adverse to their remaining in the territories. Children were said to be submitted to harsh and intimidating interrogation by police and military authorities.

221. The Commission considers therefore that by its consequences on the living conditions of the Arab population in the occupied territories Israel's policy of settlement is a constant cause of violation of the basic human rights of the Arab inhabitants.

B. Impact of the settlement policy on the economic life of the Arab population

222. The Commission was given a number of examples showing that by its settlement policy Israel has undermined the economic life of the occupied territories.

223. Concerning agriculture, Israel has expropriated large areas of land and utilized the available water resources, essentially to the benefit of its settlers.

224. It is the considered view of the Commission that water, being such a scarce and vital commodity in the area, should be shared by the inhabitants on equitable terms. It is therefore in the interest of all the legitimate users to ensure that a mutually acceptable mechanism is established which will guarantee such equitable distribution.

225. Israel has imposed strict financial regulations on the activities of local populations concerning industry. At the same time all the Arab banks have been

^{41/} S/13450, para. 56.

closed or taken over. Meanwhile, large industrial Israeli complexes which benefit from Government's support are being established in the midst of densely populated areas, thereby undermining existing Arab businesses which in any case are compelled to buy basic materials from Israel.

226. As a whole, the occupying authorities have taken control of the resources and public facilities in the territories, including manpower and the public services. The de facto control of the Electricity Company of Jerusalem, a matter presently pending before an Israeli court, is a case in point.

227. The Commission considers as credible the statement made by government authorities that a main advantage which Israel is deriving from its occupation is the alleviation of its national economic difficulties through the control and exploitation of the occupied Arab territories.

C. Impact of the settlement policy on the demography
of the occupied Arab territories

228. Concern about demographic changes resulting from the settlement policy have been repeatedly expressed to the Commission, as reflected extensively in the Commission's previous reports.

229. In the West Bank and in the Gaza Strip, where the Arab population is still considerable, the policy of harassment is generally construed as an endeavour to force the Arab inhabitants to leave their lands which could thereafter be settled by Israelis.

230. In the Golan Heights the Arab population has been reduced to 6 per cent of its number in 1967, and the number of villages to 3 per cent, while at the same time the number of Israeli settlers has almost matched that of the remaining Arab population, and the number of settlements is now above that of the Arab villages.

231. In the Jerusalem area alone there are approximately 80,000 settlers while the remaining Arab population there numbers barely 110,000.

232. The Commission considers that time has come to explore the possibility of having a United Nations presence established in the area as a first step to ensure normalization of the situation and to create a congenial atmosphere for negotiations by the parties under United Nations auspices on the basis of relevant Security Council resolutions. In that framework consideration should be given to the return of the refugees and other persons forced to leave their homes.

V. CONCLUSIONS AND RECOMMENDATIONS

A. Conclusions

233. In the fulfilment of its mandate and during its contacts with government authorities, pertinent organizations and private individuals directly concerned, the Commission has examined the situation in the closest manner possible as the previous reports so indicate. The Commission has noted deep anxiety about what was unanimously considered as a continuous process of deterioration of the situation in the occupied Arab territories, including Jerusalem, which is marked by heightened tensions and increased conflict and could lead to a major conflagration.

234. Consequently after having carefully examined all the elements of information which the Commission has been in a position to gather in the implementation of its mandate, the Commission would like to reaffirm the entirety of the conclusions contained in its two previous reports; and more specifically the following:

(a) The Israeli Government is actively pursuing its wilful, systematic large-scale process of establishing settlements in the occupied territories;

(b) A correlation exists between the establishment of Israeli settlements and the displacement of the Arab population;

(c) In the implementation of its policy of settlements, Israel is resorting to methods - often coercive and sometimes more subtle - which include the control of water resources, the seizure of private property, the destruction of houses and the banishment of persons in complete disregard for basic human rights;

(d) The settlement policy has brought drastic and adverse changes to the economic and social pattern of the daily life of the remaining Arab population; and is causing profound changes of a geographical and demographic nature in the occupied territories including Jerusalem;

(e) Those changes constitute a violation of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 and of the relevant decisions adopted by the Security Council in the matter.

235. Consequently, the Commission wishes to reiterate that Israel's policy of settlement, by which, as an example, 33.3 per cent of the West Bank has been confiscated to date, has no legal validity and constitutes a serious obstruction to achieving a comprehensive, just and lasting peace in the area.

236. In view of the recent deterioration of the situation in the occupied Arab territories, the Commission considers that Israel's settlement policy, with the unjustified sufferings which it imposes on a defenseless population is an incitement to further unrest and violence.

237. The Israeli policy of settlements has led to major displacements and dispossession of Palestinians, adding to the ever-growing number of refugees with all the attendant consequences.

238. Available evidence shows that Israeli occupying authorities continue to deplete the natural resources, particularly water resources in the occupied territories for their advantage and to the detriment of the Palestinian people.

239. As water is a scarce and precious commodity in the area, its control and apportionment means control of the most vital means of survival. It would seem, therefore, that Israel employs water both as an economic and even political weapon to further its policy of settlements. Consequently, the economy and agriculture of the Arab population is adversely affected by the exploitation of water resources by the occupying authorities.

240. On Jerusalem, the Commission has noted with grave concern that tension and confrontation between Israel and the Islamic world have increased, especially following the enactment of a "basic law" in the Israeli Knesset, proclaiming a change in the character and status of the Holy City, which has also affected Christendom.

B. Recommendations

241. In view of the observations and conclusions above, the Commission would like to make the following recommendations.

242. After a thorough assessment of the situation, and in the light of the numerous recommendations of the United Nations which are yet to be implemented to deal with the potentially explosive dangers therein, and in the light of the information available, the Commission has come to the conclusion that appropriate ways and means under the auspices of the United Nations should be found to arrest the situation in the interests of the parties involved, and in the interest of peace and security in the region and the world at large.

243. In the Commission's view, the problem of settlements and occupation raises fundamental problems for peace. The longer they continue to persist the greater the potential for escalating the conflict. Mutual trust and acceptance through coexistence will be rendered difficult if not impossible in the area of the opportunities are missed. The Commission perceived a clear consensus in favour of a negotiated settlement and believes that the international community should take advantage of that favourable climate to advance the resolution of the problem. The Commission is of the view that the settlements policy is one of the major components at the core of the conflict in the area.

244. In that context the Commission considers that the persistent refusal of Israel to heed the repeated appeals of the Security Council on the matter should be censured.

245. The Commission once again deems it necessary to reiterate its earlier recommendation that the Security Council, bearing in mind the inalienable rights of the Palestinians to return to their homeland, again draw the attention of the Government and people of Israel to the disastrous consequences which the settlement policy is bound to have on any attempt to reach a peaceful solution in the Middle East.

246. The Commission is of the view that Israel should be made aware of the serious deterioration of the situation in the occupied territories resulting from its policy of settlement and called upon, as a matter of urgency, to cease the establishment, construction, expansion and planning of settlements in those territories.

247. In view of the vital importance of water resources for the prosperity of the occupied Arab territories and of the serious depletion of those resources as a result of intensive exploitation by the Israeli authorities, mainly for the benefit of the Israeli settlements, the Commission recommends that appropriate measures should be sought for an equitable allocation of water resources in the area outside of any political considerations.

248. With regard to Jerusalem, bearing in mind what was already stated in its previous reports, the Commission again strongly recommends that the Security Council urge the Government of Israel to implement fully the Security Council resolutions adopted on that question as from 1967, including resolution 478 (1980), by which the Council determined, inter alia, that the "basic law" on Jerusalem must be rescinded forthwith, and to desist from taking any further measures which would change the status of Jerusalem, including the pluralistic and religious dimensions of that Holy City.

249. The Commission wishes to reiterate its recommendation that the Security Council adopt effective measures to prevail on Israel to cease forthwith its settlements policies in all aspects in the occupied Arab territories, including Jerusalem.

ANNEXES

Contents

- I. Summaries of testimony
- II. List of settlements
- III. List of new settlements planned for 1981
- IV. Communication received by the Commission in connexion with paragraph 23 of their report
- V. Documents received by the Commission and retained in the custody of the Secretariat

Annex I

SUMMARIES OF TESTIMONY

1. In the course of its second visit to the area, the Commission heard individual testimony in addition to the discussions with government officials and with the representatives of pertinent organizations in the countries visited.
2. The substantial part of those discussions has been reflected in the body of the report. Also in the report can be found an analysis of the testimony received.
3. Individual summaries of the testimony have been prepared by the Secretariat. They are reproduced in this annex in the order in which the witnesses appeared before the Commission, i.e., 6 in Amman and 6 in Cairo as follows:

I. Amman, Jordan - 27 September 1980

Witness No. 1: Mrs. Aisha Musa

Witness No. 2: Mr. Ruhi El-Khatib

Witness No. 3: Anonymous

Witness No. 4: Dr. Walid Mustafa

Witness No. 5: Anonymous

Witness No. 6: Anonymous

II. Cairo, Egypt - 30 September 1980

Witness No. 7: Anonymous

Witness No. 8: Anonymous

Witness No. 9: Anonymous

Witness No. 10: Anonymous

Witness No. 11: Anonymous

Witness No. 12: Anonymous

I. JORDAN

Witness No. 1 - Mrs. Aisha Musa

1. The first witness said that she was from the town of Qalqilia and that at the beginning of July 1980, she visited her son, Anis Dolleh, who had been imprisoned in Ashqlan. When she wanted to visit him for the second time, she was unable to do so because there was a hunger strike going on in the Ashqlan prison. Later on, when she visited him she found him complaining of maltreatment. Before her fourth intended visit she learned that her son had died.

2. The Mayor of Qalqilia, Haj Ameen Al Nasr, was informed of the death by the Red Cross. She said that she wanted to bury her son in the Qalqilia and that she tried every avenue for 22 days to get the body from the Israeli authorities but was unsuccessful.

Witness No. 2 - Mr. Ruhi El-Khatib, Mayor of Jerusalem

3. The witness said that during his previous testimony before the Commission a/ he had outlined Israel's acts of aggression against the Holy City and the Palestinian people, of which he had been in a position to have knowledge in particular, until his expulsion from Jerusalem on 7 March 1968.

4. He indicated his intention this time to draw attention to specific actions which had occurred since his last appearance.

(i) Excavations conducted in the Holy City

5. Mr. El-Khatib said that Israel had continued its illegal digging inside the city walls, especially around such holy Islamic Shrines as the Al Aqsa Mosque and the Holy Dome of the Rock. In that area, he said, the excavations were essentially concentrated on the southern and western sides of the Al Aqsa Mosque, where the Israelis carried out diggings of various depths, from 10 to 14 metres, in an area 50 metres wide. This was done in spite of the various resolutions which UNESCO had adopted on the matter, condemning these excavations and appealing to Israel to desist forthwith from continuing the excavations undertaken unlawfully. As a result of that work, one building had collapsed and 26 others were so badly damaged that several hundreds of inhabitants had to be evacuated. The witness added that such vandalism was all the more deplorable in view of a letter published in the London Times of 17 August 1972 by a leading archaeologist, Dr. Kathleen Kenyon, describing those historic buildings as unique treasures of the Islamic Mamluk period, and emphasizing that similar treasures existed only in Cairo. The witness indicated that he had sent a communication to UNESCO on the matter.

a/ See first report of the Commission S/13450/Add.1, annex II, Witness No. 15.

(ii) Arbitrary measures against the Electricity Company of Jerusalem

6. Mr. El-Khatib stated that the Electricity Company of Jerusalem was the largest share-holding company on the West Bank with shares owned by approximately 2,000 Arabs. It was supplying electricity to around 300,000 inhabitants and 131 industrial enterprises.

7. On 31 December 1979, an order had been issued by the Israeli Minister of Energy and the Military Commander of the West Bank to the Electricity Company of Jerusalem to sell its undertaking as defined in its concession. The sale was to become effective on 1 January 1981. The purpose was to integrate the Arab company into the Israeli system.

8. On the same day, the Chairman of the Board conveyed to the Minister of Energy the company's protest and rejection of that arbitrary measure which was contrary to international law and requested the Minister to reconsider the decision.

9. The Israeli occupation authorities refused to reconsider the matter and the company submitted the case to the Court where it is still pending.

(iii) Expropriation of Arab lands around Jerusalem

10. The witness referred also to an article published in the Jerusalem Post of 8 November 1974 under the headline "For the construction of a fortress in Jerusalem", which described the construction made by Israel on expropriated Arab lands during the period 1968-1973 and the Israeli settlements, which had been established in the northern and eastern parts of the city after 1967. Since then, the witness said, the Israeli authorities continued to expropriate more of the Arab lands around Jerusalem. The most important case happened in February 1980, when the Israeli authorities took 600 dunums from the village of Abu Dees, south of Jerusalem. On 11 March 1980, Israel further expropriated 1,000 dunums from the village of Al Isawiya, east of Jerusalem. The purpose of these expropriations was, according to Israeli sources, to establish new settlements to accommodate 60,000 settlers. But, clearly enough, it was also to encircle the whole city of Jerusalem and to cut it from the rest of the West Bank.

(iv) Closure of the Arab Science College of Abu Dees

11. Mr. El-Khatib stated also that on 16 March 1980, the Board of Abu Dees' Faculty and its benevolent society had been taken by surprise by an order issued by the Israeli military authorities to close the Faculty within two weeks on the pretext that, with three other universities and 12 Arab institutions in the West Bank, the Palestinian students had sufficient educational facilities.

12. The Board of the Faculty submitted a complaint supported by a report made by English educators and experts to the effect that the West Bank institutions would not be able to absorb more than 30 per cent of the students of Jerusalem. Nevertheless, the Israeli authorities closed the Faculty on 1 April 1980.

(v) Law Declaring Jerusalem the "undivided capital" of Israel

13. Mr. El-Khatib recalled that since 1947 the international community had refused to recognize Jerusalem as the capital of Israel. Despite subsequent decisions adopted by international organizations, in particular since 1967, refusing to recognize the annexation of the remaining part of Jerusalem to Israel, the Israeli Parliament, on 20 July 1980, enacted a law declaring Jerusalem the "undivided Capital" of Israel. In his particular capacity as Mayor of Jerusalem Mr. El-Khatib strongly objected to that decision.

(vi) Decision to transfer the Prime Minister's office

14. As to the well-known decision to establish the Prime Minister's office in Jerusalem, Mr. El-Khatib said that offices were being built for that very purpose on lands taken by force from their Arab owners. He recalled that that action had been examined by the Security Council which had declared that decision null and void and called for the restitution of the lands to their Arab owners. The witness added that among the families who had fallen victim to that expropriation was his own family, which had lost 60,000 square metres of "waqf" land on which the Israeli construction for those offices had already started. Recently, it was reported that those offices would be shortly ready for occupancy and that the office of the Prime Minister would be transferred there in accordance with previous planning.

Witness No. 3 - Anonymous

15. The witness said that he was going to talk about what he had witnessed himself in Hebron which, after Jerusalem, was the other most important target of Israel's colonization. A number of settlements were established on the hills overlooking the town, the largest one being that of Kiryat Arba. The inhabitants of Hebron had protested and demonstrated against the establishment of that settlement, which was done by force. In response, the Israeli authorities had assured them that the settlement was only a military camp and that no civilian would ever inhabit it. But soon after, Israeli settlers came to the area, most of them belonging to a religious group of fanatics. The settlements were then expanded and Arab villages demolished and Arab lands expropriated for the use of the settlement. To take Arab lands and properties, the Israeli authorities had used the same methods as in the past. Recently, they had also occupied the hills of Alfa'abera and Al Dabyieh. The Arab inhabitants submitted the case to the Court, where it was still pending. But, while by taking the case to Court the pursuit of expropriation had suspended, the inhabitants were still forbidden to build on their land pending the Court's decision. Meanwhile the settlers of Kiryat Arba were engaged in ceaseless acts of provocation and aggression against the local inhabitants, whose complaints to the Israeli authorities were systematically ignored.

16. After the establishment of Kiryat Arba, the Ibrahim Mosque - a deeply revered Islamic shrine - became the target of the settlers. They first demanded the right to visit the Mosque, then later on to pray in it; and finally they had taken over the control of two thirds of it. The Jews were provoking the Moslem worshippers by acts of profanity and desecration with the acquiescence and sometimes encouragement of the Israeli authorities. Complaints by the municipality of Hebron, as well as the inhabitants, having been to no avail, a serious situation degveloped.

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17. A month later an attack was conducted on settlements, and a number of people were killed. A curfew was imposed for 17 days, after which the Mayor of Hebron and the Sharia Judge of Hebron were informed that a meeting had been arranged for them with the Minister of Defense; but instead of going to that meeting they found themselves expelled to Lebanon.

18. With the establishment of the curfew in Hebron all outside communications were cut, including telephone services. The authorities forbade any food to enter the city, including food which had been sent by the people of Jerusalem, Ramallah and Bethlehem. Famine prevailed and milk was very scarce. Babies and older people died as a result of these restrictions.

19. During the curfew some people were taken by force from their homes to the police station for interrogation. They were threatened, tortured and then those who were let free to return home found themselves exposed to the patrolmen who, during the curfew were allowed to shoot anyone found in the street. The witness referred specifically to the case of an old man who, after having been beaten up at the police station, was given a paper which he was told would permit him to return home safely. The old man was not aware of the contents of the paper, which, to the contrary, encouraged any patrolmen he might meet to beat him again.

20. Also during the curfew Arab houses were entered by force, those inside were violently treated, belongings were destroyed and the food, which was so scarce, was spilled on the ground or mixed together to make it inedible.

21. Those actions were not the act of unruly individuals. The military authorities had full knowledge of them; and in fact when an indignant soldier started speaking about it he was threatened by his authorities that if he spoke to the press about those acts he would appear before a military tribunal.

22. Among the numerous acts of violence committed against citizens, the witness recalled that one day he saw two young men who were taken away by force. He was informed later that they had been locked in a room with two wild dogs which mauled them. The witness saw the wounds himself and said that medical reports on the incident had been made.

23. The witness concluded by saying that the aim of those actions was to expel Arab landowners by law or by fear in order to bring foreigners to live in their place.

Witness No. 4 - Dr. Walid Mustafa

24. The witness said that he was the Chairman of the Geography Department and a member of the academic community of Nablus. He was deported on 23 July 1980 on the basis of an amendment which had just been brought to a standing military order. That amendment authorized Israeli military authorities to control the appointment of teachers and the subjects to be taught, as well as eventually the closing of any educational establishment.

25. The witness pointed out that such a law, which of course did not apply to the Israeli school system, was particularly damaging because there were not enough universities and high schools for Arab students in the occupied territories. That law, the witness said, was published early in July and he was deported on 23 July. Since the final end-of-term examinations were to start on 26 July, the head of the university asked that the witness - who was the only teacher with a Ph.D. in Geography in the West Bank - be allowed to stay until the end of the semester; but that request was denied.

26. The witness did not know the reason for his deportation. The soldiers who took him away said that they knew nothing about it and his request to see the military commander in Nablus was not answered. He was not even allowed to take his books with him nor to receive his payment from the University, nor to visit his 70-year-old mother, who still lives in Jerusalem.

27. In conclusion the witness expressed the view that his case was intended to be an example to other Arab teachers.

Witness No. 5 - Anonymous

28. The witness said that he had just come from the West Bank to address the Commission.

29. About one and a half years before, the military authority in Nablus had summoned him to let him know that 950 dunums of land belonging to 100 families were going to be expropriated. He protested, saying that those lands were the main source of livelihood of the people of the village. In reply the authorities told him that there were other ways of earning a livelihood, for example, working in Israel. The villagers decided to bring the matter before the Court of Justice, pointing out that the lands were private land inherited from generation to generation. The Court rejected the claim on the grounds that the order had come from the military authorities of the West Bank, and that the lands should be used solely for military purposes. Since then, nevertheless, most of the land has been sold and 600 additional dunums requisitioned.

30. The witness insisted that although the two major targets for Israeli settlements were Jerusalem and Hebron, in fact the real goal was the colonization of the whole of the occupied territories. He noted in that connexion that just a few days before the Commission arrived, an Israeli group came to visit a neighbouring area and everyone feared that there again they were planning for the establishment of a new settlement. Even land, which had been occupied by force with such complete lack of procedure that its seizure had been ruled illegal by the Court had not yet been returned to its Arab owners.

31. The pressure was relentless. About a week previously, the military authorities in Nablus had notified the mayors and chiefs of the municipality of the new restrictions concerning the use of underground water resources. Financial support which used to come from Jordan to help the villagers had been forbidden while additional pressure was being put on agricultural owners through high taxation.

32. The witness added that he hoped that the members of the Commission would be able to see with their own eyes the misery of the people living in the occupied lands and to convey the facts in its report.

Witness No. 6 - Anonymous

33. The witness said that he worked as a university professor in the occupied territory. People in his village watered their land from the spring of Al-Auja, but now the output of water was no longer sufficient because the Israelis had dug four artesian wells which produced 15,000 cubic metres of water to irrigate their own settlements. The amount of water thus pumped from those wells had brought the flow of Al-Auja spring to a mere trickle, especially because of the lack of rain. Furthermore, in spite of the low level of rainfall, the pumping of water from the artesian wells by the Israeli settlers had been increased, thus further diminishing the water which could have been used by the Arab inhabitants. The villagers had asked for authorization to dig a well for each family both for drinking and irrigation purposes. Their request had been rejected and their loss was considerable. An appeal to the military authorities went unheard.

34. Moreover, even the very limited supply of water allocated to the Arabs was sometimes stolen by the settlers during the night. The villagers set up a guard to protect their supply, but two days later a curfew starting at 7 p.m. was imposed by the military authorities.

35. There were several settlements around the witness's village which absorbed the villagers' manpower. This led to great losses during the harvest because of the scarcity of labour. Moreover, a decision was taken that any Arab worker employed in the settlements who also worked for the Arabs would be dismissed by the settlers. Even Arab children of 9 and 10 years of age were also put to work by the Israeli settlers.

36. The witness continued that even the situation of those who worked for the settlers was miserable because of the constant rise in prices in the occupied territories.

II. EGYPT

Witness No. 1 - Anonymous

37. The witness introduced himself as a Palestinian residing in the Gaza Strip. Since 1968, the Israeli authorities had established a number of settlements surrounding the Strip from all directions, isolating it from Egypt and even isolating the villages from each other. Recalling that Gaza was small in area, densely populated and poor in resources, the witness added that the arrivals of new settlers who, in addition to expropriating the land also depleted the water resources, had created insufferable difficulties which led many Palestinians to despair and to leave. This in fact was clearly the aim of the policy pursued by the occupying authorities. It should be noted in that connexion, he said, that a

few weeks previously the military authorities in Gaza had issued an order whereby Arabs were prohibited from constructing in an area stretching from Eritz Street in Gaza City to the cease-fire lines and one kilometre from the seacoast eastward, thus rendering even more difficult the relocation of refugees.

Witness No. 2 - Anonymous

38. The witness said that after 1967, Israel started to build settlements in the Gaza Strip. A number of settlements were established, mainly in six localities. To do so, large areas of land had been expropriated.

39. Settlers in those settlements, most of them religious fanatics, were allowed to carry arms in the midst of a defenceless population. Constant provocations by the settlers caused many incidents, in particular in Dir El-Balah and Rafah. The Arab victims were left without recourse, because they were not allowed to bring such matters to Court, while by contrast for any act of violence committed by a Palestinian, a collective punishment was imposed.

40. Concerning the depletion of water resources, the witness said that water consumption was free for the settlers but that the Arabs had to pay 8 Israeli pounds for each cubic metre. b/

41. There was no doubt for the witness that the location of the settlements around the Strip was made with a view to confine the Palestinians and in particular to isolate them from any contact with Egypt.

Witness No. 3 - Anonymous

42. The witness said that Israel, under the pretext of security purposes continued to establish settlements in the Gaza Strip.

43. Recalling that the Gaza Strip was small in size and endowed with very modest resources, he pointed out that, with a population of more than a half-million, the area was already over-population. The arrival of the Israeli settlers had rendered the situation hopeless.

44. Those settlements, the witness said, had been established in strategic locations and the presence of settlers who were armed, caused great fear among the inhabitants.

45. Arabs in the Gaza Strip were treated as second class citizens. They had no rights even for their daily business. As an example, he indicated that since all imports were controlled by the Israeli Chamber of Commerce, the inhabitants were prevented from importing goods or materials needed for their small industries.

b/ Approximately equal to \$US 0.50.

46. Pondering on what the inhabitants could look for in the future, even if the current negotiations between Egypt and Israel led to the so-called self-rule in the area, he wondered whether in such case the lands taken away would be returned to the people of Gaza or whether the Israeli settlements would be maintained as a state within a state.

Witness No. 4 - Anonymous

47. The witness said that the establishment of settlements was bound to delay the process of peace and expressed the conviction that in fact they would prevent the Palestinian people from regaining their rights.

48. Talking about the difficulties encountered by the farmers in Gaza, the witness said that the amount of water to be used for irrigation was restricted and that the users had to pay high prices for the very water which they had dug themselves. He also informed the Commission of the most recent restriction imposed by the Israeli authorities, prohibiting construction in a wide area.

Witness No. 5 - Anonymous

49. The witness said that the total area of Gaza was 360 square kilometres, which was distributed as follows: houses occupied 180 square kilometres; orchards, farms and agricultural land covered 90 square kilometres; roads and the like covered 10 square kilometres and 70 square kilometres had been so far used for Israeli settlements, leaving aside 10 square kilometres from the total area of the Strip.

50. The population of Gaza was approximately 600,000 including the refugees. He noted that before the establishment of those settlements, the Strip was already suffering from over-population.

51. Settlements had been established in such a way as to surround the Strip from all directions. While the settlers could go anywhere, the inhabitants were restricted in their movements particularly in the area close to the settlements. As to the water resources, water was supplied at no cost and with no limitation to the settlers, while Arab farmers' consumption was restricted to definite amounts and a high price had to be paid.

52. Speaking of specific cases of expropriation for the establishment of settlements, the witness said that in the village of Beit Lahya 500 dunums had been taken from one inhabitant and 200 dunums from another one. He gave their names. A number of other settlements had been built on lands which had been distributed in 1962-1963 by Egypt to the inhabitants as part of development projects and where, since then, Arab families had lived. He emphasized that the lands confiscated to establish settlements were arable lands.

Witness No. 6 - Anonymous

53. The witness said that immediately after the occupation of Gaza in 1967, the Israeli authorities had fenced the Strip with barbed wires. Then in Beit Lahya they had confiscated lands belonging to two inhabitants for the purpose of creating

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English

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two settlements. Arabs were not allowed to be found in the vicinity of settlements. In the process of expropriation, houses were demolished, including those of refugees whose dwellings had been built by the United Nations Relief and Works Agency.

54. The witness said also that a number of Palestinians who had left the Strip to visit relatives abroad or in the West Bank had been denied re-entry. He also mentioned that farmers were restricted from shipping their products to the West Bank, and that all shipments had to go through Israeli ports and be labelled as Israeli products.

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Annex II

LIST OF SETTLEMENTS a/

a/ A comprehensive, cumulative and up-dated list of all the known Israeli settlements in the occupied Arab territories, including any additional information on the settlements contained in the previous list (see S/13450/Add.1, annex III) and information on projected settlements.

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A. Israeli settlements on the West Bank

Name	Date founded	Location	Type	Economic base	Land used (in dunums)	Original landowners
1. Atrot	1970	Jerusalem: N. edge, near airport	Industrial zone	61 factories	10,000	Arab residents of Beit Hanina village
2. Neve Ye'acov	1973	Jerusalem: north of town	Residential suburb	2,500 housing units	10,000	Arab residents of Beit Hanina village
3. Ramot	1973	Jerusalem: north-west, near Nabi Sawvil	Residential suburb	750 housing units (8,000 units planned)	30,000	Arab residents of Beit Iksa village; 100 Arab homes demolished
4. Ramat Eshkol	1968	Jerusalem: north side	Residential area	1,700 housing units	600	Arab land (expropriated)
5. French Hill	1969	Jerusalem: north side, along Jerusalem-Ramallah road	Residential area	2,100 housing units	15,000	Arab land; land from Catholic convent
6. Mahalat Defna		Jerusalem: north side	Residential area	250 housing units	270	Arab families and Waqf properties
7. Gilo Sharafat (Gilo)	1973	Jerusalem: south near Beit Jala	Residential suburb	1,200 housing units out of 10,000 planned	4,000	Palestinian residents of Jerusalem, Beit Jala, Beit Safafa and Sharafat
8. East Talpilot	1973	Jerusalem: east side south of Jabal Al-Makaber where UN headquarters was situated	Residential suburb	1,000 housing units, (3,000 planned)	20,000	Arab residents of Jerusalem, Sur Bahir, Sheikh Sa'ad and UN enclave expropriated
9. Jewish Quarter (Old City of Jerusalem)	1967	Jerusalem: "Old City" between western wall of Al Aqsa Mosque and Latin Convent	Residential area	320 housing units and shops		160 Arab houses demolished, 600 homes expropriated, 6,500 Arab residents evacuated
10. Hebrew University	1969	Jerusalem: north side	University campus	Offices, classrooms, dormitories and hospital		Expansion of pre-1948 old university for which land which land expropriated

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Name	Date founded	Location	Type	Economic base	Land used (in dunams)	Original landowners
11. Sanhedria Extension	1973	Jerusalem: north side	Residential area	250 housing units		Former demilitarized zone, entirely expropriated
12. Shiloh	1976	East of Nablus-Ramallah road	Gush Emunim		15,000	From villages of Turmus Ayya, Qaryut, Abu-Elfalah and El-Maghireh Dunams closed off, almost trees cut down
13. Kochav Haebahar	1975	North-east of Taiyyibe village	Nahal, then Kibbutz	Agriculture	4,000	Land from Dier Jarir and Kufur Malik; water from Ain Samia, Ramallah's sole water source
14. Ofra ^{b/} (Be'al Hatzor)	1975	East of Ramallah on Jericho road	Gush Emunim	Workshops and agriculture	350	100 dunams from Ain Yabrud village, 250 dunams from Silvad village.
15. Mevo Horon	1969	Latrun salient	Moshav	Agriculture 2 wells	16,000	Land from Yalu, Imvas and Beit Hube villages, destroyed by Israel after 1967 war
16. Beit Horon ^{b/}	1977	Mid-way on Ramallah-Latrun road, near Tira	Gush Emunim		150	Initial takeover of Arab land
17. Mevo Horon Dalet (Matatyahu)	1977	Latrun area; 3 km from armistice line		Agriculture		DMZ - (Midya Arab village prior to 1948)
18. Kfar Ruth	1977	Latrun area; 1 km south-east of Shayelet settlement		Agriculture		DMZ - (site of Midya village), thousands of dunams of irrigated lands
19. Givat Hamivtar	1975	On north side of Jerusalem		350 housing units		Land area entirely expropriated

^{b/} Settlement planned for expansion (for details see annex III, below).

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Name	Date founded	Location	Type	Economic base	Land used (in dunums)	Original landowners
20. Canada Park	1976	Latrun salient: on Latrun-Ramallah road	Jewish National Fund Park		4,200	Land of destroyed villages of Yalu, Iwvas and Beit Haba (including 1,500 dunums of orchards)
21. Ramonim b/	1977	North-east of Taybeh and Ramun villages; north of Ramallah-Jericho road	Nahal		300	Residents of Taybeh village (expropriated lands)
22. Beit El	1977	North of Ramallah-Nablus road	Gush Emunim		35	Arab land. Settlement to expand on 250 dunums of expropriated land
23. Giv'at b/	1977	North-west of Jerusalem; near El-Jib village	Gush Emunim			Ex-Jordanian military base. 5,000 dunums needed to be expropriated from El-Jib village
24. Shayelet (Nero Horv'im)	1977	Latrun area	Moshav	Agriculture		DMZ land (site of Arab village of Midya)
25. Neve Zof (Nabi Saleh)	1977	North-west of Ramallah; near Beir Midham	Gush Emunim		400	Closed off, including 100 dunums of wheat fields and almond trees of Nabi Saleh villagers
26. Mehola	1968	Jordan valley: north end of West Bank	Nahal until Nov. 1969, then moshav	Field crops, metal factory 1 well and 1 reservoir	3,000	Residents of Bardala and Ain el-Beida villages. Water supply of villages depleted by wells of Mehola
27. Argaman	1968	Near end of Damsya-Nablus road	Nahal until May 1971, then moshav	Agriculture 5 absentee wells and 1 reservoir	5,000	Arab agricultural land, including 1,000 dunums from Marj al-Raja
28. Neve Masuub	1976	Jordan valley: south of Nablus-Damsiya road			800	Residents of Arab villages of Al-Ajara and Jiftlik

b/ Settlement planned for expansion (for details see annex III, below).

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<u>Name</u>	<u>Date founded</u>	<u>Location</u>	<u>Type</u>	<u>Economic base</u>	<u>Land used (in dunams)</u>	<u>Original landowners</u>
29. Masasuh	1970	Jordan valley: just south of No. 28	Mahal until May 1974, then kibbutz	Vegetables, fishpond, water from Ramra 1 well, 2 reservoirs	3,000	Residents of Al-Ajira and Jiftlik villages. "expropriated land"
30. Phatza'El B	1977	South of settlement No. 29	Rural settlement		1,500	Arab land
31. Phatza'El	1970	End of south-west road from Aqraba	Moshav	Vegetables 3 wells "600 cubic metres per hour" 1 reservoir	3,000	Residents of Fazayil village
32. Tomer	1976	Jordan valley: south of settlement No. 31		Hot-house vegetables	Unknown as construction still going on	
33. Gilgal	1970	Jordan valley: south of settlement No. 32	Mahal until May 1973 then moshav	Vegetables, citrus, field crops	3,300	Arab land "plan to pump water from Jordan river"
34. Netiv Hagdud	1976-1977	South of Gilgal settlement No. 33	Mahal to become moshav		Unknown as construction still going on	
35. Mivsom (Ma'aran)	1977 began construction	Jordan valley: near Arab village of Avja	Mahal to become moshav			Land expropriated from residents of Al-Avja village
36. Yitar	1970	West of Al-Avja village	Mahal until Oct. 1976 then kibbutz	Vegetables, field crops	2,000	Arab land from Al-Avja village "including that of absentee owners", water from Ain Al-Avja and two wells nearby
37. Almog	1977	Jordan valley: north-west of Dead Sea	Mahal			Water supply drawn by 12-inch pipeline from well near Aqbat Jaber, Jericho refugee camp

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Name	Date founded	Location	Type	Economic base	Land used (in dunums)	Original landowners
38. Kalia	1968	Jordan valley: north-west of Dead Sea	Mahal until 1975, then kibbutz	Vegetables, dairy, vineyards, fish-ponds		Previously Jordan army camp, water supply from Wadi Keit west of Jericho
39. Mitspe Shalem	1970	Leah Sea: west shore	Mahal then kibbutz	Date palms, vegetables	over 50	
40. Malki Shua	1976	North edge of West Bank: south of Mt. Gibbos; access road from Beit Shean	Mahal			
41. Ro'I	1974	"Limit of settlements" road (LS); north end	Mahal; moshav by 1978	Agriculture	2,500	Tubas village residents, land cultivated with wheat
42. Bega'ot	1972	LS road, north end: south of Ro'I (No. 41)	Moshav	Poultry, vegetables, citrus	5,000	Tamun village, land closed off
43. Ramra	1971	LS road: on east West Nahlas-Damiya road, in lush valley. Farm land	Moshav	Vegetables, flowers, citrus, poultry; 1 well, 2 reservoirs, 12-inch water pipeline to Massa'uh (No. 29) in Jordan valley	450	Land from Bab al-Nagab village; valley land near Damiya Bridge 450 dunums of "absentee owner groves"
44. Mekhora	1973	LS road: south of Ramra (No. 43)	Mahal until July 1976, then moshav	Vegetables, fruit	4,000	From Bab al-Nagab, Beit Dajan and Beit Pupik villages water supply includes 1 well, 3 reservoirs
45. Gtit	1972 Aug.	LS road: near east-west Aqraba valley road	Mahal until Dec. 1975, now kibbutz	Vegetables, field crops	5,000	Land from Aqraba closed off, sprayed with defoliants early 1972
46. Ma'al Ephraim	1972	LS road: on east-west Aqraba valley road	Regional centre		200	Arab land

<u>Name</u>	<u>Date founded</u>	<u>Location</u>	<u>Type</u>	<u>Economic base</u>	<u>Land used (in dunams)</u>	<u>Original landowners</u>
47. Nevo Shiloh (Givat Adum)	Nov. 1976	South of Ma'ale Ephraim settlement No. 46			1,300	Residents of Turmus Ayya, Abu-Fallah and al-Mughayyir villages
48. Mishor Adomin (Ma'ale Adomin)	Nov. 1974	Dominates Jericho-Jerusalem road	Industrial estate and army base; Gush Emunim settlers	Industry	(81,000)	70,000 dunams closed off Oct. 1972 by army, additional 700 dunams expropriated from villages of Abu dis, Usharyya and Issavyya 10,000 dunams from Silva; 300 dunams from Silva and Anota
49. Mispeh Jericho	early 1978	East of Mishor Adomin settlement (No. 48) overlooking Jericho				Land expropriated from above-mentioned villages
50. Reihan (Rei'ami, Bet)	1977	North-west of Jenin, 3 km beyond armistice line	Mahal, 1978 kibbutz	Agriculture		Arab land
51. Dotan (Sanur)	Oct. 1977	Along Nablus-Jenin road in Sanur valley	Gush Emunim			Land of pre-1967 Jordanian police station near Sanur village
52. Netaf Ma'ale	Jan. 1978	East of Nablus-Jenin road	Gush Emunim		550	Land confiscated from Silat Al-Dhaha village including 25 olive trees
53. Showron	Oct. 1977	On Nablus-Jenin road			1,680	Kufr Sur village
54. Sal'it (Tsur Nathan Bet)	Aug. 1977	South-east of Tullcaru	Mahal		1,000	Kufr Sur village half of land privately owned (cultivated), half common land for grazing
55. Elon Moreh (Qaddum)	Dec. 1975	Near Nablus-Qalqilya road	Gush Emunim		300	Arabs of kufr Qaddum village
56. Garuay-Shomron	Oct. 1977	South side of Nablus-Qalqilya road, near Jinsarut village	Gush Emunim		150	Taken from villages of Jinsafut, Hajj and kufr Laqif

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Name	Date founded	Location	Type	Economic base	Land used (in dunams)	Original landowners
57. El Qana b/ (Mes'ha Pe'erim)	April 1977	South-east of Qalqilya	Gush Emunim Nahal		10 300	Site of former Jordanian police station from Mes'ha village
58. Yafuah (Bareget)	Jan. 1978	Along Nablus-Ramallah road 13 km south of Nablus			150	Arab villagers of Yasuf
59. Haris	Feb. 1978	2 km west of Nablus-Ramallah road, near Salfit junction	Nahal 2 km access road built		800	300 dunams expropriated for military camp 500 dunams of pastureage closed off from villages of Kufr Haris, Harda and Salfit
60. Har Gilo	1976	In Beit Jala village area	Residential suburb		400	Grapevines and fruit trees expropriated from Beit Jala residents, June 1976
61. Efrat	1978	On road south of Bethlehem			7,000	Expropriated land, most of which cultivated
62. Takosh	June 1975	South-east of Bethlehem near Hebron	Nahal		3,000	Land expropriated from Rafidsya village
63. Elazar	Oct. 1975	South of Bethlehem	Religious moshav	Chemical laboratory electronics	350	Vineyards expropriated from Hadar village, 1973
64. Rosh Tzurim	July 1969	North of Hebron (Etzion bloc)	Kibbutz	Poultry	3,000	Including site of pre-1948 settlement plus expropriated land from Mahalin village
65. Alon Shvot	July 1969 settlers, 1972	North of Hebron (Etzion bloc)	Regional centre for religious Jews	Yeshiva students plus families commute to Jerusalem	1,200	Land expropriated in 1969 from Arabs
66. Kfar Etzion	Sept. 1967 first settlement on the West Bank	North of Hebron (Etzion bloc)	Kibbutz	Some agriculture, a factory		Site (1943-1948) of Jewish settlement and cultivated land (vineyards)

b/ Settlement planned for expansion (for details see annex III, below).

<u>Name</u>	<u>Date founded</u>	<u>Location</u>	<u>Type</u>	<u>Economic base</u>	<u>Land used (in dunams)</u>	<u>Original landowners</u>
67. Migdal Oz	1977	West of Hebron (Etzion bloc)	Kibbutz	Agriculture	1,000 to 2,000	Residents of Beit Umar village, closed first as military area 600 plum and almond trees uprooted in Dec. 1977
68. Qiryat Arba <u>b/</u>	1970	Adjoins town of Hebron	Urban settlement	Factories, some services, some commute to Jerusalem	4,250	Individuals from Hebron and Halhul, of which 1,500 dunams expropriated
69. Yattir	July 1977	South of Hebron, near armistice line	Gush Emunim Moshav	401 housing units	17,000 planned to be fenced	Pasture land
70. Zohar						
71. Sallat Dhahr	1978	On Nablus-Jenin road			550	Expropriated from Arab residents of Sallat Dhahr
72. Anatot	Late 1978	North of Jerusalem			3,000	Expropriated from residents of Anata village
73. Ya'afu Horon	1978	Near Arab village of Yatta; west of Hebron				
74. Tretsch						
75. Jericho	Approved 1978	Jericho area				
76. Zif	1978	South of Hebron	Under construction			
77. Neveimch	1979	Near Jericho				
78. New Kfar Etzion	1979	On road between Bethlehem and Hebron				
79. Euvava	1979	Few miles east of Nablus	600 settlers already live there			

b/ Settlement planned for expansion (for details see annex III, below).

<u>Name</u>	<u>Date founded</u>	<u>Location</u>	<u>Type</u>	<u>Economic base</u>	<u>Land used (in dunums)</u>	<u>Original landowners</u>
80. Tell Kebir	1979; still under construction	New location/village of Deir El Hatab in the district of Nablus				
81. Karney Shomron (b)	mid-June 1979	On the main road between the towns of Nablus and Fulkarm, 3 kilometres west of the Settlement of Karney Shomron (a)				
82. Karney Shomron (d)	Sept. 1979	South of the settlement Karney Shomron (a)			Scheduled to accommodate 100 families initially and 300 families after 5 years	
83. Reihan	Sept. 1979	in the district of Jenin/third settlement			to accommodate 50 families initially and 100 after 5 years	
84. Elazar	Sept. 1979	District of Kfar Etzion in the vicinity of another settlement, Eliazar				

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<u>Name</u>	<u>Date founded</u>	<u>Location</u>	<u>Type</u>	<u>Economic base</u>	<u>Land used (in dunums)</u>	<u>Original landowners</u>
85. Yafit	second half of 1979	in the district of Jiftlik			500	confiscated land from Arab owners in the Jordan Valley
86. Gebeiot Oz (b)	beginning of 1980	between the villages of Shaikh, Iskandar and Kafr Salim in the district of Jenin				
87. Reihan (e)	1980	east of the settlement of Reihan (b), in the district of Jenin				
88. Eidan	July 1980	middle part of Wadi Araba, south of the Dead Sea	presently populated by 17 families and due to be joined by a further 20			Government-owned land- previously sealed off
89. El Qana (b)	July 1980	east of the sett settlement of El Qana, west of Nablus			111	Government-owned land- previously sealed off
90. Karney Shomron (h)	began construction Sept. 1979	8 km. west of Karney Shomron (a)	scheduled to accomodate 100 families initially and 300 more after 5 years			

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<u>Name</u>	<u>Date founded</u>	<u>Location</u>	<u>Type</u>	<u>Economic base</u>	<u>Land used (in dunums)</u>	<u>Original landowners</u>
91. Ma'ale Adomim	1979	north-east of Jerusalem (El-Khan El Ahmer)				
92. Ma'ale Adomim (c)	1979	East Jerusalem			400	Lands belonging to Jerusalem
93. Mehola (b)	1979	north of the Jordan Valley	consists only of military tents			
94. Nahal Maoz	1979	north-east of Hebron in the district of Al Yaghama	established as a camp to protect settlements in the district			
95. Ariel (b)	1979	in the district of Salfit, next to the settlement of Ariel (Haris)			1,330	Villages of Mardeh and Sikaka
96. Leona	1980	on the Jerusalem-Nablus				Village of Al-Isben
97. Beit El (b)	1980	in the district of Ramallah				Village of Beitein
98. Efrat (town)	mid-October 1979	West Bethlehem, centrally located in relation to the Kfar Etzion			1,300	Village of Al Khudr

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<u>Name</u>	<u>Date founded</u>	<u>Location</u>	<u>Type</u>	<u>Economic base</u>	<u>Land used (in dunums)</u>	<u>Original landowners</u>
99. Giv'a Hadasha	decision on its establishment - mid-October 1979	in the vicinity on another settlement, Giv'on, district of Ramallah			85	confiscated land, belonging to the village of El-jib
100. Matatyahu	1976	district of Ramallah			600	private land of inhabitants of the village of Naalein
101. Giv'on (b)	1977	district of El-jib, north-west of Jerusalem				
102. Elon Moreh c/	June 1979	5 kilometres south of Nablus			1,300	villages of Rujeeb and Aurta
103. Neve Tzuf	Sept. 1979	between the villages of Deir Ballout and Aboud, north of Ramallah			900	
104. Dotan	1977	south of Jenin, scheduled to accommodate 150 families near the village of Araba			100	initially and rising to 500 within 5 years
105. Ariel (Harris) b/	1977	currently inhabited by 30 Jewish families			500	villages of Kafr Harris (Salfit)

b/ Settlement planned for expansion (for details see annex III, below).

c/ Work on settlement suspended following Israeli Supreme Court order. Instead a new settlement was started (Tell Kebir) as an alternative. Elon Moreh settlement was not abandoned.

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<u>Name</u>	<u>Date founded</u>	<u>Location</u>	<u>Type</u>	<u>Economic base</u>	<u>Land used (in dunums)</u>	<u>Original landowners</u>
106. El Qana	1977	in the district of Abu-l-Qarnain on the Nablus road	scheduled to accommodate 500 Jewish families		150	2/3 of area previously privately owned by Arab citizens
107. Tarvah	1978	in the district of Jenin				village of Raffouha

Source: List of settlements, maps, information supplied by the Government of Jordan as of September 1980.

B. Israeli settlements in the Golan Heights

Name	Date founded	Location	Type	Economic base	Land used (in dunums)	Original landowners
1. Neve Ativ	1971	South slope of Mount Hermon	Moshav	Ski-station/ 400 dunums apples at Benia's spring	Total land of village	Syrian village, dab'at assayat
2. Snir	1967	Edge of ex-DMZ; pasture on Golan	Mahal up to 1968, then Kibbutz	Agriculture		Syrian village lands
3. Har Odem	1976	Mount Odem/between Mas'ada and Bugatha villages	Moshav	Industrial base established	200	Syrian nature reserve 200 dunums from Bugatha
4. El Ron	1971	North, near Bugatha	Kibbutz	Agriculture (apples)	Total land of Ainkharja, some land Bugatha	Syrian village Ainkharja and some land from Bugatha
5. Merom Golan	July 1967	North; west of Quneitra	Kibbutz	Cattle, 6,000 dunums field crops	6,000	Agricultural land west of Quneitra
6. Ein Zivan	1968	North; west of Quneitra	Kibbutz	Agriculture, 340 dunums orchards in Quneitra valley	340 orchards	Agricultural land west of Quneitra; near former Syrian village, Ain Zivane
7. Katsrin	1973	Centre-west; near Yaacov Bridge across Jordan River	Industrial centre, field- school	Industries (200 housing units under construction)		Near Syrian village, Qasrine
8. Keshet	1974	Originally in Quneitra then at Khusniya	Religious moshav; Gush Ezania settlers	Plans for field- school, botanical garden, wood- working, agriculture		Syrian town, Khusniya
9. Anf'um	1976	South of Katsrin (No. 7)	Industrial; moshav	Industries		Syrian village land, Qasrine
10. Yonatan (Yonati)	1975	Tel Faras, south of Keshet (No. 8)	Bnei Akiva religious youth movement	Agriculture		

<u>Name</u>	<u>Date founded</u>	<u>Location</u>	<u>Type</u>	<u>Economic base</u>	<u>Land used (in dunams)</u>	<u>Original landowners</u>
11. Sha'al	1976	Centre	Moshav	Agriculture, industries planned		Syrian village
12. Gamla	1976	Overlooks Lake Tiberias	Moshav	Agriculture		Syrian village lands
13. Ramot	1969	Overlooks Lake Tiberias	Moshav	Agriculture		Syrian village land
14. Merkaz Hisfin (Khisfin)	1973	South Golan	Rural centre			Syrian town, Khisfin
15. Ramat Magshimim	1968	South-east 1.8 km from buffer zone	Moshav	Agriculture, cattle		Former Syrian army base
16. Arni Eltan	1976	South Golan	Moshav	Agriculture		
17. Eov (Hab)	1972	South Golan	Moshav	Agriculture, reservoir nearby		
18. Gesbur	1969	South; moved west due to 1974 disengagement	Nahal	Field crops		
19. El-AI (El-AI)	1968	South Golan	Nahal until May 1973, then moshav	Agriculture		
20. Givat (Yo'av)	1968	South Golan; adjoins No. 21	Histadrut Moshav	Field crops, poultry, cattle		
21. Merkez Bnei Yahuda	1972	South Golan; joint entrance with No. 20	Rural centre			
22. Ne'ot Golan	1968	South; overlooks Lake Tiberias	Moshav	Agriculture	100 dunams field crops	
23. Afik	1967	South Golan	Nahal until 1972, then kibbutz	Agriculture		Near Syrian town Fiq
24. Kfar Haruv	1973	South; overlooks Lake Tiberias	Kibbutz	Agriculture		Near Syrian village Kfar Harud

<u>Name</u>	<u>Date founded</u>	<u>Location</u>	<u>Type</u>	<u>Economic base</u>	<u>Land used (in dunums)</u>	<u>Original landowners</u>
25. Mevo Hama	1968	South: overlooks Lake Hiberias	Kibbutz	Agriculture; tourism at Hama Springs, pasture	25,000	Syrian village at Hama Springs
26. Urtal	1978	Centre-west	Kibbutz	Industries planned		Syrian village land
27. Ramath Shalom						
28. Har Shifon						
29. Dalhmiya						
30. Natur	1980	5 kilometres South-West of Ramat Maghshimim				

Source: List by the Syrian Government: information on settlements - Ann Lesch.

C. Israeli settlements in the Gaza Strip

<u>Name</u>	<u>Date founded</u>	<u>Location</u>	<u>Type</u>	<u>Economic base</u>	<u>Land used (in dunams)</u>	<u>Original landowners</u>
1. Netzarim	1972	4 km south of Gaza City; between north-south highway and coast	Nahal became moshav	Agriculture	700	Land expropriated from Abu Madyan Arab tribe, early 1971
2. Kfar Darom	1970	South of Mughazi refugee camp, east side of north-south highway	Nahal until 1978, then kibbutz	Glasshouse vegetables	200 enlarged to 400	
3. Netzer Hazani	1973	North of Khan Yunis	Nahal until 1977, then moshav	Glasshouse vegetables	300	State land
4. Katif A	1973	West of Netzer Hazani settlement (No. 3) between Dier El Balah and Khan Yunis	Moshav	Glasshouse vegetables	(1,000	
5. Katif B	1978	Close to Katif A settlement		Glasshouse vegetables		
6. Katif C	1979	Close to Katif A and B		Glasshouse vegetables		
7. Morag	1972	On coast between Khan Yunis and Rafah	Nahal, then kibbutz	Agriculture	12,000	Land expropriated from Umm Kalb village, El Abadella, Khan Youness early 1971
8. Eretz Azoor	1969	North-east of Gaza City		Industries	800	
9. Nahal Taadeel	1972	Close to Gaza and Nahal Dir El Ralah next to El Ogool		Agriculture	4,000	State land
10. Holeet	1977	Close to Rafah			300 housing unit	
11. Beit Lebat (under construction)		North Gaza				

Source: List of settlements and map provided by the following: the Government of Egypt, Majib Al-Almad, Special Representative, Political Department, Palestine Liberation Organization; Ann Lesch, former representative in the Middle East of the American Friends Service Committee, from part of her testimony before the Sub-Committee to the Committee on International Relations, United States House of Representatives, 19 October 1979.

Annex III

LIST OF NEW SETTLEMENTS PLANNED FOR 1981

New settlements planned on the West Bank

<u>Name</u>	<u>Location</u>
1. Na'meh (a))
2. Na'meh (b))
3. Na'meh (c)) all around the town of Jericho
4. Almog (b))
5. Beit Ha'ria)
6. Mitzpe Yeriho (b))

Source: Information provided by the Government of Jordan.

New settlements planned in the Golan Heights

<u>Name</u>	<u>Location</u>
1. Sukayk	Village of Sukayk, Wasit/Mas'adah Road
2. Ram Lake	On the slope of Mount Qata at Mas'adah
3. a/	Tell Abu Qatif, near village of Ayn Ayisha at Mazra'at Quneitra
4. a/	
5. a/	At the village of Dabbusiyah

Source: Information provided by the Government of the Syrian Arab Republic.

a/ Name of settlement not yet determined.

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Annex IV

COMMUNICATION RECEIVED BY THE COMMISSION IN CONNEXION WITH
PARAGRAPH 23 OF THE PRESENT REPORT

Letter dated 10 November 1980 from the Commission of the Churches on
International Affairs of the World Council of Churches addressed to
the Chairman of the Security Council Commission

In response to your request to provide new elements to be brought to the attention of the Security Council related to the mandate of the Commission which you chair, I have the honour to submit the enclosed "Statement on Jerusalem" adopted by the Central Committee of the World Council of Churches during its meeting held in Geneva, 14-22 August 1980. In order to facilitate your task, I also include provisional translations of the text into French and German.

(Signed) Dwain C. EPPS
Executive Secretary

Statement on Jerusalem adopted by the Central Committee of the World Council of Churches during its meeting in Geneva, 14-22 August 1980

1. On the basis of previous World Council of Churches statements the Central Committee opposes the Israeli unilateral action of annexing East Jerusalem and uniting the city as its "eternal capital" under its exclusive sovereignty.
2. This decision is contrary to all pertinent United Nations resolutions. It dangerously undermines all efforts towards the just solution of the Middle East problem and thus jeopardizes regional and world peace.
3. The Central Committee reiterates the statement on Jerusalem issued by the World Council of Churches Assembly in Nairobi, 1975, which stressed that the tendency to minimize Jerusalem's importance for any of the three monotheistic religions should be avoided. The destiny of Jerusalem should be viewed in terms of people including Christians as well as Jews and Muslims and not only in terms of shrines. Therefore, just as the future status of Jerusalem has been considered part of the destiny of the Jewish people, so it cannot be considered in isolation from the destiny of the Palestinian people, and should thus be determined within the general context of the settlement of the Middle East conflict in its totality.
4. The Central Committee calls the member churches to exert through their respective Governments all pressure on Israel to withhold all action on Jerusalem, the future of which should be included in the agenda of official negotiations involving Israel and the Palestinians on self-determination and on the solution of the Middle East conflict.
5. Recognizing that Jerusalem is a focus of the deepest religious inspiration and attachment for all Christians in the world, the Central Committee urges the World Council of Churches to undertake an active role in expressing the concerted Christian voice and to aid churches in fully assuming their role as partners in deciding the future character of Jerusalem.
6. The Central Committee also urges the General Secretary to explore, in consultation with member churches in the area and the Vatican, possibilities of trying to find the best solution to the problem of Jerusalem through all appropriate and effective means and ways such as convening jointly or separately international consultations or any other approaches or actions on Jerusalem. The General Secretary should also explore possibilities of consultations with the Muslim and Jewish communities concerned with the future character of Jerusalem in order to seek ways to consolidate justice and human coexistence in the City of Peace.

ANNEX V

DOCUMENTS RECEIVED BY THE COMMISSION AND RETAINED IN
THE CUSTODY OF THE SECRETARIAT

I. Documents received from the Government of Jordan

Awartani, Hisham M. "West Bank Agriculture: A New Outlook". Research Bulletin No. 1. (Nablus-West Bank: Al Najah National University, November 1978).

_____. "Water resources and water policies on the West Bank". Research Bulletin No. 2. (Nablus: Al Najah National University, October 1979), (in Arabic)

His Royal Highness Crown Prince Hassan bin Talal, A Study on Jerusalem (London and New York, Longman, 1979)

"Agricultural sector and water resources in the West Bank", Royal Scientific Society, to be published before the end of 1980

Jerusalem, a report prepared by the Ministry of Foreign Affairs and the Executive Committee of the Occupied Territories, 1980

"Jordan Valley Area/Mekorot/Settlements: Amount of pumping water from the artesian wells during 1977/1978 for irrigation" (in Arabic)

Report on Israeli settlements in the West Bank of Jordan, May 1979 to September 1980. (in Arabic)

The Significance of Some West Bank Resources to Israel (rev. ed.), Economics Department, Royal Scientific Society, April 1979.

A transcript from a sound and slide show on Israeli settlements in the West Bank, prepared by the Office of His Royal Highness Crown Prince Hassan, May 1980.

II. Documents received from the Government of the Syrian Arab Republic

"Israeli settlements in the Golan" (in Arabic)

"Information concerning Israel's violations in the occupied territory of the Golan" (in Arabic)

"Israeli actions in the Golan during the period 1979-1980" (in Arabic)

Map of settlements in the Golan

/...

III. Documents received from the Government of Egypt

"Israeli settlements on the West Bank and in the Gaza Strip"

Performance Report: Egypt and the Palestinian Question, 1945-1980
(Cairo, Ministry of Foreign Affairs, State Information Service).

IV. Documents received from the Palestine Liberation Organization

Paper, "Water resources and policies in the West Bank"

Terzi, Zehdi Labib, Memorandum on the water resources of Palestine.

V. Documents received from witnesses in Amman, Jordan

Witness No. 2 (Ruhi EL-Khatib)

Copy of his testimony before the Security Council Commission (in Arabic),
enclosing:

Map of Jerusalem showing the "Israel Plan to Expropriate and Demolish
the Arab Moslem Properties within the Old City and the Evacuation of
its Occupants"

Copy of an Order dated 31 December 1979 issued by the Israeli Minister
of Energy and the Military Commander of the West Bank notifying the
Jerusalem District Electricity Company of the purchase of the company's
undertaking by the Government of Israel, effective 1 January 1981

Copy of a letter dated 31 December 1979 from the Chairman of the Board
of the Jerusalem Electricity Company addressed to the Israeli Minister
of Energy protesting and rejecting his notice of purchase; copy of
identical letter addressed to the Military Commander of the West Bank

Letter from Dr. Kathleen Kenyon regarding tunnelling along the western
wall of the Haram esh-Sherif (The London Times, August 1972)

A/35/158. Letter dated 28 March 1980 from the Permanent Representative
of Jordan addressed to the Secretary-General, transmitting a statement
issued by Mr. Ruhi EL-Khatib in which he strongly deplored the latest
act of aggression perpetrated by the Israeli occupation authorities in
the Jerusalem area

Witness No. 4 (Dr. Walid Mustafa)

Copies of documents relating to Law No. 16, concerning education in the
West Bank (in Arabic)

Witness No. 5 (Anonymous)

Copies of documents relating to confiscated lands on the West Bank (in Arabic)

Decisions

At its 2259th meeting, on 19 December 1980, the Council decided to invite the representatives of Egypt, Israel and Kuwait to participate, without vote, in the discussion of the item entitled "The situation in the occupied Arab territories".

At the same meeting, the Council also decided, by a vote, that an invitation be accorded to the representative of the Palestine Liberation Organization to participate in the debate and that that invitation would confer upon it the same rights of participation as those conferred on a Member State when it was invited to participate under rule 37 of the provisional rules of procedure.

Adopted by 10 votes to 1 (United States of America), with 4 abstentions (France, Norway, Portugal, United Kingdom of Great Britain and Northern Ireland).

At the same meeting, the Council further decided, at the request of the representative of Tunisia,⁵⁷ to extend invitations to Mr. Clovis Maksoud, Mr. Fahd Qawasma and Mr. Mohamed Milhem under rule 39 of the provisional rules of procedure.

Resolution 484 (1980)

of 19 December 1980

The Security Council,

Recalling its resolutions 468 (1980) and 469 (1980),

Taking note of General Assembly resolution 35/122 F of 11 December 1980,

Expressing its grave concern at the expulsion by Israel of the Mayor of Hebron and the Mayor of Halhoul,

1. *Reaffirms* the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,²² to all the Arab territories occupied by Israel in 1967;

⁵⁷ Documents S/14305 and S/14304, incorporated in the record of the 2259th meeting.

2. *Calls upon* Israel, the occupying Power, to adhere to the provisions of the Convention;

3. *Declares it imperative* that the Mayor of Hebron and the Mayor of Halhoul be enabled to return to their homes and resume their responsibilities;

4. *Requests* the Secretary-General to report on the implementation of the present resolution as soon as possible.

Adopted unanimously at the 2260th meeting.

Decisions

In a letter dated 15 December 1980,⁵⁸ the Secretary-General informed the President of the Council of his intention, subject to the usual consultations and to the extension by the Council of the respective mandates, to make the following changes in the commands of the United Nations peace-keeping operations in the Middle East:

(a) Major-General Erkki R. Kaira, of Finland, the current Chief of Staff of the United Nations Truce Supervision Organization (UNTSO), would replace Major-General Guenther Greindl as Commander of the United Nations Disengagement Observer Force;

(b) Major-General Emmanuel A. Erskine, of Ghana, Commander of the United Nations Interim Force in Lebanon (UNIFIL), would be reassigned as Chief of Staff of UNTSO with the additional function of representing the Secretary-General for matters relating to United Nations peace-keeping operations in the Middle East;

(c) Major-General William Callaghan, of Ireland, would replace General Erskine as Commander of UNIFIL.

The President, after consultations with the members of the Council, addressed the following reply to the Secretary-General:

"I have brought your letter dated 15 December 1980 to the attention of the members of the Security Council. They considered the matter in consultations on 17 December and agreed with the proposals contained in your letter.

"The Chinese representative has informed me that China, not having participated in the voting on the relevant resolutions, dissociates itself from this matter."⁵⁹

⁵⁸ *Official Records of the Security Council, Thirty-fifth Year, Supplement for October, November and December 1980*, document S/14308.

⁵⁹ S/14309.

UNITED NATIONS
SECURITY
COUNCIL



Distr.
GENERAL

S/16293
26 January 1984

ORIGINAL: ARABIC, CHINESE,
ENGLISH, FRENCH,
RUSSIAN and SPANISH

STATEMENT BY THE PRESIDENT OF THE SECURITY COUNCIL

The following statement was issued by the President of the Security Council after consultations of the Council held on 26 January 1984:

"Concern has been expressed to the President of the Security Council in documents S/16249, S/16255 and S/16261, regarding legislation at present under consideration by the Israeli Knesset.

"The Council notes the subsequent letter on this matter from the Permanent Representative of Israel to the United Nations contained in document S/16269 dated 11 January 1984.

"In this connection, the Security Council recalls its previous resolutions stressing the applicability of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and urges that no steps be taken which could lead to further aggravation of tension in the area."

Resolution 592 (1986)

of 8 December 1986

At the same meeting, the Council also decided, by a vote, that an invitation should be accorded to the representative of the Palestine Liberation Organization to participate in the debate and that that invitation would confer upon it the same rights of participation as those conferred on a Member State when it was invited to participate under rule 37 of the provisional rules of procedure.

Adopted by 10 votes to 1 (United States of America), with 4 abstentions (Australia, Denmark, France, United Kingdom of Great Britain and Northern Ireland)

At the same meeting, the Council further decided to extend an invitation to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People under rule 39 of the provisional rules of procedure.

At the same meeting, the Council further decided, at the request of the representative of the United Arab Emirates,²⁹ to extend an invitation to Mr. Clovis Mak-soud under rule 39 of the provisional rules of procedure.

At its 2725th meeting, on 8 December 1986, the Council decided to invite the representative of the Syrian Arab Republic to participate, without vote, in the discussion of the question.

²⁹ Document S/18505, incorporated in the record of the 2724th meeting.

The Security Council,

Having considered the letter dated 4 December 1986 from the Permanent Representative of Zimbabwe to the United Nations, in his capacity as the Chairman of the Coordinating Bureau of the Movement of Non-Aligned Countries, contained in document S/18501,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,³⁰

Seriously concerned about the situation in the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem,

Bearing in mind the specific status of Jerusalem,

1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War is applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem;

2. *Strongly deplores* the opening of fire by the Israeli army resulting in the death and the wounding of defenceless students;

3. *Calls upon* Israel to abide immediately and scrupulously by the Geneva Convention relative to the Protection of Civilian Persons in Time of War;

4. *Further calls upon* Israel to release any person or persons detained as a result of the recent events at Bir Zeit University in violation of the above-mentioned Geneva Convention;

5. *Also calls* on all concerned parties to exercise maximum restraint, to avoid violent acts and to contribute towards the establishment of peace;

6. *Requests* the Secretary-General to report to the Council on the implementation of the present resolution not later than 20 December 1986.

Adopted at the 2727th meeting by 14 votes to none, with 1 abstention (United States of America)

³⁰ United Nations, *Treaty Series*, vol. 75, No. 973, p. 287

STATEMENT BY THE PRESIDENT OF THE SECURITY COUNCIL ON THE OCCASION OF THE FORTIETH ANNIVERSARY OF THE FIRST MEETING OF THE SECURITY COUNCIL AND THE INAUGURATION ON 1 JANUARY 1986 OF THE INTERNATIONAL YEAR OF PEACE

Decision

At the 2642nd meeting, on 17 January 1986, prior to the adoption of the agenda,³¹ the President made the following statement³² on behalf of the members of the Council:

"On the occasion of the fortieth anniversary of the first meeting of the Security Council and the inauguration on 1 January 1986 of the International Year of

Peace, the members of the Security Council wish to reaffirm their commitment to the Charter of the United Nations which conferred on the Council the primary responsibility for the maintenance of international peace and security. At the first meeting of the Council in London 40 years ago, its members assumed this special responsibility in the conviction that it would prove a new beginning of the continuing quest for lasting peace and security.

"Although peace has been preserved on a global basis for 40 years, conflicts and tensions persist. Over the course of the 2600 meetings, the Security Council has

³¹ The agenda for the meeting was: The situation in the Middle East.
³² S/17745.



Security Council

Distr.
GENERAL

S/18532
20 December 1986

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL IN PURSUANCE OF SECURITY COUNCIL
RESOLUTION 592 (1986)

1. The present report is submitted in pursuance of Security Council resolution 592 (1986) of 8 December 1986, the operative paragraphs of which read:

"1. Reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem;

"2. Strongly deplores the opening of fire by the Israeli army resulting in the death and the wounding of defenceless students;

"3. Calls upon Israel to abide immediately and scrupulously by the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

"4. Further calls upon Israel to release any person or persons detained as a result of the recent events at Bir Zeit University in violation of the above-mentioned Geneva Convention;

"5. Also calls on all concerned parties to exercise maximum restraint, to avoid violent acts, and to contribute towards the establishment of peace;

"6. Requests the Secretary-General to report to the Council on the implementation of the present resolution not later than 20 December 1986".

2. The text of the above resolution was cabled to the Vice Premier and Minister for Foreign Affairs of Israel immediately after its adoption. In response to my request for information about the measures taken or envisaged by Israel to implement the resolution, the Acting Permanent Representative of Israel informed me orally on behalf of his Government on 18 December 1986 that Israel regarded Security Council resolution 592 (1986) as "negative and one-sided"; it was "absurd" that the PLO, which had provoked the disturbances in the first place, should then have caused the matter to be brought before the Council. In the week beginning 8 December further disturbances had taken place in "Judea, Samaria and the Gaza

district" as a result of efforts by "PLO elements" to disrupt normal civil life. The Israeli Defence Forces (IDF) had exercised restraint but had been obliged to intervene, especially to keep communications open. In some cases rubber bullets had been used; only in the most severe cases when the lives of IDF personnel were at risk had live bullets been fired. All persons suspected of breaking the law had been arrested. Some had since been freed; others had been tried; others were still under investigation. The main centres of trouble had been the universities where "PLO elements" had been particularly active. The universities of Bir Zeit and An Najah had each been closed for one week. "Masked terrorists" had tried to disrupt normal life by forcing shop owners to close their shops and the IDF had intervened to open shops at the request of the shop owners themselves. When "terror elements" had tried to enter schools in Gaza, the IDF had stopped them at the request of the parents concerned. An Israeli civilian had been stabbed in Jerusalem on 11 December, the mayor of Qabatiyeh on 14 December and an Israeli soldier in Ramallah on 18 December; in the last case the assailants had been arrested. No other details about casualties caused in the disturbances could be provided at present because investigations were still continuing. In the week beginning 15 December calm had been restored as a result of co-operation between the Israeli authorities and the local population, most of whom wanted regular life to go on.

3. With specific reference to operative paragraph 3 of the resolution, the Acting Permanent Representative of Israel informed me that Israel's policy was, and continued to be, to implement all the humanitarian principles embodied in the Geneva Conventions on a de facto basis but that Israel did not consider these conventions to be legally applicable to the territories in question. As regards operative paragraph 4 of the resolution, the Acting Permanent Representative of Israel said that the rule of law prevailed in Israel and that all those who had been arrested would be brought to trial under due process of law. Figures were not available for the number of persons arrested or still in detention.

4. The Permanent Representative of the Hashemite Kingdom of Jordan in a letter dated 17 December 1986 conveyed to me the opinion of his Government regarding Security Council resolution 592 (1986) as follows:

"1. The Jordanian Government approves the contents of the preambular paragraphs and of paragraphs 1, 2, 3, 4 and 6 of the resolution.

"2. With regard to paragraph 5 of that resolution, the Jordanian Government wishes to express the following point of view:

- (i) That paragraph, by calling on all parties to exercise restraint, makes no distinction between the victim and the aggressor or between legitimate resistance and the repressive acts of violence carried out by the occupation authorities. Neither does it distinguish between occupation authorities, who are responsible for the protection of the civilian population under the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, and members of the population who are subjected to

attacks by Israeli religious fanatics, armed residents of Israeli settlements and the Israeli military forces in retaliation for their consistent rejection and repudiation of the continued occupation and the related practices of the various bodies of the occupying Power.

- (ii) In the case under discussion, Israeli residents of West Jerusalem carried out attacks - both before and after the meeting of the Security Council on 5 December 1986 - against individuals and against the property of Arab residents of occupied Arab Jerusalem without any serious or decisive steps being taken by the Israeli authorities to halt those attacks. As a result, the attacks became increasingly widespread and serious and additional direct and indirect pressure was exerted on the Arab population.
- (iii) The events, which took place in Jerusalem, Nablus, Hebron, Bir Zeit, Gaza, Khan Yunis, the refugee camps and various other parts of the occupied territories, demonstrated unequivocally the direct use of live ammunition by the occupation authorities, without prior warning, in their repressive treatment of defenceless Arab citizens, with the result that a number of children and young male and female students were among the casualties of the retaliatory measures carried out by the Israeli authorities. This constitutes clear evidence of the arbitrary behaviour of those authorities and their intention to terrorize and subjugate the population.
- (iv) The disavowal by the occupation authorities of any responsibility for protecting the population of the occupied territories and their property under the relevant Geneva Convention should not obscure the fact that the occupation itself and the refusal of the Arab population to accept or to coexist with it lie at the heart of the problem, nor the fact that there can be no fundamental solution to that problem unless the occupation is ended and the Israeli forces withdraw from all the occupied territories, including the city of Jerusalem.

"3. In view of the fact that the fundamental problem is the occupation, the Government of the Hashemite Kingdom of Jordan is of the opinion that the Security Council - as the organ empowered to maintain international peace and security - should convene an international peace conference in the Middle East under United Nations auspices with the participation of permanent members of the Council and all interested parties, with a view to achieving a comprehensive, just and durable political settlement through the implementation of relevant Security Council resolutions, particularly resolution 242 (1967) and resolution 338 (1973), and realization of the legitimate rights of the Palestinian people."

5. The Permanent Observer of the Palestine Liberation Organization addressed two letters dated 11 December 1986 to me about incidents that had taken place since the adoption of resolution 592 (1986). The texts of his letters are as follows:

Letter No. 1

"I am instructed by Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization to bring the following to your attention vis a vis Security Council 592 of 8 December 1986 which calls on Israel 'to abide immediately and scrupulously by the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;'. The situation in the occupied Palestinian territories is marked by intensified systematic brutality and state terrorism practiced by Israel, the occupying power, against the Palestinian people.

"The escalation of this policy of repression, namely, the 'iron fist policy' has during the past seven days resulted in the killing of four Palestinians, including a 12 years-old child, and scores of others wounded. Among the wounded are three Palestinians who are being treated in intensive-care units; they are 1) Khaled Shaa'ban Ziadeh from Albreaaj camp, who is being treated in a Tel Aviv hospital, 2) Nasser Ibrahim from Dheisheh camp who is being treated in Jerusalem's Al-Makased hospital, and 3) Shukree Mansour from Ebwan, Ramallah, who is being treated in the Hadasah hospital.

"Last night troops from Israeli occupation forces stormed Al-Shefa'a hospital in Gaza and arrested wounded Palestinians who had been brought to the hospital the previous night for bullet wounds inflicted by Israeli soldiers.

"On Tuesday, 9 December 1986, five youths from Sinjel, Ramallah, were abducted by Zionist settlers and troops from the Israeli occupation forces. The whereabouts of the five abducted Palestinians is not known.

"The Palestine Liberation Organization calls upon the Secretary-General and Security Council of the United Nations to take all appropriate and necessary measures to bring adequate pressure on Israel, the occupying power to ensure respect for the Fourth Geneva Convention, and to put an end to the continuous violations and repressive measures against the Palestinian people living under Israeli military occupation."

Letter No. 2

"I am instructed by Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization to bring the following to your attention vis a vis Security Council resolution 592 of 8 December 1986 Operative paragraph 3 calls upon Israel 'to abide immediately and scrupulously by the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;'. I would inform that troops from Israel's occupation forces broke into Rafeediyah hospital in the Nablus area, and after brutally beating Mohammad Abu-Ayyash, who was hospitalized with three bullet wounds inflicted by Israeli troops, transferred him from his hospital bed to Israeli military headquarters in the area. The savage beating inflicted by the Israeli troops caused additional fractures to Mohammed Abu-Ayyash's legs and arms.

"Operative paragraph 4 further calls upon Israel 'to release any person or persons detained as a result of the recent events at Bir Zeit University in violation of the above mentioned Geneva Convention;'. In Gaza, Israeli occupation troops stormed into homes and arrested scores of Palestinians taking them to the Israeli military headquarters in Gaza. In addition, 6 Palestinians who were at the International Red Cross Offices in Gaza were arrested. 23 Palestinians under treatment for injuries received as a result of recent Israeli attacks were arrested; 175 Palestinian students from the Gaza area have been arrested; 32 Palestinians from Jerusalem, including 15 girls students have been arrested; 22 Palestinian students and 10 other Palestinians from Ramallah have been arrested; 20 Palestinians from Dheisheh refugee camp have been arrested, 6 of them are students; 111 Palestinians from Al-Khalil (Hebron) have also been arrested.

"The Palestine Liberation Organization again calls upon the Secretary-General and Security Council of the United Nations to take all appropriate and necessary measures to bring adequate pressure on Israel, the occupying power, to ensure respect for the Fourth Geneva Convention, and to put an immediate end to the continuous violations and repressive measures against the Palestinian people living under Israeli military occupation."

6. The Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People addressed a letter dated 16 December 1986 to me in which he drew my attention to the incidents which had continued to occur in the occupied territories since the adoption of Security Council resolution 592 (1986). This letter has been circulated as a document of the General Assembly and Security Council (A/41/970-S/18525).

the Exercise of the Inalienable Rights of the Palestinian People under rule 39 of the provisional rules of procedure.

At its 2772nd meeting, on 14 December 1987, the Council decided to invite the representatives of Egypt, Jordan, Kuwait, Qatar, Saudi Arabia and the Syrian Arab Republic to participate, without vote, in the discussion of the question.

At the same meeting, the Council also decided, at the request of the representative of the United Arab Emirates,¹⁷ to extend an invitation to Mr. Clovis Maksoud under rule 39 of the provisional rules of procedure.

At its 2773rd meeting, on 15 December 1987, the Council decided to invite the representatives of Bahrain, Cuba, the Islamic Republic of Iran, Iraq and Pakistan to participate, without vote, in the discussion of the question.

At the same meeting, the Council also decided, at the request of the representative of Kuwait,¹⁸ to extend an invitation to Mr. Ahmed Engin Ansay under rule 39 of the provisional rules of procedure.

At its 2774th meeting, on 16 December 1987, the Council decided to invite the representatives of Algeria, Democratic Yemen, India, the Libyan Arab Jamahiriya, Tunisia, Yemen and Yugoslavia to participate, without vote, in the discussion of the question.

At its 2775th meeting, on December 17 1987, the Council decided to invite the representatives of Afghanistan, Czechoslovakia, the German Democratic Republic, Morocco, the Ukrainian Soviet Socialist Republic, Viet Nam and Zimbabwe to participate, without vote, in the discussion of the question.

At its 2776th meeting, on 18 December 1987, the Council decided to invite the representative of Nicaragua to participate, without vote, in the discussion of the question.

Resolution 605 (1987)

of 22 December 1987

The Security Council,

Having considered the letter dated 11 December 1987 from the Permanent Representative of Democratic Yemen to

¹⁷ Document S/19339, incorporated in the record of the 2772nd meeting.

¹⁸ Document S/19344, incorporated in the record of the 2773rd meeting.

the United Nations,¹⁹ in his capacity as Chairman of the Group of Arab States at the United Nations for the month of December,

Bearing in mind the inalienable rights of all peoples recognized by the Charter of the United Nations and proclaimed by the Universal Declaration of Human Rights,²⁰

Recalling its relevant resolutions on the situation in the Palestinian and other Arab territories, occupied by Israel since 1967, including Jerusalem, and including its resolutions 446 (1979), 465 (1980), 497 (1981) and 592 (1986).

Recalling also the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,²¹

Gravely concerned and alarmed by the deteriorating situation in Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem,

Taking into account the need to consider measures for the impartial protection of the Palestinian civilian population under Israeli occupation,

Considering that the current policies and practices of Israel, the occupying Power, in the occupied territories are bound to have grave consequences for the endeavours to achieve comprehensive, just and lasting peace in the Middle East,

1. *Strongly deplores* those policies and practices of Israel, the occupying Power, which violate the human rights of the Palestinian people in the occupied territories, and in particular the opening of fire by the Israeli army, resulting in the killing and wounding of defenceless Palestinian civilians;

2. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem;

3. *Calls once again upon* Israel, the occupying Power, to abide immediately and scrupulously by the Geneva Convention relative to the Protection of Civilian Persons in Time of War, and to desist forthwith from its policies and practices that are in violation of the provisions of the Convention;

4. *Calls furthermore* for the exercise of maximum restraint to contribute towards the establishment of peace;

5. *Stresses* the urgent need to reach a just, durable and peaceful settlement of the Arab-Israeli conflict;

6. *Requests* the Secretary-General to examine the present situation in the occupied territories by all means available to him, and to submit a report no later than 20 January 1988 containing his recommendations on ways and means for ensuring the safety and protection of the Palestinian civilians under Israeli occupation;

7. *Decides* to keep the situation in the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, under review.

Adopted at the 2777th meeting by 14 votes to none, with 1 abstention (United States of America).

¹⁹ *Official Records of the Security Council, Forty-second Year, Supplement for October, November and December 1987*, document S/19333.

²⁰ General Assembly resolution 217 A (III).

²¹ United Nations, *Treaty Series*, vol. 75, No. 973.

RESOLUTIONS ADOPTED AND DECISIONS TAKEN BY THE SECURITY COUNCIL IN 1988

Part I. Questions considered by the Security Council under its responsibility for the maintenance of international peace and security

ITEMS RELATING TO THE MIDDLE EAST¹

The situation in the occupied Arab territories

Decisions

At its 2780th meeting, on 5 January 1988, the Council decided to invite the representative of Israel to participate, without vote, in the discussion of the item entitled "The situation in the occupied Arab territories: letter dated 4 January 1988 from the Permanent Representative of Jordan to the United Nations addressed to the President of the Security Council (S/19402)".²

At the same meeting, the Council also decided, by a vote, that an invitation should be accorded to the representative of the Palestine Liberation Organization to participate in the debate and that that invitation would confer upon it the same rights of participation as those conferred on a Member State when it was invited to participate under rule 37 of the provisional rules of procedure.

Adopted by 10 votes to 1 (United States of America), with 4 abstentions (France, Germany, Federal Republic of Italy, United Kingdom of Great Britain and Northern Ireland).

Resolution 607 (1988) of 5 January 1988

The Security Council,

Recalling its resolution 605 (1987) of 22 December 1987,

Expressing grave concern over the situation in the occupied Palestinian territories,

Having been apprised of the decision of Israel, the occupying Power, to "continue the deportation" of Palestinian civilians in the occupied territories,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ and in particular articles 47 and 49 of same,

1. *Reaffirms once again that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem;*

2. *Calls upon Israel to refrain from deporting any Palestinian civilians from the occupied territories;*

3. *Strongly requests Israel, the occupying Power, to abide by its obligations arising from the Convention;*

4. *Decides to keep the situation in the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, under review.*

Adopted unanimously at the 2780th meeting.

Decisions

At its 2781st meeting, on 14 January 1988, the Council decided to invite the representatives of Israel and Lebanon to participate, without vote, in the discussion of the item entitled "The situation in the occupied Arab territories".

At the same meeting, the Council also decided, by a vote, that an invitation should be accorded to the representative of the Palestine Liberation Organization to participate in the debate and that that invitation would confer upon it the same rights of participation as those conferred on a Member State

¹ Resolutions or decisions on this question were also adopted by the Council in 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986 and 1987.

² See *Official Records of the Security Council, Forty-third Year, Supplement for January, February and March 1988*.

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

when it was invited to participate under rule 37 of the provisional rules of procedure.

Adopted by 10 votes to 1 (United States of America), with 4 abstentions (France, Germany, Federal Republic of, Italy, United Kingdom of Great Britain and Northern Ireland).

Resolution 608 (1988) of 14 January 1988

The Security Council,

Reaffirming its resolution 607 (1988) of 5 January 1988,

Expressing its deep regret that Israel, the occupying Power, has, in defiance of that resolution, deported Palestinian civilians,

1. *Calls upon* Israel to rescind the order to deport Palestinian civilians and to ensure the safe and immediate return to the occupied Palestinian territories of those already deported;

2. *Requests* that Israel desist forthwith from deporting any other Palestinian civilians from the occupied territories;

3. *Decides* to keep the situation in the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, under review.

Adopted at the 2781st meeting by 14 votes to none, with 1 abstention (United States of America).

Decisions

At its 2785th meeting, on 27 January 1988, the Council decided to invite the representatives of Czechoslovakia, Egypt, Jordan, Kuwait and the Syrian Arab Republic to participate, without vote, in the discussion of the item entitled "The situation in the occupied Arab territories: report submitted to the Security Council by the Secretary-General in accordance with resolution 605 (1987) (S/19443)".²

At the same meeting, the Council also decided, by a vote, that an invitation should be accorded to the representative of the Palestine Liberation Organization to participate in the debate and that that invitation would confer upon it the same rights of participation as those conferred on a Member State when it was invited to participate under rule 37 of the provisional rules of procedure.

Adopted by 10 votes to 1 (United States of America), with 4 abstentions (France, Germany, Federal Republic of, Italy, United Kingdom of Great Britain and Northern Ireland).

At the same meeting, the Council also decided, at the request of the representative of Kuwait,⁴ to extend an invitation to Mr. Syed Sharifuddin Pirzada under rule 39 of the provisional rules of procedure.

At the same meeting, the Council further decided, at the request of the representative of Algeria,⁵ to extend an invitation to Mr. Clovis Maksoud under rule 39 of the provisional rules of procedure.

At its 2786th meeting, on 27 January 1988, the Council decided to invite the representative of Morocco to participate, without vote, in the discussion of the question.

At its 2787th meeting, on 28 January 1988, the Council decided to invite the representatives of Israel, the Libyan Arab Jamahiriya, Malaysia, Qatar and the Sudan to participate, without vote, in the discussion of the question.

At its 2789th meeting, on 1 February 1988, the Council decided to invite the representatives of India, Indonesia and Zimbabwe to participate, without vote, in the discussion of the question.

At its 2804th meeting, on 30 March 1988, the Council decided to invite the representatives of India, Israel, Jordan, Kuwait, the Libyan Arab Jamahiriya, Saudi Arabia, the Syrian Arab Republic and Tunisia to participate, without vote, in the discussion of the item entitled "The situation in the occupied Arab territories: letter dated 29 March 1988 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council (S/19700)".²

At the same meeting, the Council also decided, by a vote, that an invitation should be accorded to the representatives of the Palestine Liberation Organization to participate in the debate and that that invitation would confer upon it the same rights of participation as those conferred on a Member State when it was invited to participate under rule 37 of the provisional rules of procedure.

Adopted by 10 votes to 1 (United States of America), with 4 abstentions (France, Germany, Federal Republic of, Italy, United Kingdom of Great Britain and Northern Ireland).

⁴ Document S/19453, incorporated in the record of the 2785th meeting.

⁵ Document S/19456, incorporated in the record of the 2785th meeting.



Security Council

Distr.
GENERAL

S/19443
21 January 1988

ORIGINAL: ENGLISH

REPORT SUBMITTED TO THE SECURITY COUNCIL BY THE SECRETARY-GENERAL
IN ACCORDANCE WITH RESOLUTION 605 (1987)

INTRODUCTION

1. On 22 December 1987 the Security Council adopted resolution 605 (1987), which reads as follows:

"The Security Council,

Having considered the letter dated 11 December 1987 from the Permanent Representative of Democratic Yemen to the United Nations, in his capacity as Chairman of the Arab Group for the month of December, 1/

Bearing in mind the inalienable rights of all peoples recognized by the Charter of the United Nations and proclaimed by the Universal Declaration of Human Rights, 2/

Recalling its relevant resolutions on the situation in the Palestinian and other Arab territories, occupied by Israel since 1967, including Jerusalem, and including its resolutions 446 (1979), 465 (1980), 497 (1981) and 592 (1986),

Recalling also the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 3/

Gravely concerned and alarmed by the deteriorating situation in the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem,

1/ S/19333.

2/ General Assembly resolution 217 A (III).

3/ United Nations, Treaty Series, vol. 75, No. 973, p. 287.

Taking into account the need to consider measures for the impartial protection of the Palestinian civilian population under Israeli occupation,

Considering that the current policies and practices of Israel, the occupying Power, in the occupied territories are bound to have grave consequences for the endeavours to achieve comprehensive, just and lasting peace in the Middle East,

1. Strongly deplores those policies and practices of Israel, the occupying Power, which violate the human rights of the Palestinian people in the occupied territories, and in particular the opening of fire by the Israeli army, resulting in the killing and wounding of defenceless Palestinian civilians;

2. Reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem;

3. Calls once again upon Israel, the occupying Power, to abide immediately and scrupulously by the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and to desist forthwith from its policies and practices that are in violation of the provisions of the Convention;

4. Calls furthermore for the exercise of maximum restraint to contribute towards the establishment of peace;

5. Stresses the urgent need to reach a just, durable and peaceful settlement of the Arab-Israeli conflict;

6. Requests the Secretary-General to examine the present situation in the occupied territories by all means available to him, and to submit a report no later than 20 January 1988 containing his recommendations on ways and means for ensuring the safety and protection of the Palestinian civilians under Israeli occupation;

7. Decides to keep the situation in the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, under review."

Resolutions 607 (1988) and 608 (1988), relating to Israel's deportation of Palestinian civilians from the occupied territories, were adopted on 5 and 14 January 1988 respectively. The present report is submitted in accordance with paragraph 6 of resolution 605 (1987).

2. In order to obtain information needed for the preparation of this report, I instructed Mr. Marrack Goulding, Under-Secretary-General for Special Political Affairs, to visit Israel and the occupied Palestinian territories. The purpose of this visit, which took place from 8 to 17 January 1988, was twofold: to examine on the spot the situation in the occupied territories and to explore ways and means I

could consider recommending to the Security Council to ensure the safety and protection of the Palestinian population of the territories.

3. Mr. Goulding had meetings with Mr. Shimon Peres, Foreign Minister of Israel, and with Mr. Yitzhak Rabin, Defence Minister, who was accompanied by Mr. Shmuel Goren, Coordinator of Government Operations in the territories, on 11 and 12 January, respectively. Further meetings took place with Mr. Peres on 14 January (in connection with Israel's deportation of Palestinian civilians the previous day) and with Mr. Goren on 17 January.

4. The Israeli Ministers stated that, as had been made clear in the Security Council, they rejected resolution 605 (1987) because the Security Council had no role to play in the security of the occupied territories, for which Israel was exclusively responsible. As was well known, Israel did not accept the applicability of the Fourth Geneva Convention in the territories. They had agreed to meet Mr. Goulding as a representative of the Secretary-General whom they regularly received and not in connection with the report requested from the Secretary-General in resolution 605 (1987). They said that Mr. Goulding was free to travel where he wished, except in areas which were under curfew or had been declared to be closed military areas, and to speak with whom he wished. It was, however, recommended that the Gaza Strip and the West Bank, and especially the refugee camps, be avoided and that contacts with Palestinians take place in Jerusalem.

5. As regards the situation in the occupied territories, the Israeli Ministers agreed that it was a serious one. The Israel Defence Forces (IDF) had been surprised by the extent of the disturbances. As a largely conscript army, trained to defend Israel against external attack, IDF lacked expertise in riot control. The Government of Israel regretted the civilian casualties that had occurred and was taking steps to minimize such casualties in the future. But the present disorder in the refugee camps could not be tolerated and firm measures would, if necessary, be taken to suppress it. A political solution had to be found to the underlying problem and Israel remained committed to the search for a negotiated settlement. But, meanwhile, law and order had to be restored.

6. As the safety and protection of the residents of the refugee camps was a clear priority, I had of course instructed Mr. Goulding to visit some of the camps. In the event this proved difficult. Throughout the visit almost all the camps in the Gaza Strip were under curfew or had been declared to be closed military areas; the same was true of many of the camps on the West Bank.

7. On 12 January Mr. Goulding, who was accompanied by the Acting Director of Operations in Gaza of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), was denied access by IDF to Jabalia and Beach Camps in the Gaza Strip, on the grounds that the camps were a closed military area and under curfew, respectively. They themselves decided not to pursue a visit to a third camp, Maghazi, when they judged that there was a risk that their visit would lead to a confrontation between IDF, who were deployed in some strength at the camp entrance, and an excited and angry crowd just inside. The following day a successful two-hour visit was made to Rafah camp, also in the Gaza Strip, where

Mr. Goulding and his party were welcomed by several hundred of the camp residents. The latter, however, felt provoked when an IDF patrol, including an armoured vehicle, approached the health centre where the visiting party was holding its meetings and a brief clash ensued, involving stone-throwing by young residents of the camp and the firing of tear gas and rubber bullets by IDF. Fortunately, there were no casualties. Further visits were paid, in the company of officials of the UNRWA West Bank operations, to Dheisheh Camp, near Bethlehem, and Balata Camp at Nablus, on 14 and 16 January 1988 respectively. The visit to Dheisheh was entirely peaceful and the visitors were able to talk to many of the refugees and tour the camp. The visit to Balata, however, had to be cut short after one hour when an IDF patrol, apparently involved in a separate incident, fired rubber bullets at the crowd accompanying the visitors, who at that point were touring the camp.

8. During these visits to refugee camps and in many meetings with groups and individuals elsewhere in the occupied territories, Mr. Goulding and his colleagues were able to discuss the situation in the territories with about 200 Palestinian men and women, of all ages and from all walks of life, ranging from intellectuals and elected mayors to the most deprived residents of the camps. All rejected the Israeli occupation of the West Bank and the Gaza Strip and insisted that the Palestinian problem was not a problem of refugees but a political problem requiring a political solution. Priority, they said, had to be given to the negotiation of such a settlement and measures to alleviate the suffering of the civilian population should not be allowed to become a substitute for an urgent solution of the underlying political problem. All complained bitterly about Israeli practices in the occupied territories, especially the behaviour of the security forces, and about the Israeli settlements and the obstruction of Palestinian economic development. It was argued that these practices had to be made known to a world which, after 20 years, seemed to have forgotten the occupied territories. There was also much criticism of the failure of the States Members of the United Nations to secure implementation of the dozens of resolutions adopted by the Security Council and the General Assembly, both on the situation in the territories and on the wider political issue of a just and lasting settlement.

9. Section I of the present report contains a brief examination of the situation in the occupied Palestinian territories. Section II discusses possible ways and means of ensuring the safety and protection of the civilian population. Section III contains some concluding remarks.

I. THE SITUATION IN THE OCCUPIED PALESTINIAN TERRITORIES

10. Resolution 605 (1987) was adopted on 22 December 1987, following two weeks of disturbances in the West Bank, including East Jerusalem, and the Gaza Strip during which 18 Palestinians were killed and scores were injured by the Israeli security forces, who themselves suffered injuries from stones and petrol bombs. Since the resolution was adopted, the disturbances have continued and the Palestinian casualties have more than doubled, with further injuries on the Israeli side also.

11. In view of the widespread coverage that these events have received in the international press, it is not necessary to recapitulate in the present report all

that has occurred during the past six weeks. It is apparent, however, that measures taken by the Israeli security forces to restore law and order in the occupied territories have not as yet succeeded. The atmosphere in the territories, and especially in the refugee camps, is marked by tension and unrest; commercial strikes are observed in almost all the towns, and most educational institutions remain shut. More than 2,000 Palestinians - many of them under the age of 16 and some as young as 11 or 12 - have been detained since mid-December, and others have been placed under house or town arrest. Precise figures have not been published but it appears that several hundred of those detained have since been released. Four Palestinians were deported to Lebanon on 13 January, and five others have received deportation orders which are at present under appeal. Those most acutely affected by the disturbances have been the residents of the refugee camps, particularly those in the Gaza Strip, where normal life has been totally disrupted by curfews and the closing-off of the camps to non-residents, including relief workers.

12. Both Israelis and Palestinians told Mr. Goulding and his colleagues that these disturbances were not an isolated phenomenon. Although it had earlier been stated in Israel that they were orchestrated from the outset by the Palestine Liberation Organization (PLO) and/or fundamentalist Islamic groups, Israeli Ministers said that they had come to the conclusion that they originated as a spontaneous outburst of protest. That this was the case was certainly the impression gained from the conversations which Mr. Goulding and his colleagues had with Palestinian inhabitants of the occupied territories. The disturbances were a reaction, supported by Palestinians of all age groups and all walks of life, to 20 years of occupation and to the lack of hope that it could be brought to an early end.

13. Without exception, the Palestinians consulted said that they rejected the Israeli occupation and complained bitterly about the practices of the Israeli security forces (which term includes IDF, the Border Police, the civilian police and the General Security Services (GSS), also known as Shin Beth). It was said that, in addition to harsh methods of riot control, random and capricious violence against individuals was normal (e.g. the beating of young bystanders who happened to be present at the scene of a stone-throwing incident or the beating, in front of his pupils, of a school teacher who refused to suspend his class to remove obstacles placed by others in the road outside). Equally common was the complaint (which was also made against officials of the Israeli Civilian Administration in the territories) that Palestinians were treated with a contempt and arrogance that seemed to be deliberately intended to humiliate them and undermine their dignity as human beings. Complaints were also made, especially in the Gaza Strip, about the inhumane manner in which curfews were enforced, e.g. the prevention of UNRWA ambulances from entering camps to collect civilians wounded in earlier disturbances. Another set of complaints related to allegations of routine violence in detention centres, as well as to the whole system of administrative detention. It was said that the purpose of interrogation was normally to extract a confession, for use in subsequent proceedings in the military courts, and that heavy physical and psychological pressure was used for this purpose by GSS, which used techniques (e.g. hooding) that left no permanent physical disfigurement.

14. In the time available, it was not possible to follow up any individual complaint in detail. But the persistence of these complaints and their ready corroboration by foreign observers (including the media) and by Palestinian professional people (some of whom said that they had themselves suffered at the hands of the security forces) give grounds for serious concern.

15. Other subjects of complaint were:

(a) The lack of outlets for political activity (there have been no elections since the municipal elections of 1976) and the tendency of the authorities to classify any expression of nationalist sentiment as "terrorist" activity, with consequent intervention of the security forces;

(b) The taking of land in the occupied territories, especially for Israeli settlements, and the privileged access that these settlements are given to water supplies;

(c) Deportations and other violations of the rights of the individual, including the blocking of family reunions;

(d) Interruption of education through the closing of schools and universities and, especially, the denial of laissez-passers for an adequate period to Palestinian students pursuing higher education in other countries;

(e) Shortcomings in the judicial system, especially the complexity of a system in which the legislation in force comes from such varied sources as the British Mandate, Egyptian and Jordanian laws and military orders (often not published) issued by Israel since 1967, the obstacles placed in the way of the defence, usually on security grounds, and the lack of a fair hearing for Palestinians in the higher Israeli courts;

(f) Heavy taxation, many of the proceeds of which benefit Israel and are not spent in the occupied territories (the budget for which is not published);

(g) Economic discrimination against the territories, with the purpose of hindering their agricultural and industrial development and keeping them as a captive market and source of cheap labour for Israel.

16. As in the case of the security forces' behaviour, many examples of the above practices were cited, not only by Palestinians but also by foreign observers. They have also been described in the publications of such research institutions as The West Bank Data Base Project and Al-Haq: Law in the Service of Man.

17. At the four meetings held with Israeli Ministers and officials, the latter rejected the complaints mentioned above, describing almost all of them as politically motivated exaggerations or distortions. They said that there had been great improvements in the economic and social situation in the territories since 1967 especially as regards consumption and social services. They drew a favourable comparison between Israel's record and that of Egypt and Jordan in the 1948-1967 period. They agreed that more needed to be done to enhance the economic and social

conditions of the civilian population but said that Israel had been disappointed by the paucity of the international community's response to its invitation to provide funds for the development of the territories.

18. In a conversation on 17 January, Mr. Goren said that the security forces had very strict orders against mistreatment of the civilian population; there were isolated cases in which these orders were not properly observed but such cases were severely dealt with by the Israeli authorities themselves. Mr. Goren offered to investigate any individual case that was brought to his attention. He also offered to take up any specific case of alleged obstruction of UNRWA activities by the security forces, though the latter had orders to co-ordinate on a regular basis with UNRWA over access for food and medical supplies to camps under curfew. On the economic questions, Mr. Goren said that Israel in fact spent more in the territories than it received in tax revenue and that health and education services there were better than the Palestinians would admit. Israel wanted foreign countries to contribute to the territories' development and would give them a free hand, subject only to security requirements and observance of Israeli procedures.

19. There is thus a conflict of evidence. In almost every case, one side's version of events is at variance with the other's. This illustrates the difficulty of conducting a rigorous examination of the situation in the occupied territories. For reasons it has expressed in the past, Israel has been reluctant to co-operate with bodies previously set up by the United Nations to investigate its practices in the occupied territories, including the commission established by Security Council resolution 446 (1979), and has consistently rejected their findings. But the evidence available from published sources and from conversations with Israelis, Palestinians and foreign observers confirms that the international community's concern about the situation in the occupied territories is fully justified.

II. WAYS AND MEANS FOR ENSURING THE SAFETY AND PROTECTION OF THE PALESTINIAN CIVILIANS UNDER ISRAELI OCCUPATION

A. Need for a political settlement

20. Before exploring the ways and means that the Security Council might wish to consider for ensuring the safety and protection of the Palestinian civilians, one point of fundamental importance must be underlined. It is certainly necessary that more should be done to ensure the safety and protection of the civilian population. But such measures can only be palliatives. They cannot cure the underlying problem, which is the continuing occupation by Israel of the territories captured in the 1967 war. It was repeatedly emphasized by all shades of Palestinian opinion that there was no way in which the Israeli occupation could be made acceptable to the Palestinian people of the occupied territories. Equally, members of the Israeli Government stressed the need for a political solution. I strongly share that view. In the long run, the only certain way of ensuring the safety and protection of the Palestinian people in the occupied territories, and of the people of Israel, is the negotiation of a comprehensive, just and lasting settlement of the Arab-Israeli conflict acceptable to all concerned. An urgent effort is required by the international community, led by the Security Council, to

promote an effective negotiating process and to help create the conditions necessary for it to succeed.

B. Fourth Geneva Convention

21. A second point to be stressed at this stage is that the Fourth Geneva Convention, whose applicability to the occupied territories has repeatedly been reaffirmed by the Security Council, lays down the civilian population's entitlement to safety and protection. This is clearly stated in the first paragraph of article 27, which reads:

"Protected persons are entitled, in all circumstances, to respect for their persons, their honour, their family rights, their religious convictions and practices, and their manners and customs. They shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats thereof and against insults and public curiosity."

The responsibility of the occupying Power is underlined in article 29, which reads:

"The Party to the conflict in whose hands protected persons may be is responsible for the treatment accorded to them by its agents, irrespective of any individual responsibility which may be incurred".

22. Israeli violations of provisions of the Fourth Geneva Convention have, since 1970, been frequently alluded to in the annual reports of the International Committee of the Red Cross (ICRC), which is the guardian of the Geneva Conventions of 1949 (see, for instance the ICRC annual report for 1986). They have also been the subject of numerous resolutions of the Security Council, e.g. 452 (1979), 465 (1980), 468 (1980), 469 (1980), 471 (1980), 476 (1980) and 478 (1980). Examples, together with the articles of the Fourth Geneva Convention which they offend, are as follows:

- (a) Attempts to alter the status of Jerusalem (article 47);
- (b) The establishment of Israeli settlements in the occupied territories (article 49, para. 6);
- (c) Deportations of Palestinian civilians from the occupied territories (article 49, para. 1);
- (d) Collective punishments, e.g. curfews applied to whole districts (article 33);
- (e) Destruction of houses (article 53).

There is also evidence that, in dealing with demonstrations and other disturbances, IDF has used disproportionate force, leading to fatal casualties, which could be avoided if less harsh measures were employed. As noted in paragraph 14 above, there are grounds for serious concern about whether the practices of the Israeli security forces are always consistent with article 32 of the Convention.

23. Israel has consistently taken the position that it does not accept formally the de jure applicability of the Fourth Geneva Convention but that it has decided since 1967 to act in de facto accordance with "the humanitarian provisions" of that Convention. Israel justifies this position by the argument that the Convention applies only where the Power ousted from the territory in question was a legitimate sovereign and that neither Jordan nor Egypt was the sovereign power, in the West Bank and the Gaza Strip respectively, during the years preceding the 1967 war (see, for instance, the Permanent Representative of Israel's statement in the Security Council on 16 December 1987 - S/PV.2774, p. 74). Israel also sometimes justifies individual violations of the Fourth Convention (e.g. deportations) by reference to legislation that was in force in what are now the occupied territories during the British Mandate and/or the period of Egyptian/Jordanian control, from 1948 to 1967.

24. The Israeli position is not accepted by ICRC, nor has it been endorsed by the other High Contracting Parties to the Fourth Geneva Convention. Under that Convention, each Contracting State undertakes a series of unilateral engagements, vis-à-vis itself and at the same time vis-à-vis the others, of legal obligations to protect those civilians who are found in occupied territories following the outbreak of hostilities. This is why article 1 states that "The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances" (emphasis added). The phrase "in all circumstances" is intended to include declared or undeclared war, recognized or unrecognized state of war, partial or total occupation with or without armed resistance, or even under certain circumstances when the opponent is not a contracting party (see article 2).

25. The Convention becomes automatically applicable upon the outbreak of hostilities and its application in territories occupied by the belligerents is not subject to the requirement that the ousted Power is the legitimate sovereign of the territories lost. Humanitarian considerations are the fundamental basis of the Geneva Conventions and it is for this reason that even in the case of armed conflict not of an international character (e.g. civil war) the Contracting States are legally bound under the Convention to apply, as a minimum, certain provisions of a humanitarian character.

26. Several Security Council and General Assembly resolutions (including resolution 242 (1967)) have declared the inadmissibility of the acquisition of territory by war and insisted on Israel's withdrawal from territories occupied since the 1967 war. The Security Council and the General Assembly have consistently maintained since 1967 that the territories that came under Israeli control during the 1967 war are "occupied territories" within the meaning of the Fourth Geneva Convention. Both the Security Council and the General Assembly have also stated in numerous resolutions that the Fourth Geneva Convention applies to these occupied territories. Accordingly, even though Israel does not accept the de jure applicability of the Fourth Geneva Convention, the opinio juris of the world community is that it must be applied.

27. The most effective way, pending a political settlement, of ensuring the safety and protection of the civilian population of the occupied territories would thus be for Israel to apply in full the provisions of the Fourth Geneva Convention. To

this end, I recommend that the Security Council should consider making a solemn appeal to all the High Contracting Parties to the Fourth Geneva Convention that have diplomatic relations with Israel, drawing their attention to their obligation under article 1 of the Convention to "... ensure respect for the present Convention in all circumstances" and urging them to use all the means at their disposal to persuade the Government of Israel to change its position as regards the applicability of the Convention. Meanwhile, Israel could introduce the following measures which are urgently needed:

- (a) The dissemination of, and training of IDF personnel in, the rules of international humanitarian law (which is an obligation under the Convention);
- (b) Orders to IDF to assist, in all circumstances, the rapid evacuation to medical care of persons wounded in disturbances, and to ensure that the efficient functioning of hospitals and their staff is not interrupted by military activities;
- (c) Orders to IDF not to obstruct the delivery of essential food and medical supplies to the civilian population.

C. Different types of "protection"

28. While continuing to insist that responsibility for protection of the civilian population of the occupied territories rests with the occupying Power, the Security Council may wish to consider what other ways and means might be available to the international community, without prejudice to that fundamental principle, in order to help ensure the civilian population's protection. Before addressing that question, it may be appropriate to analyse the different concepts that can be meant by "protection". They seem to be four:

- (a) "Protection" can mean physical protection, i.e. the provision of armed forces to deter, and if necessary fight, any threats to the safety of the protected persons;
- (b) "Protection" can mean legal protection, i.e. intervention with the security and judicial authorities, as well as the political instances, of the occupying Power, by an outside agency, in order to ensure just treatment of an individual or group of individuals;
- (c) "Protection" can also take a less well-defined form, called in this report "general assistance", in which an outside agency intervenes with the authorities of the occupying Power to help individuals or groups of individuals to resist violations of their rights (e.g. land confiscations) and to cope with the day-to-day difficulties of life under occupation, such as security restrictions, curfews, harassment, bureaucratic difficulties and so on;
- (d) Finally, there is the somewhat intangible "protection" afforded by outside agencies, including especially the international media, whose mere presence and readiness to publish what they observe may have a beneficial effect for all concerned; in this report this type of protection is called "protection by publicity".

D. Ways and means available to the international community to help ensure the civilian population's protection

29. As regards physical protection, several of the Palestinians consulted by Mr. Goulding, especially in the refugee camps, asked that United Nations forces should be deployed in the occupied territories, either to protect the inhabitants against the Israeli security forces or to replace the latter completely in the populated areas. The latter possibility was mentioned in the Security Council's debate preceding the adoption of resolution 605 (1987). I have given careful thought to both possibilities but they seem to present very real difficulties at this time.

30. First, the Fourth Geneva Convention gives the occupying Power the right to

"subject the population of the occupied territory to provisions which are essential to enable the occupying Power to fulfil its obligations under the present Convention, to maintain the orderly government of the territory, and to ensure the security of the occupying Power, of the members and property of the occupying forces or administration, and likewise of the establishments and lines of communication used by them" (article 64, para. 2).

This in effect makes the occupying Power responsible for the maintenance of law and order. It is also, as discussed above, responsible for protecting the civilian population. The introduction of other forces into the occupied territories to provide physical protection would thus detract from the occupying Power's responsibilities under the Fourth Geneva Convention.

31. Secondly, it is a principle of United Nations peace-keeping operations that they require the prior consent of the parties to the conflict concerned. The introduction of United Nations forces into the occupied territories (unless the Security Council had decided to take enforcement action under Chapter VII of the Charter of the United Nations) would thus require the consent of the Government of Israel. That Government has, however, stated that it will not agree to any involvement of United Nations military personnel in the security of the occupied territories.

32. Unless there is a change in Israel's position, the deployment of United Nations forces in the territories is thus not practicable at present. This idea should not, however, be lost sight of. Israel has in the past accepted international forces in other contexts of the Arab-Israeli conflict and these have played a valuable role in the implementation of interim or permanent agreements. Such forces could again be a valuable ingredient in the implementation of a negotiated settlement of the conflict or in transitional arrangements that might be agreed upon for the occupied territories.

33. Reference has also been made to the possible deployment of United Nations military observers in the occupied territories. They would not however be able to provide physical protection and their possible role is therefore discussed in paragraph 42 below.

34. A measure of legal protection is nevertheless provided to the population of the occupied territories by ICRC. As is clear from its annual reports, ICRC enjoys co-operation from the occupying Power in its efforts to protect detained persons but the Israeli authorities usually disallow interventions by ICRC with regard to measures for the maintenance of law and order and aspects of the administration of the occupied territories which violate the provisions of the Fourth Geneva Convention.

35. ICRC is to be commended for its activities in the occupied territories and the High Contracting Parties to the Fourth Geneva Convention may wish to include in the diplomatic initiative put forward in paragraph 27 above an expression of appreciation for the co-operation extended to ICRC by Israel and of hope that this will be maintained and enlarged.

36. The Security Council may also wish to urge Member States to respond generously if ICRC should appeal for funds to finance the extra activities it is undertaking in the occupied territories in response to the recent very large increase in the number of detained persons.

37. I come now to the type of protection described as general assistance in paragraph 28 above. Various agencies are already active in this field. As far as the registered refugees are concerned, UNRWA has the leading role and provides a wide variety of assistance and protection (in addition, of course, to its main function of providing education, health and relief services); in the Gaza Strip, in particular, it provides indispensable support to the refugees in their day-to-day efforts to cope with living under occupation. ICRC also assists, especially with the families of detainees; many voluntary agencies, Palestinian and international, also play a part. It was nevertheless argued by many of the Palestinians and foreign relief workers who were consulted that the international community should do more.

38. In the case of the registered refugees, who number 818,983, or about 55 per cent of the Palestinian population of the occupied territories, UNRWA is clearly best placed to provide additional general assistance. UNRWA has been established on the ground for nearly 40 years; it knows well the refugees' problems; it is accepted by the Israeli authorities on the basis of an agreement signed in 1967; and it is trusted by the refugees. However, the number of UNRWA international staff in the field has declined over the years. Before the recent disturbances began, there were only 9 international staff in the West Bank (373,586 refugees and 19 camps) and only 6 in the Gaza Strip (445,397 refugees and 8 camps). In paying tribute to the invaluable service that UNRWA Palestinian staff have been rendering to the refugees in very difficult circumstances, I believe that international staff can at present play an especially valuable role. It is usually easier for them to gain access to Israeli authorities in emergency situations; and their mere presence at points of confrontation has a significant impact on how the civilian population (including UNRWA Palestinian staff) is treated by the security forces and helps it psychologically by making it feel less exposed.

39. I have therefore asked the Commissioner-General of UNRWA to examine the addition to UNRWA establishment in the occupied territories of extra international

staff, within UNRWA existing administrative structures, to improve the general assistance provided to the refugee population. It would be for the Commissioner-General to decide the number and location of these additional international staff, in the light of the perceived need and the resources available. I would also urge Member States to respond generously to the appeal the Commissioner-General would have to make for funds to finance these additional staff.

40. It is also essential that Israel should honour UNRWA privileges and immunities in full, especially the right of its personnel to freedom of movement in all circumstances and the inviolability of its premises and installations, and to provide access at all times to responsible officials of the occupying administration. Mr. Goulding and his colleagues were witnesses of painful situations in the Gaza Strip where the curfews imposed by IDF had made it impossible, or at best difficult and dangerous, for UNRWA to evacuate the wounded and sick to hospital or to deliver food to the camps.

41. In making these observations relating to UNRWA, I am conscious of the need not to neglect those Palestinians in the occupied territories who are not registered refugees (about one third of the Palestinian population in Gaza and two thirds in the West Bank). Their economic and social circumstances are in general superior to those of the refugees, especially the camp residents, but they face the same political frustrations as the latter, are equally vulnerable to the security authorities and also suffer from the economic and administrative aspects of the occupation. They benefit from the activities of ICRC (which makes no distinction between refugees and non-refugees) and various voluntary agencies, but are normally excluded from UNRWA mandate. It seems desirable in present circumstances that, as on certain occasions in the past, the Commissioner-General should be permitted to provide humanitarian assistance as far as practicable, on an emergency basis and as a temporary measure, to non-refugees who are in serious need of assistance because of the recent disturbances.

42. Reference has been made in paragraph 33 above to the possible deployment of United Nations military observers. Some of the Palestinians consulted favoured this measure as a way of monitoring (and hopefully restraining) the activities of the Israeli security forces and of providing general assistance to the civilian population. It is true that such observers could provide expert information on military matters (though they would need at least some co-operation from the occupying Power for this purpose). But in other respects, especially their short tours of duty and lack of familiarity with the territories, they are not well placed to provide general assistance of an essentially civilian character. In any case, Israel, whose consent would be necessary, has so far expressed firm opposition to any such proposal.

43. As regards protection by publicity, great emphasis was laid by Palestinians on the need to publicize the situation in the occupied territories. It was argued that more publicity should be given and that this would have a beneficial influence both on Israel's practices in the territories and on her readiness to negotiate a political settlement. Recent developments in the territories have in fact been fully reported by the Israeli and international media and it is of great importance that the latter should continue to have unhindered access to events.

44. Some of the Palestinians consulted suggested that the Secretary-General might appoint a kind of United Nations ombudsman to reside in the occupied territories. Such an appointment could be a valuable step if Israel was ready to co-operate fully with the official concerned and use his or her good offices in handling the many problems to which the occupation gives rise. This idea is in the same category as other possibilities, such as United Nations trusteeship or a United Nations interim administration, which could be of potential value in the future. But the practicability of all these ideas depends on the full consent and co-operation of Israel.

E. Economic and social conditions of the population of the occupied territories

45. Although it is strictly outside the "safety and protection" referred to in paragraph 6 of resolution 605 (1987), I should like to take the opportunity of this report to make two observations relating to the economic and social conditions in which the population of the occupied territories lives.

46. The first relates to the refugee camps. The recent disturbances have attracted world attention to the squalid living conditions in many of the camps, especially in the Gaza Strip, resulting from the lack of such basic amenities as paved roads, sewage, water, lighting and housing of a minimum standard. The Commissioner-General of UNRWA has also referred in his last report 1/ to the urgent need to rehabilitate many UNRWA installations, such as schools, health centres and food distribution centres.

47. In the past, the refugees have sometimes expressed reservations about measures to improve the infrastructure of the camps, for fear that these would make the camps more permanent and thus conflict with their insistence on a political settlement in accordance with United Nations resolutions. This matter was therefore discussed with most of the Palestinians consulted. Their reaction was that they would welcome steps to improve conditions in the camps provided that:

(a) It was made absolutely clear that this was a temporary measure, pending a comprehensive political settlement, and not a substitute for such a settlement;

(b) That the work was done by UNRWA.

48. In these circumstances, I have asked the Commissioner-General of UNRWA to prepare urgently proposals for improving the infrastructure of the camps, and to seek the necessary funds. I would again urge Member States to respond generously to such a request.

49. My second observation relates to the wider economic situation in the occupied territories. Reference has been made in paragraph 15 above to the conviction of the Palestinian population that Israeli policy is deliberately to obstruct the economic development of the territories. Many examples were given to corroborate this assertion. Israeli Ministers and officials, however, insisted that it was unfounded and that Israel welcomed foreign assistance for the development of the

territories provided only that each project complied with Israel's security requirements, which were overriding, and with Israeli procedures. Many of the Palestinians consulted expressed the hope that a concerted international effort could be undertaken to revive the territories' economy, perhaps initially through an expansion of the existing programme of the United Nations Development Programme (UNDP) in the territories. I have asked the Administrator of UNDP to study this possibility.

III. CONCLUDING REMARKS

50. The Israeli authorities have stated on numerous occasions in recent weeks that security in the occupied territories remains their exclusive responsibility. The Security Council, for its part, has repeatedly reaffirmed the applicability to the occupied territories of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949. While that Convention makes the occupying Power responsible for maintaining law and order, its *raison d'être* is the safety and protection of the civilian population, for which the occupying Power is no less responsible.

51. My principal recommendation in this area is that the international community should make a concerted effort to persuade Israel to accept the de jure applicability of the Fourth Geneva Convention to the occupied territories and to correct its practices in order to comply fully with that Convention. This report also makes recommendations and describes certain steps which I am taking, within existing arrangements, to improve the safety and protection accorded to the population of the territories by the international community.

52. It cannot be emphasized too strongly, however, that such measures to enhance the safety and protection of the Palestinian people of the territories, urgently required though they are, will neither remove the causes of the tragic events which prompted Security Council resolution 605 (1987) nor bring peace to the region. The unrest of the past six weeks has been an expression of the despair and hopelessness felt by the population of the occupied territories, more than half of whom have known nothing but an occupation that denies what they consider to be their legitimate rights. The result is a tragedy for both sides. Nothing illustrates this more clearly than the daily sight of young unarmed Palestinians in confrontation with Israeli soldiers of their own age.

53. The underlying problem can only be resolved through a political settlement which responds both to the refusal of the Palestinian population of the territories to accept a future under Israeli occupation and to Israel's determination to ensure its security and the well-being of its people. I continue to believe that this should be achieved through a comprehensive, just and lasting settlement based on Security Council resolutions 242 (1967) and 333 (1973) and taking fully into account the legitimate rights of the Palestinian people, including self-determination. Such a settlement should be negotiated by means of an international conference under United Nations auspices, with the participation of all the parties concerned. The history of the Arab-Israeli conflict, from 1948 onwards, has repeatedly shown that there are many ways in which the United Nations

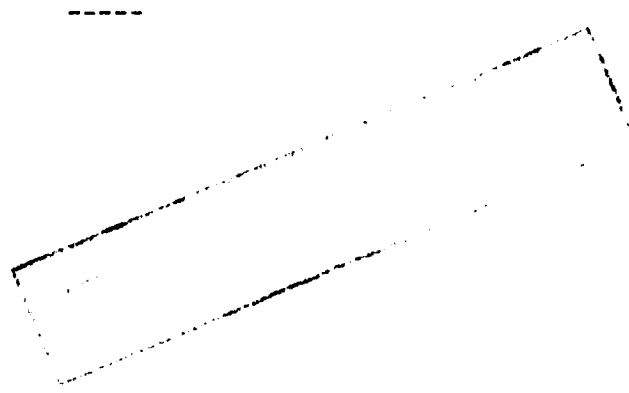
can contribute impartially both to the negotiation of agreements and to their implementation. Allusion has been made in this report to the possible use of United Nations forces or other interim arrangements as progress is made towards a comprehensive settlement.

54. The negotiation of a settlement will, of course be exceptionally difficult, for it will require all concerned to move from positions to which they are at present very strongly attached. I am conscious of the great complexity of the choices which confront them and I should like to take this opportunity to appeal to them to exercise restraint and to bring about that change of attitudes which will be necessary if a settlement is to be negotiated. Each side must put aside the often justified resentment it feels at past wrongs and understand better the legitimate interests and legitimate grievances of the other. Such understanding is not assisted by invective and abuse nor by sheltering behind the illusion that the other side does not exist. Equally, I appeal to the international community to help, both by reducing the virulence of debates on the Arab-Israel conflict and by consciously acting in a manner which promotes mutual understanding.

55. As stated earlier in this report, I believe that an urgent effort is required by the international community, led by the Security Council, to promote an effective negotiating process. This is what the Charter requires and it is the fundamental recommendation in this report. I remain personally committed to the search for a settlement and will contribute in any way that I can to that objective. In the coming weeks I intend to explore actively with the parties and with the members of the Council, especially its permanent members, how the present impasse in the peace process can be unblocked. After the recent dramatic demonstration of the dangers and suffering inherent in the status quo, I hope that all concerned will join in an effort to reinvigorate the search for a comprehensive, just and lasting settlement. This alone will secure the interests of both the Israeli and the Palestinian peoples and enable them to live in peace with each other.

Notes

1/ Official Records of the General Assembly, Forty-second Session, Supplement No. 13 (A/42/13).





Security Council

Distr.
GENERAL

S/20156
26 August 1988

ORIGINAL: ENGLISH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

After consultations, the President of the Security Council issued the following statement on behalf of the members of the Council, on 26 August 1988:

"The members of the Security Council are gravely concerned by the continued deterioration of the situation in the Palestinian territories occupied by Israel since 1967, including Jerusalem, and especially by the current grave and serious situation resulting from the closing-off of areas, the imposition of curfews and the consequent increase in the numbers of injuries and deaths that have occurred.

"The members of the Council are profoundly concerned by the persistence of Israel, the occupying power, in continuing its policy of deporting Palestinian civilians in contravention of Security Council resolutions and the Fourth Geneva Convention, as demonstrated on 17 August 1988 by its expulsion of four Palestinian civilians to Lebanon and its decision to expel 40 more. The members request Israel immediately to desist from deporting any Palestinian civilians and immediately to ensure the safe return of those already deported.

"The members of the Council consider that the current situation in the occupied territories, described in paragraph 1 above, has grave consequences for endeavours to achieve a comprehensive, just and lasting peace in the Middle East.

"They reaffirm that the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, and request the high contracting parties to ensure respect for the Convention.

"Recalling Security Council resolutions, the members of the Security Council will keep the situation in the occupied Palestinian territories, including Jerusalem, under review."

also decided, by a vote, that an invitation should be accorded to the observer of Palestine to participate in the debate and that that invitation would confer upon it the same rights of participation as those conferred on a Member State when it was invited to participate under rule 37 of the provisional rules of procedure.

Adopted by 11 votes to 1 (United States of America), with 3 abstentions (Canada, France, United Kingdom of Great Britain and Northern Ireland).

Resolution 636 (1989)

of 6 July 1989

The Security Council,

Reaffirming its resolutions 607 (1988) of 5 January 1988 and 608 (1988) of 14 January 1988,

Having been apprised that Israel, the occupying Power, has once again, in defiance of those resolutions, deported eight Palestinian civilians on 29 June 1989,

Expressing grave concern over the situation in the occupied Palestinian territories,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁶⁶ and in particular articles 47 and 49 thereof,

1. *Deeply regrets* the continuing deportation by Israel, the occupying Power, of Palestinian civilians;

2. *Calls upon* Israel to ensure the safe and immediate return to the occupied Palestinian territories of those deported and to desist forthwith from deporting any other Palestinian civilians;

3. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian territories, occupied by Israel since 1967, including Jerusalem, and to the other occupied Arab territories;

4. *Decides* to keep the situation under review.

Adopted at the 2870th meeting by 14 votes to none, with 1 abstention (United States of America).

Decisions

At its 2883rd meeting, on 30 August 1989, the Council decided to invite the representative of Israel to participate, without vote, in the discussion of the item entitled "The situation in the occupied Arab territories: letter dated 29 August 1989 from the Chargé d'affaires a.i. of the Permanent Mission of Qatar to the United Nations addressed to the President of the Security Council (S/20817)".⁴⁴

At the same meeting, in response to the request dated 30 August 1989 from the observer of Palestine,⁶⁷ the Council also decided, by a vote, that an invitation

⁶⁶ United Nations, *Treaty Series*, vol. 75, No. 973.

⁶⁷ Document S/20823, incorporated in the record of the 2883rd meeting.

should be accorded to the observer of Palestine to participate in the debate and that that invitation would confer upon it the same rights of participation as those conferred on a Member State when it was invited to participate under rule 37 of the provisional rules of procedure.

Adopted by 11 votes to 1 (United States of America), with 3 abstentions (Canada, France, United Kingdom of Great Britain and Northern Ireland).

Resolution 641 (1989)

of 30 August 1989

The Security Council,

Reaffirming its resolutions 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988 and 636 (1989) of 6 July 1989,

Having been apprised that Israel, the occupying Power, has once again, in defiance of those resolutions, deported five Palestinian civilians on 27 August 1989,

Expressing grave concern over the situation in the occupied Palestinian territories,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁶⁶ and in particular articles 47 and 49 thereof,

1. *Deplores* the continuing deportation by Israel, the occupying Power, of Palestinian civilians;

2. *Calls upon* Israel to ensure the safe and immediate return to the occupied Palestinian territories of those deported and to desist forthwith from deporting any other Palestinian civilians;

3. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian territories, occupied by Israel since 1967, including Jerusalem, and to the other occupied Arab territories;

4. *Decides* to keep the situation under review.

Adopted at the 2883rd meeting by 14 votes to none, with 1 abstention (United States of America).

Decisions

At its 2887th meeting, on 6 November 1989, the Council decided to invite the representatives of Israel, Kuwait and Saudi Arabia to participate, without vote, in the discussion of the item entitled "The situation in the occupied Arab territories: letter dated 3 November 1989 from the Permanent Representative of Kuwait to the United Nations addressed to the President of the Security Council (S/20942)".⁵⁵

At the same meeting, in response to the request dated 6 November 1989 from the observer of Palestine,⁶⁸ the

⁶⁸ Document S/20949, incorporated in the record of the 2887th meeting.

also decided, by a vote, that an invitation should be accorded to the observer of Palestine to participate in the debate and that that invitation would confer upon it the same rights of participation as those conferred on a Member State when it was invited to participate under rule 37 of the provisional rules of procedure.

Adopted by 11 votes to 1 (United States of America), with 3 abstentions (Canada, France, United Kingdom of Great Britain and Northern Ireland).

Resolution 636 (1989)

of 6 July 1989

The Security Council,

Reaffirming its resolutions 607 (1988) of 5 January 1988 and 608 (1988) of 14 January 1988,

Having been apprised that Israel, the occupying Power, has once again, in defiance of those resolutions, deported eight Palestinian civilians on 29 June 1989,

Expressing grave concern over the situation in the occupied Palestinian territories,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁶⁶ and in particular articles 47 and 49 thereof,

1. *Deeply regrets* the continuing deportation by Israel, the occupying Power, of Palestinian civilians;

2. *Calls upon* Israel to ensure the safe and immediate return to the occupied Palestinian territories of those deported and to desist forthwith from deporting any other Palestinian civilians;

3. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian territories, occupied by Israel since 1967, including Jerusalem, and to the other occupied Arab territories;

4. *Decides* to keep the situation under review.

Adopted at the 2870th meeting by 14 votes to none, with 1 abstention (United States of America).

Decisions

At its 2883rd meeting, on 30 August 1989, the Council decided to invite the representative of Israel to participate, without vote, in the discussion of the item entitled "The situation in the occupied Arab territories: letter dated 29 August 1989 from the Chargé d'affaires a.i. of the Permanent Mission of Qatar to the United Nations addressed to the President of the Security Council (S/20817)".⁴⁴

At the same meeting, in response to the request dated 30 August 1989 from the observer of Palestine,⁶⁷ the Council also decided, by a vote, that an invitation

⁶⁶ United Nations, *Treaty Series*, vol. 75, No. 973.

⁶⁷ Document S/20823, incorporated in the record of the 2883rd meeting.

should be accorded to the observer of Palestine to participate in the debate and that that invitation would confer upon it the same rights of participation as those conferred on a Member State when it was invited to participate under rule 37 of the provisional rules of procedure.

Adopted by 11 votes to 1 (United States of America), with 3 abstentions (Canada, France, United Kingdom of Great Britain and Northern Ireland).

Resolution 641 (1989)

of 30 August 1989

The Security Council,

Reaffirming its resolutions 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988 and 636 (1989) of 6 July 1989,

Having been apprised that Israel, the occupying Power, has once again, in defiance of those resolutions, deported five Palestinian civilians on 27 August 1989,

Expressing grave concern over the situation in the occupied Palestinian territories,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁶⁶ and in particular articles 47 and 49 thereof,

1. *Deplores* the continuing deportation by Israel, the occupying Power, of Palestinian civilians;

2. *Calls upon* Israel to ensure the safe and immediate return to the occupied Palestinian territories of those deported and to desist forthwith from deporting any other Palestinian civilians;

3. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian territories, occupied by Israel since 1967, including Jerusalem, and to the other occupied Arab territories;

4. *Decides* to keep the situation under review.

Adopted at the 2883rd meeting by 14 votes to none, with 1 abstention (United States of America).

Decisions

At its 2887th meeting, on 6 November 1989, the Council decided to invite the representatives of Israel, Kuwait and Saudi Arabia to participate, without vote, in the discussion of the item entitled "The situation in the occupied Arab territories: letter dated 3 November 1989 from the Permanent Representative of Kuwait to the United Nations addressed to the President of the Security Council (S/20942)".⁵⁵

At the same meeting, in response to the request dated 6 November 1989 from the observer of Palestine,⁶⁸ the

⁶⁸ Document S/20949, incorporated in the record of the 2887th meeting.



Security Council

Distr.
GENERAL

S/21363
19 June 1990
ENGLISH
ORIGINAL: FRENCH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

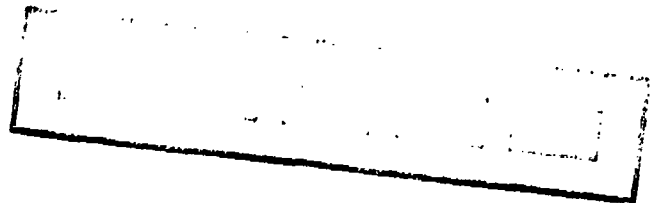
On 19 June 1990, following consultations, the President of the Security Council issued the following statement on behalf of the members of the Council:

"The members of the Security Council strongly deplore the incident, which occurred on 12 June 1990 in a clinic belonging to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and located near to Shati camp in Gaza, in which several innocent Palestinian women and children were wounded by a tear-gas grenade thrown by an Israeli officer.

"The members of the Security Council are dismayed to find that the penalty imposed on that officer has been commuted.

"They reaffirm that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, and request the High Contracting Parties to ensure respect for the Convention.

"They call upon Israel to abide by its obligations under that Convention."



Resolution 672 (1990)

of 12 October 1990

The Security Council,

Recalling its resolutions 476 (1980) of 30 June 1980 and 478 (1980) of 20 August 1980,

Reaffirming that a just and lasting solution to the Arab-Israeli conflict must be based on its resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, through an active negotiating process which takes into account the right to security for all States in the region, including Israel, as well as the legitimate political rights of the Palestinian people,

Taking into consideration the statement of the Secretary-General relative to the purpose of the mission he is sending to the region and conveyed to the Council by the President on 12 October 1990,⁴³

1. *Expresses alarm* at the violence which took place on 8 October at the Haram al-Sharif and other Holy Places of Jerusalem resulting in over twenty Palestinian deaths and the injury of more than one hundred and fifty people, including Palestinian civilians and innocent worshippers;

2. *Condemns* especially the acts of violence committed by the Israeli security forces resulting in injuries and loss of human life;

3. *Calls upon* Israel, the occupying Power, to abide scrupulously by its legal obligations and responsibilities under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁴⁰ which is applicable to all the territories occupied by Israel since 1967;

4. *Requests*, in connection with the decision of the Secretary-General to send a mission to the region, which the Council welcomes, that he submit a report to the Security Council, before the end of October 1990, containing his findings and conclusions and that he use as appropriate all of the resources of the United Nations in the region in carrying out the mission.

Adopted unanimously at the 2948th meeting.

Decision

At its 2949th meeting, on 24 October 1990, the Council invited the representative of the Sudan to participate, without vote, in the discussion of the item entitled: "The situation in the occupied Arab territories: letter dated 26 September 1990 from the Permanent Representative of Yemen to the United Nations addressed to the President of the Security Council (S/21830)".²⁰

Resolution 673 (1990)

of 24 October 1990

The Security Council,

Reaffirming the obligations of Member States under the Charter of the United Nations,

Reaffirming also its resolution 672 (1990) of 12 October 1990,

Having been briefed by the Secretary-General on 19 October 1990,

Expressing alarm at the rejection of resolution 672 (1990) by the Israeli Government, and its refusal to accept the mission of the Secretary-General,

Taking into consideration the statement of the Secretary-General relative to the purpose of the mission he is sending to the region and conveyed to the Council by the President on 12 October 1990,⁴³

Gravely concerned at the continued deterioration of the situation in the occupied territories,

1. *Deplores* the refusal of the Israeli Government to receive the mission of the Secretary-General to the region;

2. *Urges* the Israeli Government to reconsider its decision and insists that it comply fully with resolution 672 (1990) and permit the mission to proceed in keeping with its purpose;

3. *Requests* the Secretary-General to submit to the Security Council the report requested in resolution 672 (1990);

4. *Affirms* its determination to give full and expeditious consideration to the report.

Adopted unanimously at the 2949th meeting.

Decisions

At its 2953rd meeting, on 7 November 1990, the Council decided to invite the representative of Lebanon to participate, without vote, in the discussion of the item entitled:

"The situation in the occupied Arab territories:

"Letter dated 26 September 1990 from the Permanent Representative of Yemen to the United Nations addressed to the President of the Security Council (S/21830);²⁰

"Report submitted to the Security Council by the Secretary-General in accordance with resolution 672 (1990) (S/21919 and Corr.1 and Add.1-3)".²⁶

At its 2957th meeting, on 16 November 1990, the Council decided, at the request of the representative of Egypt,⁴⁴ to extend an invitation to Mr. Engin Ansay under rule 39 of the provisional rules of procedure.

At its 2966th meeting, on 8 December 1990, the Council continued its consideration of the question.

In response to a motion by the representative of the Union of Soviet Socialist Republics in accordance with rule 33, paragraph 3, of the provisional rules of procedure, the Council decided, by a vote, to adjourn the meeting to Monday, 10 December 1990, at 3 p.m.

Adopted at the 2966th meeting by 9 votes to 4 (Colombia, Cuba, Malaysia, Yemen) with 2 abstentions (China, France).

⁴³ See 2948th meeting.

⁴⁴ Document S/21944, incorporated in the record of the 2957th meeting.

Resolution 672 (1990)

of 12 October 1990

The Security Council,

Recalling its resolutions 476 (1980) of 30 June 1980 and 478 (1980) of 20 August 1980,

Reaffirming that a just and lasting solution to the Arab-Israeli conflict must be based on its resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, through an active negotiating process which takes into account the right to security for all States in the region, including Israel, as well as the legitimate political rights of the Palestinian people,

Taking into consideration the statement of the Secretary-General relative to the purpose of the mission he is sending to the region and conveyed to the Council by the President on 12 October 1990,⁴³

1. *Expresses alarm* at the violence which took place on 8 October at the Haram al-Sharif and other Holy Places of Jerusalem resulting in over twenty Palestinian deaths and the injury of more than one hundred and fifty people, including Palestinian civilians and innocent worshippers;

2. *Condemns* especially the acts of violence committed by the Israeli security forces resulting in injuries and loss of human life;

3. *Calls upon* Israel, the occupying Power, to abide scrupulously by its legal obligations and responsibilities under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁴⁰ which is applicable to all the territories occupied by Israel since 1967;

4. *Requests*, in connection with the decision of the Secretary-General to send a mission to the region, which the Council welcomes, that he submit a report to the Security Council, before the end of October 1990, containing his findings and conclusions and that he use as appropriate all of the resources of the United Nations in the region in carrying out the mission.

Adopted unanimously at the 2948th meeting.

Decision

At its 2949th meeting, on 24 October 1990, the Council invited the representative of the Sudan to participate, without vote, in the discussion of the item entitled: "The situation in the occupied Arab territories: letter dated 26 September 1990 from the Permanent Representative of Yemen to the United Nations addressed to the President of the Security Council (S/21830)".²⁰

Resolution 673 (1990)

of 24 October 1990

The Security Council,

Reaffirming the obligations of Member States under the Charter of the United Nations,

Reaffirming also its resolution 672 (1990) of 12 October 1990,

Having been briefed by the Secretary-General on 19 October 1990,

Expressing alarm at the rejection of resolution 672 (1990) by the Israeli Government, and its refusal to accept the mission of the Secretary-General,

Taking into consideration the statement of the Secretary-General relative to the purpose of the mission he is sending to the region and conveyed to the Council by the President on 12 October 1990,⁴³

Gravely concerned at the continued deterioration of the situation in the occupied territories,

1. *Deplores* the refusal of the Israeli Government to receive the mission of the Secretary-General to the region;

2. *Urges* the Israeli Government to reconsider its decision and insists that it comply fully with resolution 672 (1990) and permit the mission to proceed in keeping with its purpose;

3. *Requests* the Secretary-General to submit to the Security Council the report requested in resolution 672 (1990);

4. *Affirms* its determination to give full and expeditious consideration to the report.

Adopted unanimously at the 2949th meeting.

Decisions

At its 2953rd meeting, on 7 November 1990, the Council decided to invite the representative of Lebanon to participate, without vote, in the discussion of the item entitled:

"The situation in the occupied Arab territories:

"Letter dated 26 September 1990 from the Permanent Representative of Yemen to the United Nations addressed to the President of the Security Council (S/21830);²⁰

"Report submitted to the Security Council by the Secretary-General in accordance with resolution 672 (1990) (S/21919 and Corr.1 and Add.1-3)".²⁶

At its 2957th meeting, on 16 November 1990, the Council decided, at the request of the representative of Egypt,⁴⁴ to extend an invitation to Mr. Engin Ansay under rule 39 of the provisional rules of procedure.

At its 2966th meeting, on 8 December 1990, the Council continued its consideration of the question.

In response to a motion by the representative of the Union of Soviet Socialist Republics in accordance with rule 33, paragraph 3, of the provisional rules of procedure, the Council decided, by a vote, to adjourn the meeting to Monday, 10 December 1990, at 3 p.m.

Adopted at the 2966th meeting by 9 votes to 4 (Colombia, Cuba, Malaysia, Yemen) with 2 abstentions (China, France).

⁴³ See 2948th meeting.

⁴⁴ Document S/21944, incorporated in the record of the 2957th meeting.

Security Council

Distr.
GENERALS/21919
31 October 1990

ORIGINAL: ENGLISH

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REPORT SUBMITTED TO THE SECURITY COUNCIL BY THE SECRETARY-GENERAL
IN ACCORDANCE WITH RESOLUTION 672 (1990)

1. On 12 October 1990, the Security Council adopted resolution 672 (1990), which reads as follows:

"The Security Council,

"Recalling its resolutions 476 (1980) and 478 (1980),

"Reaffirming that a just and lasting solution to the Arab-Israeli conflict must be based on its resolutions 242 (1967) and 338 (1973) through an active negotiating process which takes into account the right to security for all States in the region, including Israel, as well as the legitimate political rights of the Palestinian people,

"Taking into consideration the statement of the Secretary-General relative to the purpose of the mission he is sending to the region and conveyed to the Council by the President on 12 October 1990,

"1. Expresses alarm at the violence which took place on 8 October at the Al-Haram Al-Shareef and other Holy Places of Jerusalem resulting in over twenty Palestinian deaths and to the injury of more than one hundred and fifty people, including Palestinian civilians and innocent worshippers;

"2. Condemns especially the acts of violence committed by the Israeli security forces resulting in injuries and loss of human life;

"3. Calls upon Israel, the occupying Power, to abide scrupulously by its legal obligations and responsibilities under the Fourth Geneva Convention, which is applicable to all the territories occupied by Israel since 1967;

"4. Requests, in connection with the decision of the Secretary-General to send a mission to the region, which the Council welcomes, that he submit a report to it before the end of October 1990 containing his findings and conclusions and that he use as appropriate all of the resources of the United Nations in the region in carrying out the mission."

/...

2. Prior to the adoption of the resolution and, as noted in the resolution's third preambular paragraph, the Secretary-General informed the Security Council of his decision to send a mission to the area. This decision was announced in a statement by the President at the Security Council's 2948th meeting, in which he said:

"In the informal consultations of members of the Council which led up to the consideration of this draft resolution, the Secretary-General explained that the purpose of the mission which he would be sending to the region would be to look into the circumstances surrounding the recent tragic events in Jerusalem and other similar developments in the occupied territories, and to submit by 24 October 1990 a report containing findings and recommendations to the Council on ways and means for ensuring the safety and protection of the Palestinian civilians under Israeli occupation. He recalled, however, that under the Fourth Geneva Convention the principal responsibility for ensuring the protection of the Palestinians rested with the occupying Power, namely Israel."

3. Immediately following the adoption of resolution 672 (1990), the Secretary-General met with the Acting Permanent Representative of Israel to the United Nations in order to inform him that, in the light of the resolution and of the statement by the President of the Security Council, it was his intention to send a mission to the area as quickly as possible. In that connection, the Secretary-General inquired as to the facilities that would be extended by the Government of Israel to his delegation. The Acting Permanent Representative replied that Israel regretted the adoption of resolution 672 (1990), as was clear from the statement he had just made in the Security Council. He nevertheless undertook to convey the message of the Secretary-General to his Government. At a further meeting, on 15 October 1990, the Acting Permanent Representative of Israel handed to the Secretary-General a copy of the statement that had been adopted by the Israeli Cabinet on 14 October 1990, the text of which reads:

"The following is the announcement which the Cabinet has authorized the Deputy Prime Minister and Foreign Minister to communicate to the United Nations Secretary-General:

"1. We have read the text of Security Council resolution 672 (1990) and the statement of the President of the Security Council that was communicated in connection thereto. They are totally unacceptable to us.

"2. A. The Security Council decision completely disregards the attack against Jewish worshippers on the holiday of Succot at the Western Wall, which is on the Temple Mount, the holiest site of the Jewish people, and does not condemn those who attacked the worshippers; this is a political decision with no connection to reality.

"B. The State of Israel expressed its regret over the loss of life that occurred as a result of events on the Temple Mount, at a time when security forces were responsible for fulfilling their duties. Israel has also appointed an independent commission of inquiry into

the chain of events, their causes and the actions of the security forces. The commission will present its conclusions and recommendations at the earliest possible date. As is known, the State of Israel ensures complete freedom of religion in the holy sites of all religions, in accordance with the law. Never, in all the history of Jerusalem, has freedom of religion for all been guaranteed as it has been since the city was unified under Israeli sovereignty in 1967, and never has the city been more open to all.

- "3. Jerusalem is not, in any part, 'occupied territory'; it is the sovereign capital of the State of Israel. Therefore, there is no room for any involvement on the part of the United Nations in any matter relating to Jerusalem, just as the United Nations does not intervene in events, some even more severe, that occur in other countries.
- "4. Given the above, Israel will not receive the delegation of the Secretary-General of the United Nations.
- "5. Israel will continue to assume responsibility, in accordance with its laws, for the safeguarding of holy places and for the security of all residents of Jerusalem, Jews and Arabs, as in all other areas it controls."

In connection with the statement of the Israeli Cabinet, the Secretary-General asked for the following clarification with respect to paragraph 4: Did the Cabinet decision imply that his delegation would not be received by the Government, or did it mean that it would be barred from entry? Stating that his instructions had been solely to hand over the text of the Cabinet decision, the Acting Permanent Representative indicated that he would convey to his Government the Secretary-General's request for clarification. At the same time, he drew attention to the fact that the Israeli Prime Minister had appointed a Commission of Investigation to look into the events that had taken place at Jerusalem on 8 October 1990. Immediately after the meeting, the Secretary-General sent a letter to the President of the Security Council to inform him of the discussion, and attached a copy of the Israeli Cabinet decision to his letter.

4. In the absence of a formal reaction from the Government of Israel, the Secretary-General invited the Acting Permanent Representative to meet with him again on 18 October 1990, in order to determine whether he had received instructions regarding his request for clarification. The latter replied that, in view of the Secretary-General's reporting obligation under resolution 672 (1990), his Government was prepared to provide him with a copy of the report of its Commission of Investigation. The Commission, he said, was expected to conclude its work in the coming days. The Acting Permanent Representative noted that, in the light of Israel's readiness to provide that information, a United Nations mission to look into the 8 October 1990 incident was unnecessary. He stressed the fact that resolution 672 (1990) had not specifically requested that a mission be undertaken. In reply, the Secretary-General stated that there should be no linkage between the dispatch of a mission by him and the work of the Israeli Commission.

The primary purpose of a United Nations mission would be, said the Secretary-General, to gather first-hand information, on the spot, from Israeli, Palestinian and other sources. He then asked the Acting Permanent Representative whether his Government had responded to his request for clarification. The latter replied that the Israeli Cabinet decision remained unchanged and that his Government did not wish the mission to come.

5. In the light of the above, the Secretary-General informed the Security Council, in a statement, in informal consultations on 19 October 1990, that he was not in a position to dispatch a mission to the area. He added that he remained ready to do so, should he receive word from the Israeli authorities that his delegation would not be barred from entry. Commenting on the Secretary-General's statement, members of the Council expressed the opinion that efforts should continue to be made to send a mission.

6. On 24 October 1990, the Security Council adopted resolution 673 (1990), which reads as follows:

"The Security Council,

"Reaffirming the obligations of Member States under the United Nations Charter,

"Reaffirming also its resolution 672 (1990),

"Having been briefed by the Secretary-General on 19 October 1990,

"Expressing alarm at the rejection of Security Council resolution 672 (1990) by the Israeli Government, and its refusal to accept the mission of the Secretary-General,

"Taking into consideration the statement of the Secretary-General relative to the purpose of the mission he is sending to the region and conveyed to the Council by the President on 12 October 1990,

"Gravely concerned at the continued deterioration of the situation in the occupied territories,

"1. Deplores the refusal of the Israeli Government to receive the mission of the Secretary-General to the region;

"2. Urges the Israeli Government to reconsider its decision and insists that it comply fully with resolution 672 (1990) and to permit the mission of the Secretary-General to proceed in keeping with its purpose;

"3. Requests the Secretary-General to submit to the Council the report requested in resolution 672 (1990);

"4. Affirms its determination to give full and expeditious consideration to the report."

7. On 25 October 1990, in follow-up to the transmittal of the text of the resolution the previous evening, a message was conveyed orally to the Government of Israel, through its Acting Permanent Representative to the United Nations, drawing to its attention paragraph 2 of resolution 673 (1990). On 31 October 1990, the Permanent Representative of Israel to the United Nations conveyed to the Secretary-General a letter, which reads as follows:

"As you recall, my predecessor, Ambassador Bein, conveyed to you the Government of Israel's decision, of 14 October 1990, not to receive the mission referred to in Security Council resolution 672 (1990). In its decision, my Government reiterated that Jerusalem 'is the sovereign capital of the State of Israel. Therefore, there is no room for any involvement on the part of the United Nations in any matter relating to Jerusalem, just as the United Nations does not intervene in events, some even more severe, that occur in other countries'.

"This decision was taken within the context of a longstanding policy of the Government of Israel. May I point out, for example, the exchange of letters of September-November 1971 between the Minister of Foreign Affairs of Israel at the time, Mr. Abba Eban, and the then Secretary-General of the United Nations, concerning Security Council resolution 298 (1971) on the situation in Jerusalem. In that instance, the Government of Israel declined to receive the envoys and the mission to Jerusalem mentioned in operative paragraph 5 of the resolution.

"The decision of my Government also referred to the appointment of an independent commission of inquiry concerning the events of 8 October 1990. That Commission has now finished its work and submitted its findings to the Government. These findings have been made public, and the Government of Israel has decided to convey them in full to friendly Governments and other appropriate and interested organizations.

"The full report of the Commission is currently being translated into English and will be forwarded to you immediately upon its completion. I therefore have the honour, at present, to convey to you the enclosed text of the full report in Hebrew and the summary of the report in English. I trust that you will find the contents of interest."

The summary of the report as received from the Permanent Representative of Israel is being issued separately as an addendum to the present report.

8. The Secretary-General has thus been unable to secure independent information, on the spot, about the circumstances surrounding the recent events in Jerusalem and similar developments in the West Bank and Gaza Strip. Widespread coverage has, however, been given by the international press to the clashes that occurred at Al-Haram Al-Shareef and other Holy Places of Jerusalem on 8 October 1990. According to reports, which vary, some 17 to 21 Palestinians were killed and more than 150 wounded by Israeli security forces, and more than 20 Israeli civilians and police were wounded by Palestinians. While there are conflicting opinions as to what provoked the clashes, observers on the spot, including personnel of the

International Committee of the Red Cross (ICRC), stated that live ammunition was used against Palestinian civilians. Attention is drawn, in this connection, to the fact that a number of inquiries have been conducted. Apart from the Commission of Investigation referred to in paragraphs 3, 4 and 7 above, several Israeli and Palestinian human rights organizations have conducted inquiries of their own. The findings of two of them, B'Tselem and Al-Haq, were communicated to the Secretary-General, on 14 October and 28 October 1990, respectively, and are being issued separately as addenda to the present report. Furthermore, a number of Israeli and Palestinian individuals and groups had expressed willingness to meet with and provide information to the mission of the Secretary-General, should it have been sent to the area for the purposes that he had outlined to the members of the Council.

9. It will be recalled that the Security Council, in its resolution 605 (1987) of 22 December 1987, addressed the question of the safety and protection of the Palestinian civilians in the occupied territories. In that resolution - which was adopted in the earliest days of the intifadah - the Council requested the Secretary-General to examine the situation in the occupied territories by all means available to him, and to submit a report no later than 20 January 1988 containing recommendations on ways and means for ensuring the safety and protection of the Palestinian civilians under Israeli occupation. On the basis of that mandate, and with the concurrence of the Israeli authorities, the Secretary-General was able to send a mission to the occupied territories to prepare a detailed report, including a set of recommendations, which was circulated on 21 January 1988 (S/19443). However, a resolution could not be adopted owing to the negative vote by a permanent member of the Council.

10. Since then, the Security Council has, on a number of occasions, met to consider the situation in the occupied Arab territories and it has adopted four resolutions specifically on the question of deportations. In resolutions 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989 and 641 (1989) of 30 August 1989, inter alia, the Council called upon Israel to desist from deporting Palestinian civilians and to ensure the safe and immediate return to the occupied Palestinian territories of those already deported. Further, the resolutions reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 13 August 1949, was applicable to the Palestinian territories occupied by Israel since 1967, including Jerusalem, and to the other occupied Arab territories. In each resolution, the Council decided to keep the situation under review.

11. In a presidential statement dated 26 August 1988 (S/20156), the members of the Security Council said that they were gravely concerned by the continued deterioration of the situation in the Palestinian territories occupied by Israel since 1967, including Jerusalem, and especially by the grave and serious situation resulting from the closing-off of areas, the imposition of curfews and the consequent increase in the numbers of injuries and deaths that had occurred. They said that they were profoundly concerned by the persistence of Israel, the occupying Power, in continuing its policy of deporting Palestinian civilians in contravention of Security Council resolutions and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, as

demonstrated on 17 August 1988 by its expulsion of four Palestinian civilians to Lebanon and its decision to expel 40 more. The members requested Israel immediately to desist from deporting any Palestinian civilians and immediately to ensure the safe return of those already deported. The members of the Security Council considered that the situation in the occupied territories had grave consequences for endeavours to achieve a comprehensive, just and lasting peace in the Middle East. They reaffirmed that the Geneva Convention was applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, and requested the high contracting parties to ensure respect for the Convention. Recalling Security Council resolutions, the members of the Council said that they would keep the situation in the occupied Palestinian territories, including Jerusalem, under review.

12. More recently, the issue of protection was addressed at length by the Security Council following an incident on 20 May 1990 in which an Israeli gunman killed 7 Palestinian workers and wounded 11 others at Rishon Lezion in Israel. In the ensuing demonstrations, which erupted throughout the occupied territories in protest against that incident, 17 Palestinians were killed and more than 1,000 wounded by Israeli security forces. During the Security Council debate that was held in Geneva on 25 and 26 May 1990, and in New York on 31 May 1990, nearly every delegation that spoke, including members of the Council, emphasized the urgent need of the Palestinians for protection. However, a resolution that, inter alia, would have established a commission consisting of three members of the Security Council to examine the situation in the occupied territories and recommend ways and means for ensuring the safety and protection of the Palestinian civilians under Israeli occupation was not adopted owing to the negative vote of a permanent member of the Council.

13. In a presidential statement dated 19 June 1990 (S/21363), the members of the Security Council strongly deplored the incident which had occurred on 12 June 1990 in a clinic belonging to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and located near to Shati camp in Gaza, in which several innocent Palestinian women and children were wounded by a tear-gas grenade thrown by an Israeli officer. Expressing dismay that the penalty imposed on that officer had been commuted, the members reaffirmed that the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, was applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, and requested the high contracting parties to ensure respect for the Convention. They called upon Israel to abide by its obligations under that Convention.

14. It should be noted that each of the above-mentioned resolutions and presidential statements, such as resolutions 672 (1990) and 673 (1990), reaffirm the applicability to the occupied territories of the Fourth Geneva Convention. In them, Israel is repeatedly called upon to abide by its obligations under the Convention. In this connection, it is useful to cite the articles of the Convention that underline the right to protection of the civilian population and that ascribe to the occupying Power certain responsibilities in this regard. Under the Convention, the civilian population in the occupied territories is entitled to

safety and protection, as clearly stated in its article 27, the first paragraph of which reads:

"Protected persons are entitled, in all circumstances [emphasis added], to respect for their persons, their honour, their family rights, their religious convictions and practices, and their manners and customs. They shall at all times [emphasis added] be humanely treated, and shall be protected especially against all acts of violence or threats thereof and against insults and public curiosity."

The responsibility of the occupying Power is underlined in article 29, which reads:

"The Party to the conflict in whose hands protected persons may be, is responsible for the treatment accorded to them by its agents, irrespective of any individual responsibility which may be incurred."

An important responsibility is entrusted to the high contracting parties in the Convention's article 1, which states:

"The High Contracting Parties undertake to respect and to ensure respect for the present convention in all circumstances."

15. For its part, Israel, itself a high contracting party, has consistently taken the position that it does not accept formally the de jure applicability of the Fourth Geneva Convention, but states that it has since 1967 decided to act in de facto accordance with the Convention's "humanitarian provisions". The Israeli position is not accepted by ICRC, which is the guardian of the Geneva Conventions of 1949, nor has it been endorsed by the other high contracting parties to the Fourth Geneva Convention. The position of the Security Council has, in this connection, repeatedly been made clear.

Observations

16. In the light of my reporting obligations under resolutions 672 (1990) and 673 (1990), I have given careful thought as to how I should do so, since it has not been possible to send a mission to the area subsequent to the adoption of these two resolutions. I have been guided by two principal considerations. First, that the tragic events of 8 October 1990 are only the most recent of many grave incidents in the occupied territories that have resulted in the deaths and wounding of a large number of civilians; these have once again caused the Security Council to discuss the question of the safety and protection of Palestinians. The second consideration has been that the responsibilities entrusted to me under resolutions 672 (1990) and 673 (1990) should be viewed in the context of earlier efforts that I have made in this connection.

17. It will be recalled that the principal recommendation of my 21 January 1988 report (S/19443) with respect to ensuring the safety and protection of the Palestinian civilian population was that the international community should make a concerted effort to persuade Israel to accept the de jure applicability of the Fourth Geneva Convention to the occupied territories and to correct its practices

in order to comply fully with that Convention. My report also described certain steps that I intended to take, within existing arrangements, to improve the safety and protection accorded to the population by the international community. Foremost among the latter was my suggestion that the Commissioner-General of UNRWA should examine the addition to UNRWA's establishment in the occupied territories of extra international staff to improve the general assistance they provide. Since then, the number of international staff serving with UNRWA in the occupied territories has increased from 15 to 51. These additional staff members have helped to defuse tense situations, avert maltreatment of vulnerable groups, reduce interference with the movement of ambulances, and facilitate the provision of food and medical aid during curfews. In this connection, it should also be noted that the size of the international delegation of ICRC - which, under the Fourth Geneva Convention, has a definite role with regard to protection in the occupied territories - has increased from 15, in December 1987, to 45 today.

18. The additional presence in the occupied territories of international staff of these organizations has been welcomed by the Palestinians, but they add that, given the exceptional circumstances in which they are living, it has not had the necessary impact on the behaviour of the Israeli authorities. If anything, the message that is repeatedly conveyed to me by the Palestinians - whether in meetings with the leadership of the Palestine Liberation Organization (PLO) or personalities from the occupied territories, in numerous communications and appeals sent to me from groups and individuals in the area, or in conversations that members of my staff have had with individuals from all walks of life in the territories - is that far more is required on the part of the international community to ensure the safety and protection of the Palestinian civilian population in the occupied territories.

19. While it would not be possible for me to summarize in a few paragraphs the intensity of the feeling that has consistently been conveyed to me both in conversations with and in appeals by Palestinians, I would like to comment on several recurring themes that emerge from them. Palestinians have expressed a profound feeling of vulnerability at all times, whether in the workplace, at school, in places of worship or simply walking down the street. This fear was compounded by their view that there was no recourse to any authority, other than the security forces who were so often responsible for the measures inflicted upon them. They have stated that they felt unsafe even inside their homes, which were frequently subjected to midnight searches, and during which entire households, including children, were beaten. It was said that arrests during such operations were common. A wide range of collective punishments had, they said, become routine during the past three years, such as curfews, the demolition of homes, administrative detention and the uprooting of trees. A system of arbitrary and heavy taxation had been imposed, which, if not complied with, might lead to the confiscation of personal property and even arrest. Furthermore, the Palestinians have complained bitterly about a number of longstanding Israeli practices: the taking of land, especially for Israeli settlements and the privileged access that these settlements were given to water supplies; the closure for prolonged periods of the universities, and the periodic closure of elementary and high schools, which, in the Palestinian view, amounted to a denial of their right to education; and the overall economic exploitation of the territories.

20. Palestinians emphasized that their distrust of the Israeli occupation authorities - be they the security forces charged with maintaining law and order or officials of the Civil Administration whose role affected most aspects of their daily lives - had grown so deep that they felt that only an impartial presence, properly mandated by the United Nations, would be able to provide them with a credible sense of protection. In this connection, many of them drew attention to the military observers stationed in Jerusalem at the headquarters of the United Nations Truce Supervision Organization (UNTSO), and inquired why they could not be assigned to monitor the situation in the occupied territories. While they expressed appreciation for the humanitarian efforts carried out by representatives of international agencies and voluntary agencies, they were nevertheless deeply frustrated that those organizations were prevented from intervening or unable to intervene more effectively on their behalf.

21. During the past three years, I have had occasion to meet with a number of senior Israeli officials in New York, and have frequently voiced to them my concern about the situation in the occupied territories. In discussions with me, and with members of my staff in the area, the Israeli authorities have maintained that measures such as administrative detentions, curfews and the closure of schools and universities have been carried out in order to restore calm in the territories. Israel's position has been, and continues to be, that it retains exclusive control over the territories it administers. Furthermore, the Israeli authorities point out that even under the Fourth Geneva Convention it would be for them to maintain law and order in the territories. According to them, their policy during the past three years has been to put an end to the unrest in the territories which, in their view, is fomented by elements from outside. They note that the security forces are adhering to strict regulations determined by the Minister for Defence and that violations of those regulations are punishable. In response to expressions of concern regarding the need for the safety and protection of the Palestinians, the Israeli authorities point out that the many Palestinians who have been killed by other Palestinians should be a matter of equal concern to the international community.

22. The Security Council will recall that towards the end of June 1990 I sent a Personal Representative to the area to look into the question of protection in the occupied territories and to report back to me personally. On 13 July 1990, in a statement to the Council in informal consultations, I said that I intended to pursue my initiative with the Israeli authorities in an effort to persuade them to comply fully with their obligations under the Fourth Geneva Convention. At the same time, I stressed that if the high contracting parties felt that further measures - such as the designation of a Protecting Power - were required, then it was up to them to take such a decision under procedures that were carefully spelled out in the Fourth Geneva Convention.

23. Had it been possible for me to send a mission to the area at the present time, it would have followed up on the discussions begun last summer with the Israeli authorities and the Palestinian leadership. The Israeli authorities indicated at that time that they would be implementing new measures in the territories. It should be noted that, in the subsequent months, there was a decreased military presence in the occupied territories and a decline in casualties resulting from

actions involving the Israeli security forces there. Further, there has also been a reopening of certain academic institutions. Nevertheless, the essential facts of the occupation have not changed and the potential for friction and confrontation between Israelis and Palestinians has remained very high, as evidenced by the tragic events of 8 October 1990. The spate of violent attacks that have occurred since then, with more bloodshed on both sides, has generated further mistrust and bitterness.

24. The issue before us today is what practical steps can, in fact, be taken by the international community to ensure the safety and protection of the Palestinian civilians living under Israeli occupation. Clearly, the numerous appeals - whether by the Security Council, by myself as Secretary-General, by individual Member States or by ICRC, which is the custodian of the Geneva Conventions - to the Israeli authorities to abide by their obligations under the Fourth Geneva Convention have been ineffective. It is evident that for any measure of protection to be ensured, the co-operation of the Israeli authorities is, under the present circumstances, absolutely essential. Nevertheless, given the special responsibility of the high contracting parties for ensuring respect for the Convention, the Security Council might wish to call for a meeting of the high contracting parties to discuss possible measures that might be taken by them under the Convention. As regards the Palestinian appeals, referred to in paragraph 20, for an impartial presence, properly mandated by the United Nations, this is a matter on which the Security Council would have to decide: the mandates for the United Nations personnel in the area, whether civilian or military, derive from the competent United Nations bodies and the Secretary-General does not have the competence to act on his own.

25. It would be misleading to conclude this report - which has focused essentially on the need to ensure the safety and protection of the Palestinian civilians living under Israeli occupation - without underlining that it is a political conflict that lies at the heart of the tragic events that led to the adoption of Security Council resolutions 672 (1990) and 673 (1990). The determination of the Palestinians to persevere with the intifadah, is evidence of their rejection of the occupation and their commitment to exercise their legitimate political rights, including self-determination.

26. It is essential, in these circumstances, that progress be made, and soon, to ensure an effective negotiating process, acceptable to all, that can secure the interest of both Israelis and Palestinians, and enable them to live in peace with each other. For my part, I will do whatever I can to be of help.



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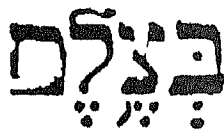
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REPORT SUBMITTED TO THE SECURITY COUNCIL BY THE SECRETARY-GENERAL
IN ACCORDANCE WITH RESOLUTION 672 (1990)

Addendum

The present addendum contains the report received from B'Tselem referred to in paragraph 8 of the Secretary-General's report.



מרכז המידע הישראלי לזכויות האדם בשטחים

'بتسيلم' مركز المعلومات الاسرائيلي لحقوق الانسان في الأراضي المحتلة

B'TSELEM - The Israeli Information Center for Human Rights in the Occupied Territories

LOSS OF CONTROL

The Temple Mount Events - Preliminary Investigation

Investigated by: B'Tselem team and volunteers

Legal advisers: Avigdor Feldman, Moshe *Negbi*

English Edition by: Prof. Stanley Cohen, Isabel Kershner,
Ralph Mandel & Yuval Ginbar.

14 October, 1990

INTRODUCTION

Temple Mount, Jerusalem, Monday 8 October, 1990. about 10:30 in the morning: clashes broke out between police and border police forces, and the thousands of Muslims gathered in the Temple Mount complex - Al-Haram al-Sharif.

In the course of the confrontation, Muslims attacked security force members at the scene, threw stones and most probably other projectiles too over the Wailing Wall into the square below, and set fire to the police point on Temple Mount. The police and border police used teargas, rubber bullets and a large amount of live ammunition to disperse the thousands of people gathered inside the Temple Mount complex.

The events took place over a period of one to two hours. By the end, there were 21 Palestinians killed and more than 200 hundred Palestinians injured. Two police and four border police were reported lightly injured. In addition, 22 Israeli citizens were reported injured, hit by stones. Most of the Israeli casualties were discharged from hospital in the 24 hours following the incident.

B'Tselem's investigation found that the security forces shot indiscriminately, and that even if policemen's lives did appear to be in danger, as official sources claim to be the case, the shooting carried on for a long time after this danger had passed. According to the Investigation's finding, a particularly serious incidence of indiscriminate shooting concerns the attacks on ambulances and medical teams.

The investigation presented below is based on official public statements - especially those made from within the senior ranks of the Israeli police - and on affidavits and testimonies collected by B'Tselem teamworkers and volunteers from Palestinians who witnessed the actual incident, or the events which occurred immediately afterwards.

This report does not present a chronological account of the events from beginning to end. Each one of the eye-witnesses saw a small part of the whole mosaic and B'Tselem does not have enough witness accounts to put together a complete and true picture of the event. Therefore unlike the usual B'Tselem reports, this report does not

1/ On 25 October 1990, B'Tselem added the following: "According to the latest information available to B'Tselem, at least 17 Palestinians died as a result of shooting by security forces on the Temple Mount. Another Palestinian died from wounds sustained by shots fired, according to some sources, by an Israeli civilian in the Old City at the time of the Temple Mount events."

give a detailed, through description of incidents of unjustified violations of human rights. This is not to say that this inquiry is less reliable or less precise than others but that it concentrates on a number of general phenomena that describe the event. It analyses them on the basis of the experience and information that B'Tselem has gained in incidents of a similar nature in the past.

B'Tselem chose to publicize this report now in order to contribute from this experience and to draw attention to the serious problems in the methods of the security forces in the events on the Temple Mount, and in relation to the information given to the public about these events.

You may ask why B'Tselem saw the need to publicize this report when a commission of inquiry has been appointed by the Minister of Police? The answer to this is on several levels. B'Tselem seeks, by this report, to contribute to the Commission of Inquiry its findings and experience in analyzing these kinds of events. This could have been done in the usual way by appearing before the Commission of Inquiry, and not by publication of a report. B'Tselem chose this public way because of the strong and unambiguous messages given to the Commission of Inquiry by the Prime Minister and the Minister of Police: that the security Services acted according to the law, that they were justified and that the only guilty people are the disorderly Muslims on the Temple Mount. These Messages are an unjust interference in the work of the committee and create a framework of government pressure to draw certain conclusions. Things explicitly in this spirit were said - amongst others - by the Minister of Police in an interview he gave the "Morning News" on Army Radio on 12.10.90. The doubts that are raised in this report point to the necessity of setting up a through investigation of what happened, to be held by a state Commission of Inquiry with wide-ranging powers and headed by a judge. As much relevant information as possible should be presented before such an inquiry, including testimonies of key witnesses, who, it appears from this preliminary report, are to be found among the Arab population. Only an independent Commission of Inquiry could compel these witnesses to appear before it.

BACKGROUND

For the two weeks preceding the confrontation a very tense atmosphere hung over east Jerusalem and the Muslim community in general, in the light of reports that the "Temple Mount Faithful" group intended going up on Temple Mount on the Monday of Succot, as they do every year at this time, to perform the ceremony of laying a cornerstone for the Third Temple. The Muslims were called to gather for prayers at the mosques on Temple Mount on the Monday. We do not know of any preparations for violent action.

Because disturbances had broken out in east Jerusalem's Schools a year ago on this date, the Jerusalem municipality closed the schools in the east of the city on Monday, and the students were sent home. After the event, it emerged that the closure of the schools meant that many of the students joined the large gathering on Temple Mount that Monday morning.

The "Temple Mount Faithful" group petitioned the High Court for permission to hold the stone-laying ceremony on Temple Mount but their plea was rejected. The state attorney presented a declaration on behalf of the police, in response to the petition, from which it emerges that the police had intelligence that disturbances were expected on Temple Mount during the week of Succot as a result of the planned actions of the "Temple Mount Faithful" group. (For contents of the declaration, see appendix A).

Chief Superintendent Arie Bibi, Jerusalem police commander, says that he sent a policeman to inform the Mufti's deputy that the "Temple Mount Faithful" group's plea had been rejected, and that they would not be going onto the mount. But it seems that this was not enough to defuse the tension, and the rumor spread in the crowded mosques on Temple Mount that the Jews planned to enter the mosques.

The Israeli Police deployment for Monday consisted of a force of 45 border policemen under the command of Deputy Superintendent Qa'tabi, Commander of the Wailing Wall section. This group was stationed within the Temple Mount complex, along the wall between the Mugrahbi gate and the Mahkama building, with its back to the Wailing Wall. A few more border police (five or six) were stationed in a look-out post on top of the Mahkama. (See map of Temple Mount, appendix J).

SEQUENCE OF EVENTS

Stage One - the Start of the Clashes

10:00

About 50 members of the "Temple Mount Faithful" group set out with a police escort in the direction of the cave of Shiloah, and perform the ceremony of "pouring the water" there. The "blessing of the priests" is meanwhile taking place in the square before the Wailing Wall, with 25-30,000 worshippers in attendance according to Rabbi Yehudah Getz, the officiating rabbi at the Wailing Wall.

10:40 (approximately)

The "blessing of the priests" at the Wailing Wall finishes. Most people disperse, leaving some 10,000 worshippers in the square.

At this point, young Muslims in the courtyard before the mosques attack Border Police members with stones (We have not managed to clarify what triggered the attack at this point. It appears from certain testimonies that a rumor spread claiming that the "Temple Mount Faithful" group were about to come up on the mount). The forces respond with teargas. Thousands of Muslims standing at some distance away, between the mosques, who are probably unaware of the stone-throwing, are under the impression that teargas was fired for no reason. They charge towards the police and throw stones and other objects at them (Many of the witnesses we interviewed claimed that the teargas was fired without any provocation from the Muslims gathered on Temple Mount). The forces respond with teargas and rubber bullets, but three or four minutes later, after many of the forces have been hit by stones, they retreat from Temple Mount leaving by the Mugrabbi gate, which closed behind them.

The forces on the roof of the Mahkama building remain in position, and are probably firing teargas and live ammunition at the throng. The first casualties occurred at this point. A short while later, a police helicopter arrives and circles

above Temple Mount. At the same time, teargas is fired at the crowd (According to Palestinian sources, the gas was fired from the helicopter itself. We do not have firm evidence that this was the case. It could in fact have been fired from the roof of the Mahkama building).

Another group of rioters attacks the police point on the mount. Two people are inside the station at this time: a log-recorder, Daud 'Alan, a resident of Jabel Mukabbar, and a cleaner, Kamal 'Asil. The cleaning worker escapes and hides in the Waqf stewards' rooms, next to the police point.

The log-recorder informs his commanders by means of communications equipment at his disposal that "they are coming up to the police point", then contact is cut off. Immediately afterwards, the Waqf stewards arrive and rescue the log-recorder who is not injured, and he too takes refuge in the Waqf stewards' rooms.

The rioters set the police point on fire. A police look-out (probably the police on the Mahkama roof) reports to the police command that the police point is on fire.

10.45

After the Border Police force has vacated the area, the rioters advance and throw stones over the wall. Stones rain down onto the Wailing Wall square below. Most of the Jewish worshipers find cover, and within a few minutes, the square has emptied. The stone-throwing continues for some 15-20 minutes.

Stage Two - the Security forces Break Back in to the Temple Mount Complex

11:00 (approximately)

A force of about 200 police and border police rush into Temple Mount in two groups, the first through the Chain gate, and the second through the Mugrahbi gate. They fire bursts of live bullets from automatic weapons at the crowd standing before them. This according to police and Border Police quoted in the press, occurred without a command to open fire

having been given. AT this stage, Border Police members stated to the media, the crowds assault on the was much fiercer than it was berore the withdrawal.

Most of the casualties are hit at this point, and fall in the courtyard between the Al-Aqsa mosque and the Dome of the Rock, at a distance of 40-70 meters from the gates through which the border police burst in. According to some versions, the shooting went on for 30-40 minutes. Alternative versions have the shooting continuing for more than an hour.

11:10 (approximately)

According to some eye-witness accounts, the Imam of the mosque calls through a loud-speaker for the security forces to stop shooting, and his instructions to the people in the courtyard are that the men should go into the al-Aqsa mosque and the women into the Dome of the Rock. The shooting doesn't stop.

The wounded are taken into the mosques. The first ambulances arrive through the Lions' gate to remove the injured. Border police and regular police carry on chasing Palestinians. The shootings of live bullets goes on, even though at this stage, clearly, the forces were not in any obvious danger. Security force members detain large numbers of people and gather them together in the courtyard before the mosques.

FACTS AND FIGURES

In the clashes, 21 Palestinians were killed (see appendix B for a list of names of the victims). About 200 were injured, and about 120 were detained (among which were more than 30 minors). About 20 Jewish worshippers were lightly injured by stones, and 6 police were injured. Most of the Jewish casualties were sent home from hospital within 24 hours.

Two of those killed were buried quickly in the Temple Mount area. The Augusta Victoria hospital received seven bodies of people killed by live bullets. Also, the body of a woman who died from teargas inhalation was brought there, and about 120 people who were injured, most of whom suffered light injuries and were sent home during that same day. By Thursday, 11 October, five of the injured remained in the hospital. Their injuries were described as "medium".

Al-Maqassed Hospital received the bodies of nine people killed by live fire, along with 90 injured. Two of those injured (by live bullets) died on the operating table, 12 were transferred to other hospitals, and about 37 suffering from the effects of teargas and beatings were treated and sent home. By Thursday, 11 October, 30 of the injured remained in the hospital, including 25 who suffered light injuries from plastic and rubber bullets, and five whose injuries were described as medium, having been shot in the upper body with live bullets.

Several injured people arrived at the French hospital, but we do not have precise details of their numbers or types of injury.

Hadassah hospital at Ein Kerem received two injured Palestinians, one of whom lost a lung and was admitted to intensive care, and the other of whom received a slight injury to his ankle. 22 Israeli casualties also arrived at Hadassah Ein Kerem, all of whom were lightly injured.

THE USE OF LIVE BULLETS

The general principles pertaining to orders for opening fire (which are given full explanation in the police and IDF instructions on opening fire) state that the use of lethal weapons is justified only as a last resort, when there is perceived to be an immediate and grave danger to police or army forces, or to persons the police or army are mandated to protect.

The opening of fire, particularly by a large force, has to be controlled. The orders on opening and holding fire include an absolute ban on indiscriminate shooting over an extended area where there are civilians who do not present any real danger to human life. It is prohibited to shoot bursts from an automatic weapon (shooting from the hip without taking aim). Such use of firearms is justified only as an instinctive reaction for survival, when faced with an immediate threat that leaves no time for a more considered response.

Superintendent Danny Chen, Firearms Officer of the Israeli police force, testified in the Jerusalem district court (in the case of Ze'evi vs. the State of Israel) that shooting from the hip is not exact, and is very dangerous. In the same case (Criminal Appeal 26/89, Ze'evi v. State of Israel, Judgments 43(4) 633) Supreme Court Justice Dov Levin stated:

"Shooting from the hip is dangerous, imprecise and uncontrolled. Firing of this kind other than in a situation of severe stress, such as self-defense and the need to survive, is undesirable, although it does occur in high-pressure situations. Therefore, as a rule, it can be stated that a person who opens unaimed fire from the hip is using his weapon with considerable negligence, bordering on gross negligence or criminal negligence (emphasis added).

The rules of engagement of the Israel Police state that the use of firearms is justified only in defined special cases, and only if it is clear that the policeman who opens fire has no other means to ensure the implementation of his task. The orders add that a policeman who is about to open fire must first state his intention to do so. (See: Israel Police Standing Orders, 06.02.14--Use of Firearms.)

The international standards for the use of force also affirm categorically the principle that firing shall be carried out only in case of necessity, and the principle of proportion (between the degree of danger and the nature of the reaction).

From the sequence of events described above, it is not certain that the necessity to open fire existed and that the police had no possibility of getting control of the rioting mob and of defending themselves against the danger they faced by using other means.

In the first stage, a relatively small Border Police force was attacked by a wild crowd, and the descriptions in our possession indicate that the force was in fact in danger. According to the testimony of the force commander (Yediot Ahronot, Oct. 10), at this stage his men fired rubber bullets and used teargas, but not live ammunition. It bears noting that the force was not equipped with standard means of protection that are in use everywhere, such as fiberglass shields.

In the second stage, a large force of police and Border Police broke into the Temple Mount complex. They fired in bursts into the crowd (i.e., their rifles were set to "automatic" and not to "single-shot"). Firing of this kind, which is inherently indiscriminate, cannot be considered justified even in a situation of mortal danger. Even if the lives of the policemen were in concrete danger at the start of the incident, and even if they had no choice but to open fire--as the Minister of Police and the Chief of Police claimed--single-shot firing could have achieved the goal.

We did not form the impression that in the second stage of the incident--in which there was shooting in bursts from the hip--the police and Border Police found themselves in such an extreme state of self-defense that the immediate fear of survival could not enable a judicious reaction and controlled firing. The Supreme Court's comments concerning criminal negligence, which referred to a single person's firing in bursts, become far more pointed and trenchant when the shooting is done by a large number of persons firing automatic weapons into a big crowd some of whom are fleeing--as is evidenced by the appalling results of the shooting. Although the second stage of the incident saw a counter-offensive initiated by the police and Border Police, we did not form the

impression that this offensive was planned thoroughly or that a minimal hierarchy of command, control and supervision existed. In particular, it is our impression that there was no firing-control whatsoever, that no command to open fire was given from any single source, and that no single source was on hand who had the ability to stop the shooting. Police and Border Police fired automatic bursts of live ammunition indiscriminately into the crowd.

This is apparent from the comments of the policemen themselves, as quoted in the media--their remarks suggest that no order was given to open fire--and from statements by eye-witnesses, all of whom tell of indiscriminate fire into the crowd across a very broad area, in which people in flight were also shot. We did not form the impression that at this stage either the Border Police, the police or the worshippers at the Wailing Wall were in mortal danger. Indeed, by this time the Wailing Wall square had already been vacated.

Nor did we form the impression that at this stage consideration was given to the use of alternative means. We did not discern the gradual use of increasingly potent means--i.e., teargas, "rubber" bullets, plastic bullets, and only then live ammunition. It appears that all these means were used simultaneously, with live ammunition being fired at the same time that teargas and less lethal ammunition were in use. Likewise, no attempt was made to speak with those on the Temple Mount or to individuals at the scene who might have been able to use their influence to calm passions.

The question of the intensity of the danger is crucial when one examines the justification for opening fire. As noted, the standing orders of the Israel Police stipulate that fire shall be opened only in case of concrete danger to life and if it is not possible to make use of other means.

The security forces who took part in the Temple Mount incident were equipped with limited means of self-defense. They had helmets, but, as mentioned, they did not have fiberglass shields which could have helped protect them against the volleys of stones they faced and thus eliminated the necessity to defend themselves by opening fire. It is not clear whether the force that broke in to the Temple Mount complex had sufficient quantities of teargas

and rubber bullets.

The findings about firing at ambulances and medical teams show a particularly grave instance of indiscriminate shooting (see below: Evacuation of Casualties). The ambulances were properly marked and easily identifiable, and their activity at the scene in evacuating casualties and extending medical aid was open and apparent. There is no justification for attacking medical personnel and ambulances. If the shooting at them was deliberate, this is a serious crime by any criteria; and if it was accidental, with ambulances being hit because they were in an area that was being sprayed with live fire, this is proof of the eye-witnesses' allegations of indiscriminate shooting. The fact that ambulances and medical personnel were hit shows also that the firing went on beyond the brief initial stage of danger and continued into the stage when there were already fatalities and wounded, when rescue crews and medical teams had reached the scene. One way or the other, the very fact that ambulances and medical teams came under attack by shooting and teargas, obligates a thorough investigation which will examine this aspect of the incident as well.

EVACUATION OF CASUALTIES AND ATTACKS ON MEDICAL TEAMS

Some testimonies by members of the medical teams refer to the difficulties of evacuating the casualties, and especially the manner in which the work of the teams was interfered with.

B'Tselem has the testimony of a male nurse who was shot in the chest with live ammunition as he ran to give first aid, carrying an infusion apparatus and other medical equipment. (See Appendix H)

A nurse from Al-Maqassed Hospital was hit by three live bullets and her right hand shattered while treating casualties in an ambulance. teargas was also fired at the ambulance. (See Appendix F)

A doctor from Al-Maqassed Hospital testified that live ammunition was also fired at his ambulance. (See Appendix G)

The Red Crescent Organization stated that one of its ambulances was stopped three times on its way from the Red Crescent clinic in al-Bira to the Temple Mount at the outset of the clashes. Police and Border Police made a thorough search of the vehicle thus delaying its arrival at the Temple Mount by at least 15 minutes. At the Lions' Gate the ambulance was stopped once more and the crew was forced to make its way to al-Aqsa mosque (where the wounded were brought) on foot, again wasting precious time. The Red Crescent statement adds that Border Police aimed their weapons at the crew on several occasions (even though they wore medical uniforms) and fired teargas at the ambulance.

According to the Red Crescent statement, a Border Policeman threatened to kill one of the wounded if he was treated by a Red Crescent doctor. "He's an Arab, he has to die," the Border Policeman said, according to the doctor.

From about 11:30 a.m., wounded people who had been evacuated from the Temple Mount began arriving at Al-Maqassed. At approximately noon, teargas was fired next to the hospital, apparently in an attempt by the security forces to disperse people who had gathered there in order to look for relatives. A few tear-gas canisters were fired at the hospital's maternity ward, breaking three windows and a glass door. The ward was filled with teargas and the hospital staff had to evacuate patients and infants from their

rooms. (See Appendix I)

Attacks on medical teams, ambulances and hospitals constitute a grave infringement of universal humanitarian rules that afford special protection to medical personnel and medical vehicles that are engaged in evacuating casualties. Articles 35-37 of the First Geneva Convention, Articles 16-21 of the Fourth Convention, and Articles 8-21 of the 1977 Geneva Protocol stipulate categorically that free access must be given to medical teams bent on assisting casualties, that such teams are entitled to special protection, and that under no circumstances are hospitals and vehicles intended to extend medical aid to wounded persons to be attacked. These directives set international standards which are accepted by all civilized nations.

SECURITY FORCES' BEFORE DEPLOYMENT AND DURING THE EVENTS

According to statements made to the media by the police and an affidavit submitted to the High Court of Justice in response to a petition by the Temple Mount Faithful, the police had information that the presence of the Temple Mount Faithful was liable to trigger rioting. This information confronted the police with a dilemma: it was feared that Muslims would regard the reinforcement of the forces stationed on the Temple Mount as a provocation.

The police thought, as reported in the media, that the court's rejection of the Temple Mount Faithful's petition--thus cancelling the ceremony the group had planned to carry out on the Temple Mount--was sufficient to ensure that there would be no rioting. It was evidently this assessment which underlay the decision to station only 45 Border Policemen on the Temple Mount. In retrospect, this was clearly a mistaken decision.

The leaving of a single policeman at the police point on the Temple Mount was undoubtedly a major mistake. It is probable that had the police point been vacated altogether, or, alternatively, had a full complement of police been deployed there, a situation would not have arisen in which contact with the point was cut off, leading to the fear that the log-recorder was being lynched.

B'Tselem's investigation shows that the log-recorder escaped unharmed (see below: Flaws in Reporting), but because contact was cut off with the police point, this fact was not known to his superiors. The latter feared, and with reason, that a delay in the entry of reinforcements to the Temple Mount complex might cost the life of this policeman. In an interview with Nahum Barnea (Yedioth Ahronot, Oct. 10), Jerusalem police chief Arie' Bibi was asked: "Had it not been for that policeman, would different means have been used to restore order?" Bibi's reply: "It is possible that we would have exercised greater moderation in going in."

The testimonies in our possession about the actions of the security forces during the events raise a number of searching questions:

- * Was there a detailed plan of action in the event of riots, and were the forces briefed in detail in advance?
- * Who was the responsible commander in the field? In view of

- the information about expected disturbances. why was the national police chief not present?
- * How was the combined operation of the different forces present (police and Border Police) coordinated?
 - * Was a situation appraisal carried out following the withdrawal of the Border Police force from the Temple Mount?
 - * In what forum was the decision made to break in to the Temple Mount complex?
 - * Was the breaking-in operation planned in detail?
 - * Were the police and Border Police who took part in the breaking-in operation briefed?
 - * What orders did the breaking-in force get about opening fire?
 - * Who was in command of the force?
 - * Did the force have sufficient quantities of teargas and rubber bullets?
 - * Why was the force not equipped with fiberglass shields?

FLAWS IN REPORTING

On Monday afternoon, just hours after the end of the Temple Mount clashes, the media were given the police version of events--that this had been an organized attack planned well in advance. According to this version, as provided to the media by the Minister of Police, the national Chief of Police and the Jerusalem police chief, Muslims had prepared large caches of stones and iron rods on the Temple Mount in order to attack the Jewish worshippers at the Wailing Wall below. Police Minister Milo: "The attack on the worshippers at the Wall was well-planned, without reason and without warning. This was a pre-planned provocation. It is probable that the rioters were sent into action by outside instructions, with the aim of diverting world public opinion [sic] from the Gulf" (Hadashot, Oct. 9).

In the police version it was clear that the police on the Temple Mount faced concrete mortal danger and had no choice but to open fire in order to get control of the mob. National police chief Turner: "The police were in danger of their lives; they had no choice but to react as they did" (Ha'aretz, Oct. 9). Milo: "The forces behaved with great restraint, and not until the police were in mortal danger did we open fire at anyone" (Yediot Ahranot, Oct. 9).

It was also stated that the rioters severely beat a policeman--the log-recorder in the police point on the Temple Mount. (See Jerusalem police chief Bibi's remarks, Hadashot, Oct. 9.)

In the 24 hours that followed, a new version began to be voiced, to the effect that the attack had been spontaneous and unplanned. It turned out that the stones which ostensibly had been prepared in order to attack the worshippers at the Wall were in fact stones which had been brought to the Temple Mount as part of ongoing renovation work there.

At the same time, it emerged that, effectively, when the Border Police opened fire, the Jewish worshippers at the Wailing Wall were no longer in danger--they had been evacuated within minutes in a commendable operation. Nor was the Border Police force in danger at this time.

The log-recorder, said by the Jerusalem police chief to have been

severely beaten by the rioters and hospitalized. in fact escaped unscathed according to B'Tselem's investigation (see above, p. 15). Another wounded policeman whose name was mentioned is Murashad al-Tawil, who according to B'Tselem's investigation was stationed at one of the gates (Bab Khuta) and sustained a scratch on his forehead from a live bullet (evidently a stray bullet fired by the force that broke in to the Temple Mount complex). Another policeman, Amir Abd. who was stationed at the Iron Gate, was in fact attacked and beaten by rioters. He was later extricated by an employee of the Waqf.

CONCLUSIONS

This report is a preliminary investigation which does not pretend to present the full picture. We do not have enough facts about the sequence of events on the Temple Mount and about the actions of the security forces. We have not cited facts about - which we had doubts or which were unclear, and we have stated our reservations about any such facts that we have cited.

The testimonies collected by B'Tselem point to a series of faults (specified below) which apparently occurred during the actions of the police, the Border Police and their superiors. We believe that each of these faults must be examined thoroughly by whatever body has been appointed or will be appointed to investigate the events on the Temple Mount.

1. The Temple Mount incident exacted a very heavy price in human life and in injury to persons who were in the vicinity of the Temple Mount. These lethal results are consistent with well-documented situations of indiscriminate fire into a large crowd of people.
2. The small number of casualties among the security forces and Jewish civilians, and the relatively light character of their wounds, raises questions about the degree of danger that confronted the security forces personnel and the people whom they were charged with protecting--and thus about the justification for the acute reaction.
3. If there were stages in which concrete mortal danger existed, these were brief stage at the outset of the riot, this being the stage in which most of the security personnel and the worshippers were hurt--yet precisely in this stage virtually no use was made of live fire.
4. As the testimonies show, in the stage of the security forces' counter-attack, shooting took place in bursts of unaimed automatic fire from the hip, spraying a large area. This is an extremely dangerous and prohibited form of shooting, and according to a ruling of the Supreme Court it constitutes an act of criminal negligence on the part of those who did the shooting.

5. According to our investigation, the firing continued even while the crowd was dispersing in every direction and many were fleeing, as well as at the stage in which ambulances and medical teams arrived at the scene.
6. The investigation shows that no gradual use was made of alternative means to live ammunition, and that no attempt was made to talk with people who were on the Temple Mount and who might have been able to calm the situation.
7. The investigation shows that no hierarchy of command, supervision and fire-control existed at the site, and if there was such a hierarchy it did not function properly. According to their own testimony, security forces personnel opened fired without being ordered to do so. There was no source with the ability to order and oversee the execution of the standing rules of engagement.
8. Ambulances and medical teams were hit in the course of the shooting. Whether this was deliberate or whether it occurred as a result of indiscriminate fire, it constitutes a grave violation of universally accepted humanitarian and legal principles.
9. In B'Tselem's assessment, the information given to the public about the events was for the most part imprecise, thus raising the suspicion that attempts were made to hide facts, mislead the public, give "backing" to the security forces, and evade responsibility.

A Commission of Inquiry has been set up which has no powers and which is not headed by a judge, meaning that it has no independent standing. This committee will not be able to compel witnesses from the Arab population--who for various reasons will hesitate or even refuse to cooperate with an examining committee--to appear before it.

Furthermore, the Prime Minister, the Police Minister and other ranking political figures have publicly communicated to the Committee the message and the expectation that it will find that the security forces acted properly.

B'Tselem believes that only a judicial Commission of Inquiry, with the power to compel witnesses to testify before it, will enjoy the

independent standing that will enable it to disregard the kind of message that the present committee is getting from the Israeli government, which with good reason views the matter as extremely sensitive and important--an issue with far-reaching implications for Israel's international standing and its connection with the holy places in Jerusalem.

APPENDIX A

Excerpt from the Response by the State Prosecutor's Office to a petition filed by the Temple Mount Faithful (High Court of Justice 4184/90)

1. Prior to the Tabernacles Festival in 1989, the petitioners requested to lay a symbolic cornerstone to a house of prayer on Temple Mount. The request to lay the cornerstone was refused. The petitioners requested a route - similar to the one requested this year - for carrying the cornerstone from Dung Gate to the Shiloah Fountain and back. This plan did not materialize as will be explained below.
2. Even before the truck carrying the cornerstone arrived at Dung Gate (which was to be the gathering point), serious disturbances broke up in the Temple Mount area and the nearby periphery which included: stone throwing at passers by, blocking roads and traffic routes and mass gatherings on Temple Mount.
Many of the rioters were questioned and it appears from their questioning that the reason for the mass rioting was the intention of the Temple Mount Faithful to lay the cornerstone. Further strengthening to this statement regarding the reason for the rioting was found in talks conducted with Waqf personnel.
3. It should be clear that before the event which was to take place last year, the Temple Mount commander briefed the Islamic Waqf personnel to the effect that the police would not allow the Temple Mount Faithful entry into the Temple Mount area with the cornerstone. Despite the police' announcement, and before the cornerstone had been laid down, the serious disturbances broke out, as described above.
4. Daily rioting on the roads leading to the Wailing Wall, and in the Silwan area at the present, including occasional disturbances on Temple Mount itself, have led to the inevitable conclusion that carrying the

cornerstone in the vicinity of Temple Mount would evoke serious disturbances on a very large scale, which would render them difficult to control, while it should be added that on the very same day and hours, events in which masses participate take place in Jerusalem, which necessitate the deployment of very large forces for security and traffic control. The events include: the Jerusalem march, with about 50,000 participants, crowd drawing events in Sacher Gardens, intended for about 50,000 people, open house events in Israel's Presidential Residence with many thousands participating, the traditional pilgrimage to Jerusalem in which many thousands participate, most of whom will reach the Wailing Wall area, the Birkat Kohanim (the blessing of the priests) ceremony at the Wailing Wall square in which many thousands will participate.

- d. As for the tabernacle that the petitioners request to erect on the path leading to the Mugrahbi Gate a few meters from the gate, the following should be clarified:

The path under discussion is narrow, runs over a raised mound of earth and is used for passage by worshippers and visitors to Temple Mount. This path is a major route for the deployment and entry of police forces into Temple Mount during disturbances.

The erection of a tabernacle in the requested location would block the passage for those entering or exiting and greatly hamper the deployment of police forces in the area.

The location of the tabernacle in the vicinity of the Mugrahbi Gate, and near the holy sites of other religions, upsetting the delicate balance presently existing on Temple Mount and the roads leading to it, may cause serious disturbances both by those present on Temple Mount and by elements present in its vicinity.

It should be emphasized that the petitioners request to erect the tabernacle on the raised path that is situated above the Wailing Wall on its Southern side, and below Temple Mount. The police possesses intelligence information regarding expected disturbances on Temple Mount resulting from the

Temple Mount Faithful's intention to carry out the traditional pilgrimage to the Mount during the intermediate days of the Tabernacles Festival and the additional intention of erecting a tabernacle on the narrow path at the entrance to the Mugrahbi Gate.

A tabernacle placed on such a sensitive spot is liable, according to respondent no. 1, to create an additional focus of rioting and spur further serious disturbances, including stone-throwing at the tabernacle from the direction of Temple Mount. Past experience has taught that throwing stones in the direction of the uplifted embankment may inadvertently hit worshippers at the Wailing Wall square.

In view of the disturbances which take place in the area daily, the cumulative intelligence information regarding the requested event and in light of past experience, there is real danger of disturbances in the pattern and on the scale of last year, and even worse.

The petitioners were presented with an assessment according to which adding the event of carrying the cornerstone, with the great symbolism attached to it, is liable to increase disturbances to an extent that would force the police to prevent the holding of the additional events planned by them.

5. Despite the grave incidents which have occurred recently and which reached their climax on Yom Kippur with the organized gathering of dozens of masked men who intended to go up toward Dung Gate and the Wailing wall carrying various destructive weapons, the police is not opposed at this stage to holding the events for which it had granted permission on September 12 1990, subject to its assessment of the circumstances prevailing in that area as the time of the event approaches.

Israeli police is responsible, among other things, for maintaining public order and the safety of life and property as stipulated by section 3 of the Police Order (new version) 1971.

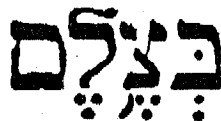
It appears from the above that in view of the daily incidents in the area, in addition to existing intelligence

information, and past experience regarding events such as this, there is a near-definite probability to Israeli police assessment that the erection of a tabernacle in the vicinity of the Mugrahbi Gate, and carrying the cornerstone designated for the erection of the Third Temple on the requested route would cause disturbances of public order and harm public safety.

6. It is estimated that erecting the tabernacle on the entrance path to Temple Mount, in the vicinity of the Mugrahbi Gate, and carrying the cornerstone designated for the erection of the Third Temple on Temple Mount are more liable to inflame emotions in the area than other events planned by the petitioners.

As explained above, there was readiness to allow the petitioners to ascend the Temple Mount, as well as a tour and guidance for the Temple Mount Faithful during the intermediate days of the Tabernacles Festival (6.10.90), and praying in the vicinity of the Mugrahbi Gate on Yom Kippur. Regarding the procession - for which the petitioners have so far seen no need to seek permission - and holding a short ceremony at the Shiloah Fountain, no opposition has been raised, in principal, to these either, all subject to the circumstances prevailing in the area at the time of their occurrence.

Thus a proper balance has been struck between the right of procession or expression of opinion of the petitioners and the need to defend public safety and security at the requested time and place.



מרכז המידע הישראלי לזכויות האדם בשטחים

مركز المعلومات الإسرائيلي لحقوق الإنسان في الأراضي المحتلة

OTOCLECM The Israeli Information Center for Human Rights in the Occupied Territories

APPENDIX B

List of people killed in the events on Temple Mount 8.10.90

	Name	Age	Residence
1.	Abd al-Karim Muhammad Za'atra	26	Jabel Mukabbar/J'lem
2.	Fayez Hussein Husni Abu Sneine	18	Al-Azariye/Bethlehem
3.	Nimer Ibrahim Nimer Dweik	24	Wadi Joz/J'lem
4.	Burhan al-Din Abd al-Rahman Kashur	19	Jerusalem/J'lem
5.	Ribhi Hasan al-Rajbi	55	Dahyat al-Barid/ Ramallah
6.	Ibrahim Muhammad Ali Frahat Adkidak	17	Sho'afat R.C./J'lem
7.	Maryam Hussein Zahran Mahtub	45	Qibya/Ramallah
8.	Majdi Abd Hamidan Taha Abu Sneine	18	Wadi Joz/J'lem
9.	Jadi Muhammad Rajeh Zahade	26	Al-Zayem, J'lem
10.	Majdi Nazmi Abu Sbeih	18	Al-Ram/Ramallah
11.	Muhammad Arif Yassin Abu Sneina	30	Silwan/Ramallah
12.	Mussa Abd al-Hadi Murshad al-Sweiti	26	Old City/J'lem
13.	Ibrahim Abd al-Gaffar Gurab	32	Wadi Joz/J'lem
14.	Ayman Muhi Ali al-Shami	18	Wadi Joz/J'lem
15.	Fauzi Sai'd al-Sheikh	63	Kharbata/Ramallah
16.	Izz Jihad Mahmud Hamid al-Yassini	15	Old City/J'lem
17.	Adnan Khalaf Jenadi	28	Tamra/Israel

APPENDIX C

Affidavit

I the undersigned, M.T. (full details kept at B'Tselem's office), a resident of the Old City and employee of the Waqf, having been warned to tell the truth and that should I not do so, I shall be liable to the punishments stipulated in the law, hereby state the following:

On October 8th 1990, at about 10:55 in the morning, I was standing by the weights on the roof of the Dome of the Rock. I saw a teargas canister which fell on the Al-Kirk square Southeast of the Dome of the Rock where almost all of the schoolgirls had gathered. The canister fell after a yellow helicopter had flown above the place. The helicopter had flown low. The schoolgirls started screaming, the people who were present in the open spaces facing Al-Aqsa Mosque started running in the direction of the schoolgirls who were shouting.

At that moment teargas canisters began falling from the West on the open spaces facing Al-Aqsa Mosque and on the roof of the Dome of the Rock. Then I saw border police and soldiers fleeing from the Mugrahbi Gate.

At that moment the police ordered its men to shut the gates of Temple Mount, the gates were shut and not a single soldier or border policeman remained within Temple Mount except for the Arab policemen who are always present at the Temple Mount gates.

Although the gates were shut I heard shooting of live ammunition. I don't know where exactly the shooting came from but I wouldn't rule out the possibility that it came from the observation post on the Mahkama building, which is located South of the Chains Gate and North of the Mugrahbi Gate.

For about 30 minutes there were no soldiers or border police like I mentioned, and then the border police broke into Temple Mount through the Khuta and Mugrahbi Gates. When the soldiers broke into Temple Mount they entered shooting in mass. Before the entry of the soldiers a few had been wounded but there were no martyrs but when they broke in there immediately were about 4 dead by Khuta Gate and I know of an old man aged 62 who was killed by the

Mugrahbi Gate.

The soldiers entered and spread all over Temple Mount. People stopped throwing stones and everyone tried to find a place to hide. People ran into Al-Aqsa Mosque and into the Dome of the Rock, and whoever couldn't escape into these places was either killed, wounded or arrested.

The stoning went on at first for about 15 minutes until the soldiers entered through the two gates.

I can't tell at what time the shooting stopped but I know it lasted steadily for about two hours.

During the shooting when we saw very many wounded we opened the Lions' Gate, and through it entered private cars in order to take the wounded to the hospital. When the cars came in the intensity of the shooting decreased, ambulances reached the place. The ambulance would stop right at the gates of Al-Aqsa Mosque or of the Dome of the Rock. The first ambulances took in the wounded but coming out of Lions' Gate the police transferred the wounded to police patrol cars and they were taken to custody. I got a few radio messages to that effect, from the steward who is positioned at Lions' Gate.

The place where the wounded fell was near the Dome of the Rock, as well as opposite Al-Aqsa Mosque, about 50 meters from the Mugrahbi gate. To the best of my knowledge all those killed fell inside Temple Mount and I don't know of any who were shot outside the gates of Temple Mount.

Each year when the Temple Mount Faithful announce their intention of entering in order to lay the cornerstone, people come from all over the country to defend their holy site.

Last year it was the same. That time the police used teargas only. This is the first time the police have used live ammunition.

I, advocate Yosef Arnon, hereby certify that on October 9th 1990 appeared before me Mr. M.T., who identified himself by identity card no. -----, and after I had warned him that he was obliged to tell the truth and that should he not do so, he would be liable to the punishments stipulated by the law, confirmed before me the accuracy of the aforementioned affidavit and signed it.

APPENDIX D

Affidavit

I the undersigned, M.A.T. (full details kept at B'Tselem's office), ID no. -----, having been warned to tell the truth and that should I not do so, I shall be liable to the punishments stipulated in the law, hereby state the following:

1. On October 8th 1990 at 9:25 p.m. I received instructions through my beeper to proceed to the Al-Aqsa Mosque immediately. I promptly went there and saw some 200 male and 50 female worshippers around the Dome of the Rock Mosque.
2. There were about 25 border police present, who stood between the Dome of the Rock and the Wailing Wall. The situation was quiet.
3. Suddenly I heard the women shouting that the border police were breaking into the Mosque. About half a minute later I heard shots from where the policemen had broken in, as well as from the direction of the policemen who had been present earlier.
4. Immediately afterwards I saw youths throwing stones at the border policemen.
5. The Imam in the Mosque requested the border police through the loudspeaker to stop shooting and leave the area. He also requested male worshippers to go into Al-Aqsa Mosque and female worshippers to go into the Dome of the Rock.
6. I saw soldiers go up to Temple Mount and shoot automatically. I was at the clinic on Temple Mount at the time and saw many of the wounded reach the place. The soldiers' shooting was at a straight angle and from a kneeling position, in the direction of the crowds.
7. There were about ten of us inside the clinic and the soldiers began shooting into the clinic. I hid away from the shooting.
8. I went out of the clinic and into a house to the West of the Mosque. I saw the shooting. During the shooting I saw a soldier shoot a boy in the head from a range of about 30 meters. Later I was informed that the boy had died of the injury.

9. I do not speak Hebrew and this affidavit was translated for me word by word into English.
10. This is my name, this is my signature and the contents of my affidavit are true and accurate.

I, advocate Asaf Shaham, hereby certify that on October 9th 1990 appeared before me Mr. M.A.T., who identified himself by identity card no. -----, and after I had warned him that he was obliged to tell the truth and that should he not do so, he would be liable to the punishments stipulated by the law, confirmed before me the accuracy of the aforementioned affidavit and signed it.

APPENDIX E

Affidavit

I the undersigned, Bassem Eid, ID no. 8067393-2, having been warned to tell the truth and that should I not do so, I shall be liable to the punishments stipulated in the law, hereby state the following:

On October 10 1990 at 12:00 noon I was at Temple Mount in order to take testimonies on what had happened on Temple Mount on October 8th 1990. On the open space to the West of the Dome of the Rock I saw many stains of blood as well as trails of clotted blood indicating the areas where those who got wounded, or part of them, had been hit.

I also saw holes that looked like bullet holes in the windows and walls of the Dome of the Rock and photographed them.

The place is more than 200 meters away from the Mugrahbi Gate.

I, advocate Yosef Arnon, hereby certify that on October 10th 1990 appeared before me Mr. Bassem Eid, who identified himself by identity card no. 8067393-2, at B'Tselem's office on 18 Keren Hayesod, Jerusalem, and after I had warned him that he was obliged to tell the truth and that should he not do so, he would be liable to the punishments stipulated by the law, confirmed before me the accuracy of the aforementioned affidavit and signed it.

APPENDIX F

Affidavit

I the undersigned, Fatimah Abd al-Salam Abu Hadir, ID no. 8040592, having been warned to tell the truth and that should I not do so, I shall be liable to the punishments stipulated in the law, hereby state the following:

1. I work as a first aid nurse in East Jerusalem.
2. On October 8th 1990 I was working with Dr. Tarek Abu al-Hawa. Dr. Tarek was given a radio message that there are injured people on Temple Mount. I went there in an ambulance which was driven by Dr. Tarek. With us was another person named Isa Abu Sbeitan.
3. Dr. Tarek parked the ambulance near the entrance to Temple Mount. I remained inside the ambulance and people began bringing the wounded into the ambulance. I was treating them inside the ambulance. Suddenly I felt, while I was inside the ambulance treating the wounded, pain in my right hand. I saw that a bullet had hit my right hand and two other bullets hit the upper part of my chest.
It is important to note that the bullet which hit my right hand crushed it completely.
4. It is important to note that we had entered the Temple Mount and reached the entrance to Al-Aqsa by ambulance.
5. It is important to note that I did not get off the ambulance throughout the incident and was treating injured people who were brought into the ambulance, and that I was hit by three bullets which had penetrated the ambulance.
6. After I had been wounded teargas canisters were thrown at the ambulance and we were almost suffocated.
7. Dr. Tarek, who had gone out of the ambulance in order to bring in seriously wounded people, was shot in the leg and was late in returning to the ambulance. The key was inside the ambulance and another male-nurse drove us to Al-Maqassed hospital. During the Journey shots were fired at the ambulance and as a result its front windscreen was smashed.

8. This is my name, this is my signature and the contents of my affidavit are true and accurate, having been translated for me into Arabic.

I, advocate U. Sa'di, hereby certify that on October 9th 1990 appeared before me at Al-Maqassed hospital, Fatimah Abu hadir who identified herself by identity card no. 8040592, and after I had warned her that she was obliged to tell the truth and that should she not do so, she would be liable to the punishments stipulated by the law, confirmed before me the accuracy of the aforementioned affidavit and signed it.

APPENDIX G

Testimony of Dr. Habas Wahdi, a doctor at Al-Maqassed hospital, taken by Daphna Golan on October 9th 1990 at the hospital:

I was in the first ambulance to reach Temple Mount (at about 10:50). When we reached the square outside the Mosque, there were about 15 wounded and 3 dead. Whoever could flee did so. Many people hid inside the Mosque whose gates had been shut. When we came we saw soldiers kick the wounded and the dead and beat them with clubs. There was ceaseless shooting in all directions. The shooting did not stop while we were evacuating the wounded. Our ambulance's loudspeaker and windscreen were damaged by bullets. Evacuating the wounded was extremely frightening, with the shooting never stopping. The soldiers were very close, at times less than 10 meters away. They deliberately shot at the ambulances, although there couldn't have been any mistake about the fact that we were evacuating the injured. I went backwards and forwards between the hospital and Temple Mount several times. Each time they shot at the ambulances. I stayed there to help with the evacuation until 15:00. For a long time I stayed inside the Mosque to assort the wounded according to their condition and the urgency of their evacuation. Inside the Mosque there was a strong smell of teargas and although

I was wearing a mask it was hard to breath. The other doctor asked me to evacuate only those seriously wounded, and I heard later that the slightly injured were not allowed to be evacuated and that the soldiers were checking those who were.

APPENDIX H

Testimony of Muhammad Abu Riali, 25 years old, who works as a nurse at the clinic adjacent to the Al-Aqsa Mosque, taken by Daphna Golan on October 9th 1990 at Al-Maqassed hospital:

I had been at Al-Aqsa Mosque since morning. I was asked to treat two of the injured. I ran along the Eastern side of the Mosque, far from the people, with an infusion kit and other first aid gear, and was shot. I was hit in the right side of my chest by a live bullet. Shots were fired in all directions. I think I was shot from above, from a distance of about 100 meters. I saw that people who were escaping were shot, everyone was. They shot indiscriminately.

APPENDIX I

Affidavit

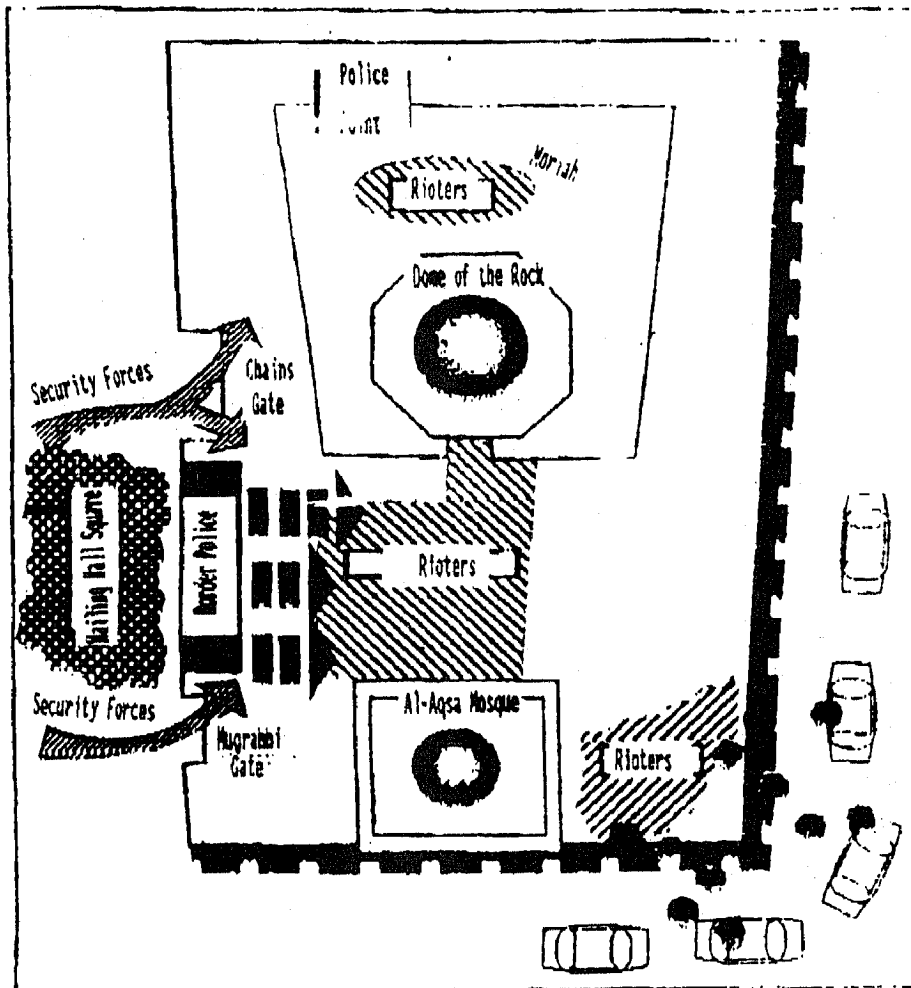
I the undersigned, DR. Mana Abu Shaqra, ID no. 81079618, having been warned to tell the truth and that should I not do so, I shall be liable to the punishments stipulated in the law, hereby state the following:

1. I serve as head of the maternity ward at Al-Maqassed hospital.
2. On October 8th 1990 I was in the ward. At around 12:00 noon a few teargas canisters were thrown at the hospital and especially at the maternity ward. One canister caused the breaking of three windows in the delivery room and penetrated a room in which there were five women. Other canisters were thrown at the corridors in the maternity ward and broke a glass window.
3. As a result of the throwing of the teargas canisters, the maternity ward was covered with teargas and we had to evacuate a large part of the ward.
4. It is important to note that even today, October 9th 1990, one can still smell the teargas where the canisters were thrown.
5. This is my name, this is my signature and the contents of my affidavit are true and accurate, having been translated for me into Arabic.

I, advocate U. Sa'di, hereby certify that on October 9th 1990 appeared before me at Al-Maqassed hospital, Mr. Mana Abu Shaqra who identified himself by identity card no. 81079618, and after I had warned him that he was obliged to tell the truth and that should he not do so, he would be liable to the punishments stipulated by the law, confirmed before me the accuracy of the aforementioned affidavit and signed it.

APPENDIX J

Map of Temple Mount (Al-Haram al-Sharif)



(source: Yediot Ahronot, 9.10.90)

The area defined as "Temple Mount" ("Har ha-Bayit" or "Al-Haram al-Sharif") is over an area of about 140 dunums, surrounded by walls. To the North of the compound lies the Old City of Jerusalem, South of it the City of David excavations, to the East - Ha-Ofel Road and to the West - the Wailing Wall.

Within the compound surrounded by walls there are two large Mosques - Al-Aqsa and the Dome of the Rock. Also within the compound are about 14 other buildings which house various Islamic religious and educational institutions. South of Chains Gate is the Mahkama Building, a tall building on whose roof a Border Police observation point was situated during the event.

Ten gates lead into the compound from the North and West. Four additional gates, from the south and East, are sealed.



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REPORT SUBMITTED TO THE SECURITY COUNCIL BY THE SECRETARY-GENERAL
IN ACCORDANCE WITH RESOLUTION 672 (1990)

Addendum

The present addendum contains the report received from Al-Haq referred to in paragraph 8 of the Secretary-General's report.

AL_HAQ

القانون من أجل الإنسان



31 Mein St., P.O.Box 1413, Ramallah, West Bank, Tel: 02-956421 • ٢-٩٥٦٤٢١ تلفون، الضفة الغربية، رام الله، الشارع الرئيسي، ٣١

28 October 1990

**RECONSTRUCTION OF EVENTS (REVISED)
AL-HARAM AL-SHARIF, JERUSALEM
MONDAY, 8 OCTOBER 1990**

Introductory Comments

On Friday, 12 October 1990, al-Haq issued a reconstruction of the events which occurred on 8 October at al-Haram al-Sharif (hereafter al-Haram), Jerusalem. Since then, al-Haq has collected more information concerning the circumstances and events of that day. Presented below is a revised version of the original reconstruction; there are few amendments as the information collected by al-Haq since issuing the first report has confirmed and supported the original findings.

This chronology of the events of 8 October at al-Haram, is based on over 50 thorough interviews conducted between 8 and 11 October 1990, by a team of 13 al-Haq staff members; since 12 October, al-Haq fieldworkers have conducted further interviews. In addition, many of the facts presented below were also corroborated by reports from other witnesses.

The information presented is as exact a reconstruction of the events as al-Haq has been able to achieve. Every effort has been made to obtain reliable and corroborated evidence; in several instances, al-Haq has excluded details that it was not able to confirm or corroborate to its satisfaction.

Those interviewed included women and men worshipers, some of whom were later arrested; officials of al-Awqaf (Muslim Religious Trust); and non-worshipers who were present in al-Haram including journalists, residents situated within the precincts of al-Haram, residents of the area adjoining al-Haram, doctors and nurses who came to the scene, ambulance drivers, al-Haram guards, and wounded men, women, and children. Al-Haq staff also saw several video recordings of the events.

These interviews were conducted at the site of the incident; in houses adjacent to the site; Maqassed Hospital, Augusta Victoria Hospital, St. Joseph's Hospital, and the offices of al-Awqaf.

The area in question, which is almost 141 dunums in size (one dunum = one thousand square metres), is known as al-Haram. Al-Haram is a Moslem holy place which includes al-Aqsa Mosque (where men usually pray), and the Dome of the Rock (where women usually pray). In addition, there is a museum, schools, a clinic, a police station, a library with archives, offices, and areas cultivated with pine and olive trees. (SEE MAP 1). Al-Haram has, since 1967, been under the spiritual supervision of the al-Awqaf, although ultimate responsibility for security has been in the hands of Israeli police. In addition to having a police station within the grounds of al-Haram, the police have acquired, since 1967, possession of strategic

sites on the west side between al-Haram and the Western (Wailing) Wall. These include the building known as the "mahkama" (the "Court"), and the rooftops overlooking both al-Haram grounds and the Western Wall plaza. (SEE MAPS 2 & 3). The entire area is walled. It is accessible through eight doors that are normally open. The Israeli police have effective control of all the gates, the keys of which (with the exception of al-Magharbeh - ["Morocco"] - Gate) are with al-Awqaf.

Usually there is one Palestinian guard from al-Awqaf and two Israeli policemen guarding each gate. Israeli Border Guards (a special army unit attached to the police force and under the command of the Ministry of Police) are stationed in the "mahkameh", which is between al-Silsileh (Chain Gate) and al-Magharbeh Gates. (SEE MAP 1). Border Guards enter al-Haram area at will and routinely patrol inside al-Haram, usually in groups of three (however, this number is augmented when the situation requires), without requiring permission to do so by al-Awqaf.

Normally, al-Haram is open to tourists and non-worshippers. Palestinians entering through the Old City gates may have their identity cards checked by Border Guards, especially on Fridays and other days when large crowds are expected.

The Western Wall, a Jewish holy site, lies between al-Magharbeh and al-Silsileh Gates. Above the Western Wall, and overlooking al-Haram, is a wall some ten metres high and several metres wide, on which Border Guards can, and sometimes do, patrol. (SEE MAP 3).

Vehicle access all the way to the front yard of al-Aqsa from al-Asbat Gate (Lion's Gate), in the north-eastern part of al-Haram, is possible.

Background to the Events of 8 October, 1990

The "Temple Mount Faithful," a group of Jewish extremists, was established in 1967. Their primary objective is to build a Third Temple on the site of al-Haram. The group has been permitted to enter the area of al-Haram in the past for special religious holidays. On previous occasions, after agreement with the police, the Temple Mount Faithful had been allowed to enter al-Haram between the hours of 8:00 a.m. and 3:00 p.m., in groups of two, three or four, accompanied by Israeli police. This year they sought permission to lay a cornerstone of the Third Temple and set up a Succa (tabernacle), on 8 October 1990, in al-Haram. The Israeli police refused this request, but gave the Temple Mount Faithful permission to enter between the hours of 8:00 and 11:00 a.m. The Temple Mount Faithful appealed to the High Court of Justice seeking a reversal of this decision. They subsequently dropped their appeal, but publicly announced that they intended to enter al-Haram on 8 October in any case. The belief prevailed amongst the crowd gathered at al-Haram that the Temple Mount Faithful would try to enter al-Haram accompanied by Border Guards.

Calls from mosques in Friday sermons, and in schools, were made for Moslems to come to al-Haram on 8 October to defend it and to prevent it from being taken over by the Temple Mount Faithful. Many people heeded the call.

Monday, 8 October 1990: Dawn - 8 a.m.

There were no checkpoints on the Ramallah-Jerusalem road until after 8 a.m. There were no checkpoints on the road from Bethlehem.

By 5 a.m., there were already approximately 500 people in al-Haram. Half an hour later, at the time of the early-morning prayer, there were approximately 1000 worshipers in al-Haram.

At around 7:30 a.m., a Border Guard patrol, comprising some 15 men, entered al-Haram through al-Magharbeh Gate and inspected the area around the Gate and the main stations there. This patrol remained stationed in the area of al-Magharbeh Gate.

From around 8.00 a.m., non-Palestinians, particularly tourists, were prevented from entering al-Haram by Border Guards and police guarding the entrances.

8.00 a.m. - 10.00 a.m.

More worshipers arrived at al-Haram during this time. They were allowed to enter without being searched.

Sheikhs, who were giving talks to groups assembled throughout al-Haram, repeatedly stressed the importance of restraint and affirmed the duty of Moslems to protect the holy places. They were also walking among the people urging calm.

Al-Awqaf officials, concerned at the possibility of confrontation at a time when tension was high due to the swelling crowds and what they felt to be the provocative posture of armed Border Guards in al-Magharbeh Gate area, attempted to reduce the tension and ensure discipline and calm by instituting a number of measures. These measures included:

1) ushering all the women to the area around the Dome of the Rock, and all the men to the front yard of al-Aqsa Mosque (SEE MAP 1);

2) recruiting young men to form a human chain to prevent any confrontation from developing in the area of al-Magharbeh Gate (SEE MAP 1);

3) meeting at various times with Israeli Security Officers, including a Yemenite officer of the Border Guards, Shlomo Qatavi ("Abu Taj"), in order to try to ensure that the behavior of the Border Guards present did not provoke the crowd. Shlomo Qatavi responded on different occasions:

"Today we are not playing, not joking";^A

"If stones are thrown today, we will soak the place in blood."^B

The last sermon was given by Sheikh Hamed al-Beitawi at approximately 10:00 a.m. After this sermon, a 12-year-old boy recited a poem for about five minutes. At this time, witnesses estimate that between 3,000-5,000 people were present. This number of worshipers generally gather for Friday prayers at al-Haram; thus the size

A. Al-Haq interview with al-Awqaf officials, 10 October 1990.

B. Ibid.

of the crowd alone was not remarkable. However, the high level of tension among worshipers was unusual as they anticipated a confrontation with members of the Temple Mount Faithful, against whom they had come to protect the Moslem holy shrine. This belief prevailed despite official restrictions on the Temple Mount Faithful.

10.00 - 10:50 a.m.

The crowd was not aware that the Temple Mount Faithful had attempted to enter and been diverted away to Silwan "Pool of Shiloah," nor did the police attempt to communicate this information to the crowd or al-Awqaf officials. The crowd remained in a state of acute anticipation. Tension was rising with every minute. However, according to witnesses interviewed, no violent incidents were reported before 10:30 a.m.

Between 10:30 and 10:50 a.m. (most probably at 10:45 a.m.), the women who were around the Dome of the Rock were tear-gassed. Al-Haq interviewed many women and men regarding the precise chronology of events and got different versions as to where exactly the tear gas came from and what preceded its shooting. However, the fact that a tear gas canister was shot or thrown into the crowd, and exploded, is established beyond doubt. Thus, whoever was responsible for this action completely failed to take into consideration the prevailing tension of the crowd or the impact which this act would have, under the circumstances. Moreover, the Israeli authorities made no attempt to cool tempers and prevent the violence that ensued. It has been established that this marked the beginning of the ensuing events.

The men at al-Aqsa front yard reported hearing shouts of "*The army has come, Allahu Akbar,*" coming from the group of women. Some of the men ran to the north, towards the women, but a large number moved to the west towards al-Magharbeh Gate, where an estimated 15-20 Border Guards were stationed. The Border Guards began shooting at the approaching crowd, some of whom were throwing stones towards the Border Guards. The Border Guards did not issue verbal warnings or fire warning shots in the air, or use any other means of crowd control to avoid inflicting severe injuries. Instead, they fired at the crowds, wounding at least twenty people. Thus far, it has not been established what type of ammunition caused these injuries.

Despite the number of injured, the crowd proceeded forward and the Border Guards eventually retreated behind al-Magharbeh Gate.

As the firing continued, al-Awqaf sheikhs could be heard shouting over a megaphone to the crowd:

Move inside the mosques. Al-Haram is a place for worship not for fighting. There are dead and wounded. Call the police to speak to us because a massacre is taking place in al-Aqsa Mosque. Do not stand before the soldiers. Do not confront the soldiers. Do not make your bodies subject to death in order to preserve your lives and the Holy Aqsa. Stay away from the walls of al-Aqsa and al-Mahkameh area and the Western Wall where the soldiers are stationed. All men should proceed to the

Aqsa. All women should proceed to the Dome of the Rock.^A

He also addressed the Border Guards, saying:

"It is enough. Enough shooting. Stop the shooting."^B

10:50 - 11:20 a.m.

The young men ran to al-Magharbeh Gate and closed it. At this point, the crowds were shot at from the windows of the building known as the "mahkameh." Guns protruded through holes cut out of the wire grill covering those windows. The crowd threw stones in the direction of soldiers stationed at the "mahkameh" who were shooting down at them. Some of these stones fell onto the Western Wall plaza, located on the other side of the dividing wall (SEE MAP 2). At the same time, the Border Guards who were behind al-Magharbeh Gate were firing tear gas in large quantities. They were also firing through a hole already existing in the gate. The crowds pelted them with stones, some of which fell on the Western Wall plaza. It is evident that many of the wounded and killed were hit during the ensuing 20 minutes; i.e., from approximately 11:00 - 11:20 a.m (SEE MAP 2). At least one of the Border Guards shooting into al-Haram area had set his gun at automatic.

It is important to note that separating the crowd at al-Haram from worshippers at the Western Wall is an arcade.^C This structure is at least six metres wide and 12 metres high.

It is also important to note that there is a local police post, consisting of two rooms, located some 200 metres to the north-west of the Dome of the Rock. It forms part of a low-roofed series of rooms in which two Arab policemen are permanently stationed. Despite police knowledge of the probability of tension on 8 October, no attempt was made either to remove the two policemen or to give them any other support. They remained there throughout the better part of the morning. During this period of time, the two local Palestinian policemen were evicted by the crowds who then set on fire the furniture inside these rooms.

The first ambulance arrived at around 11:00 a.m. It drove through al-Asbat Gate and stopped at the front yard of al-Aqsa. The doctor, wearing a white medical coat, got out of the ambulance to give first-aid to an injured person and was immediately shot in the leg. The Border Guards opened fire at the ambulance, which was clearly marked, causing damage to the ambulance. At the same time, a nurse, Fatima Abd el-Salam Abu Khdeir, 35, was severely injured. Another nurse was arrested.

A. This announcement was recorded on tape at the time it was made. Al-Haq excerpted this quote from the simultaneous recording, which is available at al-Haq.

B. Ibid.

C. This arcade consists of an arched wall connects to the "Mahkameh" building.

Muhammad Hasan Abu Rayyala, 25, a nurse from Maqassed Hospital, was shot while trying to help an injured person and was prevented from providing urgently needed medical treatment. The individual he was trying to help later died.

11:20 - 11:30 a.m.

At around 11:20 a.m., al-Magharbeh Gate was stormed by between 40 - 50 reinforcements who came in and pursued the crowd towards al-Aqsa and the surrounding areas, shooting heavily for the next 15 minutes. Many young men were now attending the wounded. They tried to drag the wounded and the dead to the clinic, which is situated in the north of the compound, as well as to the two main mosques: al-Aqsa and the Dome of the Rock. Many of those involved in evacuating the wounded have reported orders by the Border Guards to drop the wounded; others were also shot at while trying to save the wounded. There were also reports of soldiers beating the wounded. Many men and women were seeking shelter in the mosques while others were trying to escape by going to the east where the olive groves are. At this time, more contingents of Border Guards had driven through al-Asbat Gate in two jeeps which parked in the southern section of al-Haram. They shot and killed at least two in that region (SEE MAP). Those who were trying to escape through the gates of al-Haram were prevented from doing so. At this point, the ICRC and UNRWA delegates were present.

At around 11:30 a.m., a yellow helicopter was seen flying above al-Haram. At this time, both al-Aqsa Mosque and the Dome of the Rock were crowded with dead and wounded as well as people escaping from the shooting and tear gas. Negotiations were conducted between the Border Guards and al-Awqaf officials, ICRC delegates, and UNRWA officials regarding evacuation of the crowds from al-Aqsa Mosque and the Dome of the Rock. Soldiers were pursuing young men who were trying to escape. Those who were outside these mosques were attempting to leave to escape arrest and the Border Guards were pursuing them. Many incidents of severe beatings were reported. There were also incidents of shooting as well as large number of arrests. Witnesses estimated the number of soldiers present at this point to be no less than 100.

11:30 - 12:30 p.m.

Exit was restricted as soldiers at the gates were arresting those trying to leave al-Haram. Some managed to leave. There is evidence that people from outside were trying to get in from at least one gate. Soldiers tried to prevent them, but failed. Evacuation of the wounded continued with disruptions. Sporadic shooting continued in surrounding areas, but no deaths were reported. The witnesses reported that severe beatings and large scale arrests were continuing. The police and Border Guards had assumed full control of the situation.

The Final Count

The number of dead was 17, one of whom was a woman. Over 150 were injured, amongst whom 5-7 are in serious but stable condition. 150 were arrested from inside al-Haram, and another 120 from outside. Everyone was evacuated from al-Haram by 5:00 p.m.

SUMMARY OF FINDINGS

1. During the week preceding 8 October, the group called "The Temple Mount Faithful" announced their intention to enter al-Haram al-Sharif on 8 October, and publicly invited Jews to accompany them. Public calls were issued by muezzins during Friday prayers on 5 October for Moslems to gather on 8 October, in order to defend al-Haram.
2. On 8 October, tensions were high at al-Haram, where 3,000 to 5,000 Moslem worshipers were gathered. There were no calls for the stoning of Jews praying at the Western Wall, and those worshipping there were not deliberately attacked. On the contrary, al-Awqaf officials specifically and repeatedly called on worshipers to remain calm and act with restraint. Stones were thrown, directed at Border Guards standing on top of the roof of the structure separating the Moslem area from the Western Wall. Some of these stones fell on the area of the Western Wall.
3. The incident began when tear-gas canisters exploded in the midst of the crowd gathered at al-Haram. This was followed by stone-throwing by the crowd gathered there, and by shooting by the police and Border Guards present.
4. Contrary to official open-fire regulations, the Border Guards issued no verbal warnings to the crowd at al-Haram, and failed to fire warning shots into the air.
5. Once Border Guards started firing, they did so without restraint and, at times, used automatic gun-fire. Several of the wounded were shot more than once.
6. Efforts to save lives and aid the wounded were seriously obstructed. Ambulances, medical personnel, and other individuals were shot at. Several were injured in the act of attempting to aid the injured.
7. No attempt was made by law enforcement personnel to coordinate with the al-Awqaf officials present in order to avoid confrontation, restore calm, and diffuse the situation. In fact, attempts by the al-Awqaf officials to find ways of reducing tension were rebuffed by Captain Shlomo Qatavi and others in command of the Border Guards and police on the scene.
8. Water cannons and plastic riot shields, which have been used by the Jerusalem police for crowd-control purposes in the past, were not made available to the law enforcement personnel present during the events of Monday, 8 October.
9. The Border Guards and police were not, at any time, in a life-endangering situation requiring a lethal response. They were thus wholly unjustified in resorting to the use of excessive and lethal force. Furthermore, it is inconceivable that the use of such force for at least two hours could have been justified.
10. International observers, such as the International Committee of the Red Cross, had no effective role in restraining the actions of the Border Guards and police.
11. Seventeen persons were killed and over 150 were injured in the incident. Only around 20 of the injured were hurt during the first period before the Border Police retreated through Magharbeh Gate.

CONCLUSIONS

1. The number and severity of the casualties inflicted on unarmed civilians must provoke widespread concern at the extensive use of unjustified lethal force. The Israeli police authorities had advance information of possibility of an outbreak of disturbances. Nonetheless, no attempt was made to use readily available, non-lethal, and effective means of crowd-control when Border Guards and police officers intervened.

1.1 The chronology assembled by al-Haq indicates that the tactical deployment and conduct of key Border Guard forces, both before and during the massacre, were substantially of an offensive nature, thus raising serious questions regarding the actual intentions and objectives of those in command of the forces.

1.2 Prima facie evidence indicates that the following grave breaches of the Fourth Geneva Convention were committed by individual Border Guards and others on 8 October 1990 at al-Haram al-Sharif:

* willful killing (i.e., killing, with intention to kill, in the absence of a legal defence such as self-defence).

* willfully causing great suffering or serious injury to body or health

To date, there is no indication that the Government of Israel intends to do so the commission of further grave breaches through the prosecution and sentencing of the individuals responsible.

1.3 Over the course of the three-year-long Palestinian uprising, the Israeli authorities have consistently failed to adopt conventional means of non-lethal crowd-control. This fact indicates, at the very least, a lack of concern to minimize casualties inflicted on civilians by Israel's occupying forces, which in turn represents a serious violation of Israel's fundamental obligations as an occupying power.

2. The background to the massacre, and the manner in which it occurred, exemplify a pattern of causation which has been common to a number of serious incidents, documented by al-Haq, of unlawful violence against Palestinian civilians, in the recent past. This pattern includes:

* The persistent failure to ensure that orders issued at the senior, middle or local command level conform to the minimum requirements of international humanitarian law, specifically the Fourth Geneva Convention and the Hague Regulations Addendum to the Fourth Hague Convention of 1907. The actions of Israeli Border Guards and police on 8 October, most notably opening fire on civilians from point-blank range without justification, shooting at ambulances and medical personnel, and inflicting numerous beatings, are direct consequences of this failure.

* The widespread arming of Israeli civilians and the failure to restrain their illegal acts of violence. Al-Haq has documented several crimes committed by settlers during the events last Monday, including throwing rocks covered in burning glue into houses and shooting at Palestinian passers-by. Complaints to the police by residents were ignored. Similar incidents of settler violence have been fully documented in the past, as has the continuing failure of the authorities to stop such incidents.

* The public advocacy by members of the Israeli Government of spe-

cific illegal programs and policies which would subject Palestinian residents and institutions in the Occupied Territories to: (a) further acts of expropriation, (b) changes in their legal and demographic status, and (c) further expansion of the scope of state-sanctioned coercion, undeterred by local or international bodies. This is of particular concern in occupied East Jerusalem, where such advocacy has been translated into policies and actions prejudicial to the future status of the city, and contrary to the wishes of the occupied population. Such actions blatantly violate international law and continue despite worldwide opposition and condemnation.

* The tolerance of, and failure to restrain or officially denounce, public incitement to illegal actions by such groups as "The Temple Mount Faithful" who continue to call for laying the Foundation Stone of the Third Temple.

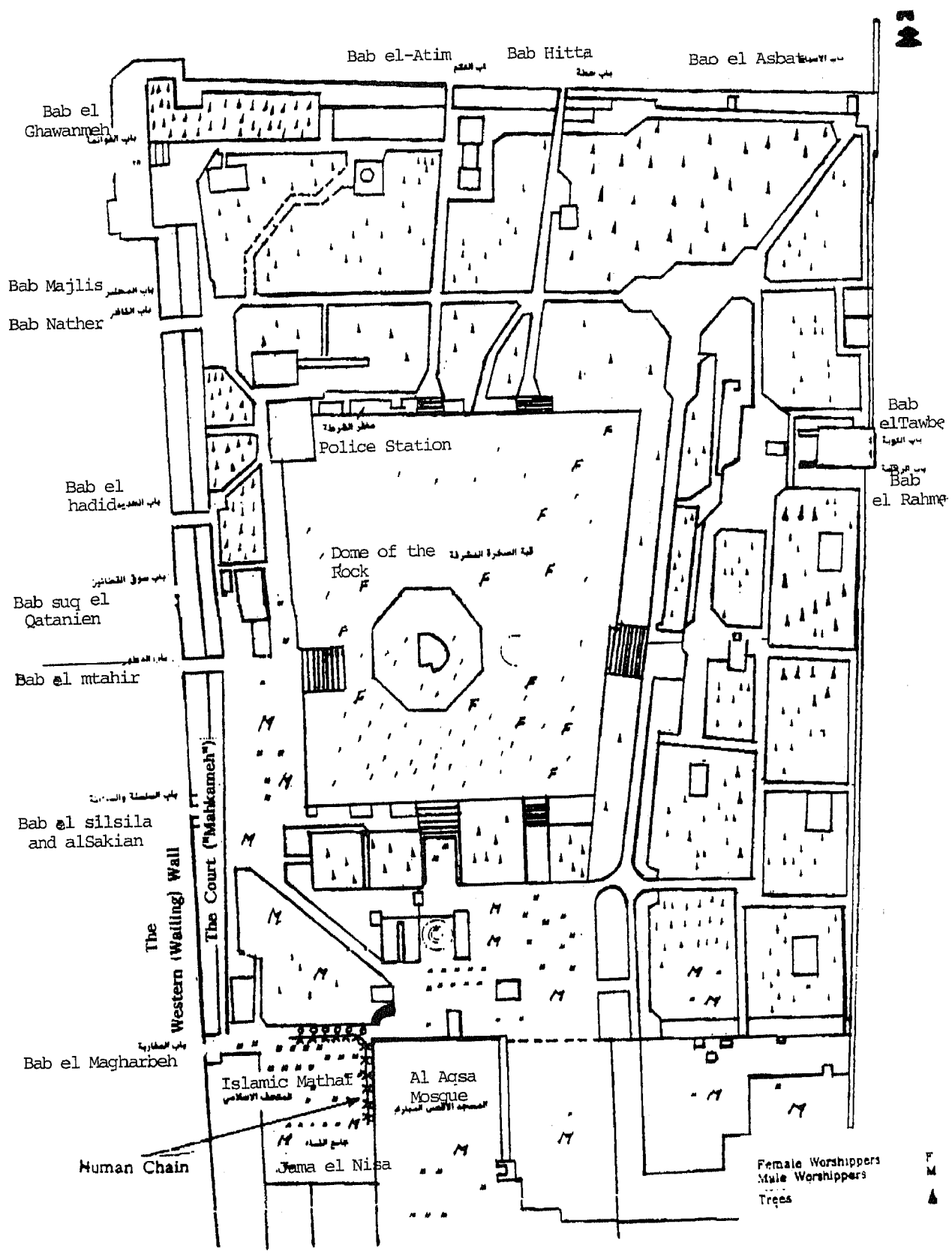
* Lastly, Israel's refusal to apply the Fourth Geneva Convention as a matter of law in the Occupied Territories. This has deprived Palestinians of recourse to enforceable local mechanisms of protection provided for in the Convention, and frustrated the appointment of a Protecting Power.

3. Al-Haq notes the inability of humanitarian agencies and consular officials to protect the population from such violations. During part of the massacre, representatives of the ICRC and UNRWA were on the scene; moreover, the events continued for about two hours within hearing of resident consular officials. There was no effective intervention, and the role of such groups is reduced to documentation after the fact.

4. By rejecting the international community's jurisdiction over its actions in Occupied East Jerusalem, the Government of Israel has unilaterally and illegitimately denied the Palestinian residents of East Jerusalem the status of protected persons under the Fourth Geneva Convention and excluded them from the protection of customary international law.

5. Al-Haq has regularly expressed concerns that continued failure by the international community to compel Israel to abide by international law undermines the safety and security of Palestinians in the Occupied Territories. This year alone, there have been several clear instances of the excessive use of force: on 26 April, for example, three Palestinians were killed and 184 Palestinians injured in Jabaliya Refugee Camp in Gaza; in the week following the killing of seven Palestinian workmen by an Israeli gunman at Rishon Letzion on 20 May, a further 15 were killed by soldiers and settlers and approximately 2000 injured. Following each of these incidents, al-Haq has pointed out to the international community the danger of giving the Israeli government carte blanche to proceed unchecked. On 7 June 1990, al-Haq issued a comprehensive appeal to all States Signatory to the Fourth Geneva Convention outlining specific measures of protection and reminding states of their obligation and the scope of their mandate to intervene to implement such measures jointly or severally.

6. In light of Israel's refusal to abide by its fundamental obligations as a belligerent occupant, and the deterioration of respect for humanitarian law which this has occasioned throughout the region, al-Haq repeats its urgent call to: (a) the Member States of the United Nations, (b) the Secretariat-General and (c) the Permanent Members of the Security Council to take effective measures to provide immediate international protection for Palestinian civilians living under Israeli military occupation.



AL-HAQ

القانون من أجل الانسان



31 Main St., P.O.Box 1413, Ramallah, West Bank, Tel: 02-956421 - ٢-٩٥٦٤٢١ - تلفون: الضفة الغربية - رام الله - الشارع الرئيسي ٣١

Attached to MAP 1

Al-Aqsa Holy Mosque

Definition: Al-Aqsa Holy Mosque is the area surrounded by the Haram Wall. This area is about 140 Dunums and 900 square metres. It includes the sealed section which is:

The Aqsa Mosque
The Dome of the Rock
The attached buildings

The Haram has ten main gates in both the northern and western directions that are:

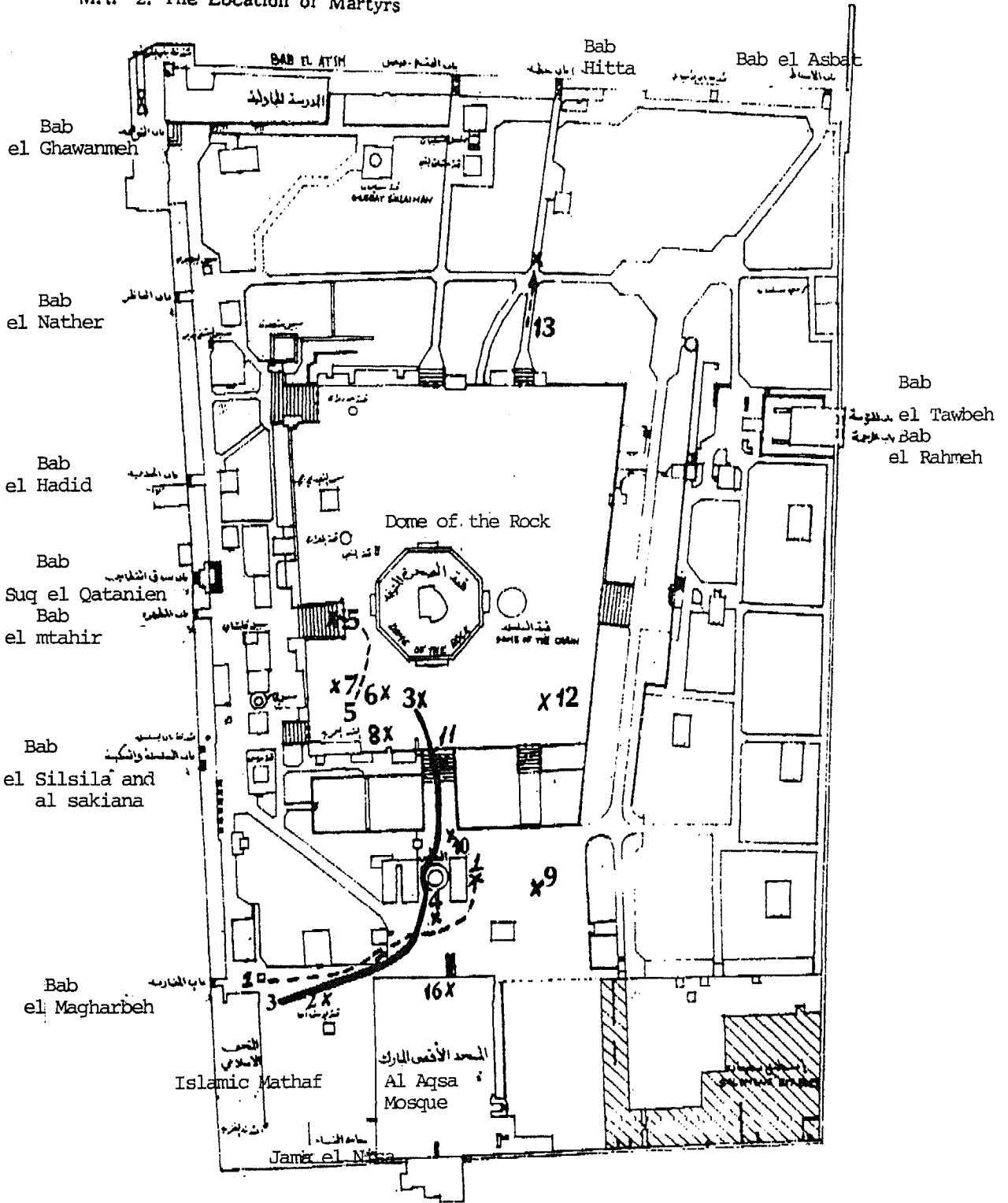
Bab Al-Asbate (Lion's Gate)
Bab Hutta
Bab Faisal
Bab Al-Ghawanma
Bab Al-Majles
Bab Al-Hadid
Bab Al-Qattanin
Bab Al-Mutawadda'
Bab Al-Silsila
Bab Al-Magharba

There are four other gates in both the southern and eastern directions that are closed.

The attached buildings are:

Al-Aqsa reconstructing offices
The Islamic Museum
The Holy Koran House
The Islamic Secondary Girls' School
The Al-Aqsa Mosque Library
The Islamic Archeological Department
The offices of the Al-Waqf Administration
The Meeting Hall
The Haram Al-Sharif School
The Islamic Cultural Department
The Al-Aqsa Secondary School
The Imams' Section
The Local Guards' Section
The Police Section

MAP 2: The Location of Martyrs



مخطط المسجد الأقصى المبارك

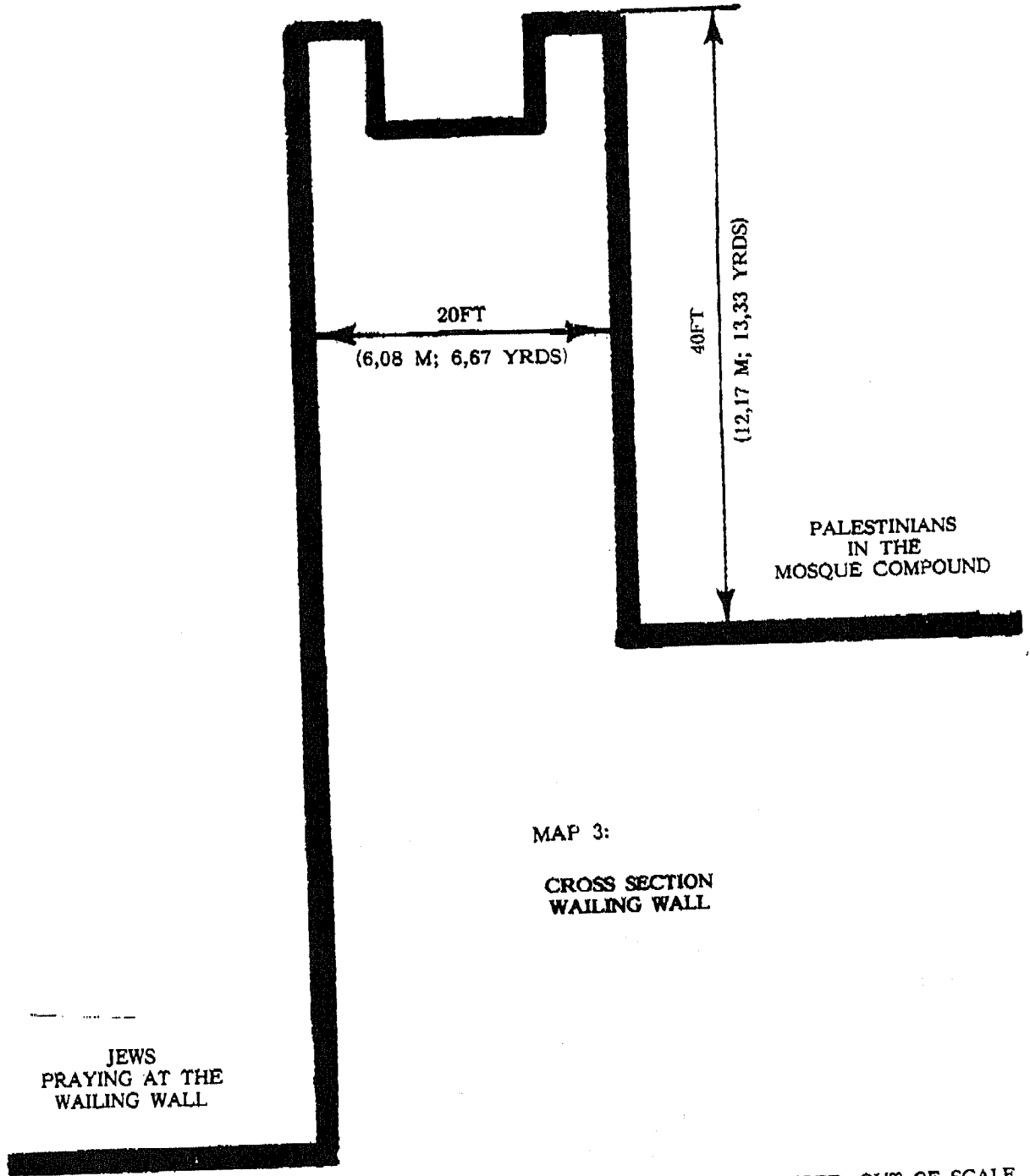
AL-HAQ

القانون من أجل الانسان



31, Maria St., P.O. Box 1413, Ramallah, West Bank. Via Israel: tel: 02-953421

٢٦ الشارع الرئيسي، ص.ب. ١٤١٣، رام الله، الضفة الغربية، فلسطين ٩٥٧٤٢١ -



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REPORT SUBMITTED TO THE SECURITY COUNCIL BY THE SECRETARY-GENERAL
IN ACCORDANCE WITH RESOLUTION 672 (1990)

Addendum

The present addendum contains the summary of the report of the Commission of Investigation received from the Permanent Representative of Israel to the United Nations referred to in paragraph 7 of the Secretary-General's report.



המשלחת הקבועה
של ישראל לאומות המאוחדות
PERMANENT MISSION OF ISRAEL
TO THE UNITED NATIONS

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SUMMARY OF THE REPORT OF THE COMMISSION OF INVESTIGATION
INTO EVENTS ON THE TEMPLE MOUNT - OCTOBER 8, 1990.

THE FOLLOWING IS A PROOFREAD VERSION OF THE INITIAL SUMMARY
RELEASED BY THE GOVERNMENT PRESS OFFICE ON FRIDAY, 26
OCTOBER 1990. IT HAS BEEN PREPARED AND TRANSLATED FOR THE
CONVENIENCE OF FOREIGN JOURNALISTS. THE ONLY OFFICIAL AND
BINDING VERSION IS THE FULL HEBREW REPORT OF THE COMMISSION.
THIS SUMMARY IS INTENDED AS AN AID.

CHAPTER 1: INTRODUCTION.

1. The Commission expresses its deep sorrow over the loss of life on the Temple Mount, and conveys its sorrow to the families that lost loved ones. The Commission also expresses its sorrow over the injuries caused to civilians and police at the Western Wall Plaza and its vicinity and wishes a full recovery to the injured.
2. The Commission recommends that its conclusions be revealed in their entirety to the public and, therefore, has omitted from the report the evidence and the sources of its decisions and conclusions.
3. Despite its being a "commission of investigation" and not a "commission of inquiry," the Commission was authorized by the minister of justice to "receive statements in writing and to warn the witnesses to tell the truth. . ." The Commission also operated according to section 14 of the Inquiry Commission Law of 5729 [1968] and has decided that all testimony and material received will not serve as evidence in a legal proceeding, except for a criminal trial.
4. The Commission heard 124 witnesses, among them: the minister of police, the mayor of Jerusalem, the police commissioner, the head of the GSS, police and Border Patrol commanders, and also police officers and Border Patrol police. The Commission also heard a number of detainees, among them Faisal Husseini and Shiekh Muhammad Said Al-Jamal Al-Rifa'i.
5. The Commission visited Mukased Hospital and heard reports from doctors and the wounded, and also visited the Temple Mount and its vicinity a number of times.
6. The Commission was not requested to draw personal conclusions in the realm of civil, criminal or disciplinary responsibility of any of those involved in the events -- and it is the opinion of the Commission that it has no authority to do so in accordance with the law. The objective of the Commission was to examine that which was demanded of it in its letter of appointment -- it is not the purview of the Commission of Investigation to deal with or to recommend the drawing of personal conclusions by any one of those involved in the events. The conclusions of the Commission do not make reference to the actions or the malfeasance of a given individual. All resultant decisions and inferences -- if any are made at all -- to the Commission's conclusions with respect to individuals involved in the Temple Mount events of 8 October 1990, will be determined by the competent authorities.
7. The Commission received written material from different sources including "Betzelem," but the witnesses whose statements were

attached to the "Betzelem" report refused to appear for questioning before the Commission. Appeals by the Commission to the High Muslim Council and the Waqf administration to meet with the Commission were refused.

8. The opinion of a medical expert, submitted to the Commission, regarding seven of the wounded admitted to Mukased Hospital in Jerusalem, determined that not a single one of them was struck from behind.

9. The Commission calls on the the National Insurance Institute to clarify, as soon as possible, who among the wounded -- who did not take an active part in the disturbances of public order on the Temple Mount -- is eligible for benefits under the Victims of Hostile Action (Pensions) Law -- 5730 [1970].

CHAPTER 2: CONCLUSIONS AND INFERENCES.

1. THE STATUS OF THE TEMPLE MOUNT

It is the opinion of the Commission that a special ministerial committee for Temple Mount affairs be established in cooperation with the Mayor of Jerusalem. This committee should design policy, direct preparations for various situations, decide and supervise the coordination between the parties involved in the security of the Temple Mount and the Western Wall. This committee will consult religious leaders as is required by law.

2. CAUSES OF THE INCIDENT

A. The Muslim gathering on the Temple Mount exceeded the intended purpose of the site and the norms which a holy site oblige. The members of the Waqf knew that the High Court refused the "Temple Mount Faithful" petition to lay the cornerstone of the Third Temple, and did not respond to requests by Israel Police officers on the morning of the incident to calm the crowd. This, even after the fact that the police informed the Waqf that they would also prevent the "Temple Mount Faithful," and anyone else, from visiting the area, though such visits are allowed by law.

B. The incident itself began when, suddenly, violent and threatening calls were sounded on the speakers ("Allah Akbar," "Jihad," "Itbakh Al-Yahud" [Slaughter the Jews]). Immediately afterwards, enormous amounts of rocks, construction materials and metal objects were thrown at Israeli policemen who were present at the site. Many in the incited, rioting mob threw stones and metal objects from a very short range, and some even wielded knives in their hands. The actions of the rioters, and certainly the incitors, constituted a threat to the lives of the police, the thousands of worshipers at the Western Wall and to themselves. This was a serious criminal offense committed by masses who were incited by preachers on loudspeakers, and this is what led to the tragic chain of events.

C. It is the opinion of the Commission that any criminal acts that may have been carried out during the course of the events should continue to be investigated. It is the opinion of the Commission that there is room for suspicion that a considerable percentage of the people gathered at the Temple Mount and their leaders apparently were involved in the obstruction of public order, causing harm to police and worshipers and endangering their lives.

3. USE OF FORCE BY THE POLICE.

A. The Commission has reached the conclusion that the lives of the

police on the Temple Mount were endangered, and that they feared for their lives, and for the lives of thousands of worshipers who were at the Western Wall.

The firing of tear gas and rubber bullets by the police, which came following the massive barrage of stones and other objects, was intended to deter the rioters and to repel them from the vicinity of the Western Wall. In light of the injuries which they sustained, the police were forced to retreat from the Temple Mount through Mughrabi Gate, and the barrage continued over the Western Wall, the Mughrabi Gate and the Ophel Road.

B. The breaking into the Temple Mount came as a result of the continuation of the rioting and the barrage of stones, and of the fear for the lives of two police officers who remained caught in the Temple Mount police station. There was also a concern that the weapons and ammunition in the station would fall into the hands of the rioters. Since communications were cut off, the police commanders did not know that the policemen trapped in the station succeeded to escape on their own.

C. The breaking [into the Temple Mount] was done while using tear gas grenades and live ammunition as the masses rained rocks and other materials on the police, which endangered their lives. The continuation of the storming of the police, which also was done by masked assailants, required the police to attack with live ammunition. When the masses entered the mosques, the order was given to "cease fire."

D. Regarding the above, the Commission is of the opinion that following the breaking into the Mughrabi Gate, which was necessary to save the lives of the trapped officers and to prevent ammunition from falling into the hands of the rioters, the storming masses continued to attack the police with rocks and other dangerous instruments. The police used gas and rubber bullets and, in life-threatening instances, also used live ammunition at their attackers.

E. The Commission recommends that a separate, detailed investigation by an independent police officer, appointed by the commander of the Border Police, be conducted into the initiative taken by one of the Border Police platoon commanders at the Lions' Gate without having received a specific order. The conclusions of the investigation will be submitted to the minister of police and the police commissioner.

F. An ambulance was hit by gunfire in its windshield and side,

with a nurse and the driver sustaining injuries. It was clarified to the Commission that the police did not see the ambulance, which stood between the pillars of the entrance to the Al-Aqsa mosque. The recommendation to the National Insurance Institute given in Chapter 1 refers to these injuries.

G. There were no gas grenades or any other items thrown from the helicopter that flew over the Temple Mount, nor were any shots fired from it at the crowd.

4. THE FUNCTIONING OF THE SENIOR COMMAND LEVEL OF THE ISRAEL POLICE.

The Commission criticizes the functioning of the senior command level of the police:

A. The police had advance information on the possibility of rioting. The method of thinking and attitudes of the commander of the southern district and of the commander of the Jerusalem area were routine and even mistaken. There was no consideration of the special sensitivity of the Temple Mount and there was no advance preparation for a wide variety of possible situations. The supervision concerned itself with one element only, "the laying of a cornerstone for the Third Temple," and, when that was cancelled, they took routine measures.

B. Area and district commanders did not take into account the accumulated influence of the intifada, the environment created by terrorist elements and their attitude towards the Gulf crisis, and calls for incitement by the muezin and the preachers on the Temple Mount on the Friday before the events. These phenomena required the presence of initiative and suspicion that did not exist in this case. The police, further, did not have files on preparations for possible contingencies and, therefore, they were not tested.

C. In the opinion of the Commission, the situation that was created on the Temple Mount required the presence of commanders, of the most senior levels, on the Temple Mount. The situation also required the presence of area and district commanders and, as the situation intensified, there was room for the summoning of the commissioner. The activating of an emergency situation for the security of the Temple Mount, the setting up of a forward command post, the concentration of forces and the establishment of positions, could have deterred the frenzied masses from rioting. Following other events, the command posts were not staffed by senior commanders, the communications between different points on the Mount did not function properly and neither the commissioner nor the minister of police were briefed early on regarding

developments in the situation.

D. There are no sharp or uniform definitions regarding responsibility for command on the Mount. The Commission is of the opinion that the uniformity of command must be kept and that all the forces working in the Old City must report to the Old City command.

E. The Commander of the Border Police company that worked independently in the area felt it necessary to spread out the Border Police force above the Western Wall -- this step was in accordance with the orders that he received.

F. In the opinion of the Commission:

1) An elite force must be permanently allotted to the Temple Mount and its vicinity to work under uniform supervision with defined jurisdictions and responsibilities.

2) A headquarters for incidents on the Temple Mount should be established that will report on events on the Mount and will be present at the time of the event.

3) Contingency plans must be prepared that will deal with possible situations and will formulate operative frameworks for dealing with any situation.

4) Reinforcements should be placed in close and immediate proximity and would be assigned to bolster the force during incidents.

5) The Commission recommends that the commander of the Old City police will be responsible for the preparation of forces and their testing, in order to ensure that they are prepared for action.

G. Criticism of the way in which the district functioned does not diminish the courage of the district commander, his officers and policemen in the course of subduing the rioters.

5. INTELLIGENCE.

A. Difficulties exist in the gathering of information, its analysis, in issuing warning and in assisting in preventing disruptions of public order. The Commission is of the opinion that the division of labor between the GSS and the police is basically correct and should not be changed.

B. The GSS has assumed upon itself the gathering of information on the organization of disruptions of order and the police has taken upon itself the gathering of information in the street, in connection to developments that are characterized as spontaneous.

C. Concerning the incident on the Temple Mount, there was no lack of advance information: general warnings by the GSS, and, above all, there was clear information -- the calls of the preachers, leaflets and the multiplicity of groups of masked assailants that called for gathering on the Temple Mount.

D. The mistake of the commissioner, the commander of the southern district and the Jerusalem area commander was in the evaluation of the information and in focussing on the assumption that, if the "laying of the cornerstone" could be prevented, everything would settle down peacefully -- as in the past.

A correct reading of the situation, given the change in circumstances and conditions, would have rendered possible the preventive deployment and preventative action that were demanded and necessary. Given this mistake, the police did not deploy its forces up as it should have been and a deterrent force was not concentrated to intervene as is acceptable. This basic evaluation did not change, even when there was precise information on the number of people on the Temple Mount.

E. The GSS evaluations were different than those of the police. The GSS made it clear that an unexpected catalyst would be liable to cause an explosion during a gathering under the circumstances which existed on the Temple Mount. The commission did not find basis for the existence of written warning by the GSS to the police with the same clarity as was presented by the GSS before the commission.

F. 1. The division of labor must be maintained between intelligence missions, and any intelligence regarding the Temple Mount must be distributed to the police minister and the ministerial committee which will be established. This committee will discuss intelligence preparations, if any exist.

2. The police must be allocated the tools and means to establish a "street intelligence" gathering network and to establish units which will operate within police framework and as part of area headquarters.

6. AUTHORITY WHICH WAS NOT IMPLEMENTED AND DETERRENT ACTIONS NOT TAKEN.

A. 10 October 1990 was replete with events and the police

allocated forces and commanders to all. The commission proposes that events on the Temple Mount be viewed over a number of days.

B. "The Temple Mount Faithful" -- The actions of this small group deviated from the accepted according to law, but the matter cannot solely be dealt with from a legal and formal aspect. Muslims view this group as a provocative and threatening element which intends to drive them off of the Temple Mount. The Muslim leadership took advantage of the presence of this group in order to incite those gathered on the Temple Mount. The police should have been alert to this and should have approved escort for the group on another day. The police saw itself bound by the High Court decision, but, nevertheless, verification carried out by the commission reveals that there was no such obligation and it was possible to transfer the event to another day.

In the Commission's opinion, the police should consider limiting events on the Temple Mount, the Western Wall and in the Old City plaza which have a high probability of resulting in severe disturbances.

C. The prohibition of gatherings on the Temple Mount which are liable to result in disturbances -- Those who gathered on the Temple Mount offended the sanctity of the site and they apparently violated the law. From the start, they were called to a protest prohibited on the Temple Mount, the security of which lies with the State of Israel.

In the Commission's opinion the police had the authority to close the Temple Mount gates and to prevent entry and gathering whose intent was unrest.

The police also could have prevented the entry of suspicious elements -- a step which has proved itself in the past.

During the events, the police could also have taken measures which could have prevented a deterioration -- such as disconnecting the loudspeaker system which incited the mob. These steps were not taken, mainly because of the assumption that order would return if the "Temple Mount Faithful" were not allowed to enter the Mount. The police tried unsuccessfully to shoot down the loudspeaker. In the Commission's opinion, this technical problem could have been solved in the past and all must be done prevent future use of the loudspeaker for incitement.

Had the police acted in such a manner, criticism would likely have been limited to the Muslim public and other hostile elements.

Nevertheless, it is preferable to contend with such criticism than to reach the sad results of events on the Temple Mount, despite the fact that the blame and responsibility lies with the thousands of rioters who took advantage of the site in order to carry out disturbances.

D. BAN ON DEMONSTRATIONS IN THE AREA OF THE OLD CITY.

The national interest of the State of Israel and the special situation in the Old City require re-evaluation of what can or cannot be permitted in respect to gatherings and demonstrations which may lead to disturbances.

The Commission recommends preventing gatherings for the purpose of demonstrations on the Temple Mount, the Western Wall, and throughout the Old City. The freedom of worship of all religions in their holy places should be preserved. Only official State events may be permitted in the vicinity of the Western Wall.

E. USE OF TECHNOLOGICAL MEANS.

The use of live ammunition on the Temple Mount under the prevailing conditions was justified by the Commission. It is also clear that it is the policy of the police to use live ammunition only as a last resort, and only if lives are endangered. It is necessary to develop technological means whose efficiency would be greater than that of the use of gas and rubber bullets. The Commission emphasizes the immediate need to develop alternatives to the use of live ammunition. The Commission recommends the immediate establishment of a techno-defense crew that will evaluate possibilities for solving the problem of protecting the Temple Mount and the Western Wall. The ministerial committee will summarize and decide as soon as possible.

F. DIRECTION, FOLLOW-UP AND SUPERVISION BY THE MINISTER OF POLICE.

The minister of police carries ministerial responsibility for the actions of the police. The Commission is aware of the existing law, and of the special position and responsibilities of the police commissioner. It is accepted that there is no room for interference by the minister of police in the process of a criminal investigation, but on the matter of the preservation of order, the active involvement of the minister is necessary to maintain his ministerial responsibility. The current structure of the police ministry lacks the means to do so; therefore, it is urgently required to develop these means.

It is the opinion of the Commission that there is a need to develop special staff operations which will serve the minister, enabling him to formulate policy, examine alternatives and

maintain supervision. The minister of police must be involved in the matter of maintaining public order, while paying special attention to the Old City and the holy sites.

CHAPTER 3: THE TEMPLE MOUNT FROM A LEGAL, HISTORICAL AND POLITICAL

PERSPECTIVE

The Legal Situation

The Temple Mount falls under the sovereignty of the State of Israel and, therefore, it is subject to all the laws of the State. Following the Six-Day War, Israeli sovereignty was extended to the eastern part of Jerusalem, including the Old City, in which the Temple Mount is situated. The extension of sovereignty was entailed in a Knesset law -- the Amendment of the Law and Administrative Ordinance (5748/1948). Furthermore, in the Protection of the Holy Places Law (5767/1967), the freedom of access to the holy places of all religions is guaranteed. Paragraph 1 of this law, because of its importance, also appears in the Basic Law: Jerusalem-Capital of Israel, that was passed in 1980.

The Jews and the Temple Mount

The Temple Mount has been considered holy by Israel since the time of David. Even when the people had been uprooted from the land, its interest in the holy site was maintained. After the Jordanian conquest, in 1948, the Jordanian government did not allow free access to the site for Jews, even though that had been ensured in the armistice agreement between Israel and Jordan in 1949. Observant Jews are prohibited from entering the Temple Mount, according to the command of the sages of Israel and of the Chief Rabbis, and their prayers are held at the Western Wall. Non-observant Jews enter the Temple Mount as visitors only. Freedom of access to the Temple Mount is anchored in the laws of the State and in the judgments of the High Court of Justice.

The Muslims and the Temple Mount

Since the Arab conquest of Jerusalem in 638, the Temple Mount has been a Muslim religious center. The High Court of Justice recognized the Temple Mount as a holy place for Muslims and it functions as a center of Muslim prayer. Given the exceptional sensitivity surrounding this holy place, former Prime Minister of Israel Levi Eshkol said, as early as 27 June 1967, to the heads of all religions that ". . . the holy places in Jerusalem are open to all religions. Everyone is welcome to visit and pray at the holy places, according to his religion and without discrimination. . ."

In accordance with this principle, the internal administration of matters relating to the Temple Mount, including the mosques

thereon, has been given to the authority of the Muslim Waqf.

The Responsibility for the Security of the Temple Mount

The responsibility for the security of the Temple Mount has been placed on the civilian authorities, whether during the days of the British Mandate or during the time of Jordanian rule. That is to say, the maintenance of public order is a state matter. The government of Israel, which holds sovereign jurisdiction over the Temple Mount, is, therefore, responsible for security on the site. Even Waqf authorities have not seen themselves as responsible for security matters.

In the report by an Arab "commission of investigation" -- signed by Anwar al-Khatib, Anwar Nuseibeh and Ba'id Alla al-Adin -- which was published following the fire at Al-Aqsa mosque in 1989, it was stated, inter alia, that ". . . the occupation authorities, being as they are, cannot escape their security responsibilities. The guardians of the Muslim shrines have no security jurisdiction or function. . ."

The Application of Criminal Law at the Holy Places

The High Court of Justice (HCJ 267/68) determined that criminal law, in its entirety, applies to the "holy places," but the state authorities have acted with caution in all matters concerning the enforcement of the law on the Temple Mount, owing to the sensitivity of the place and to a desire to prevent any outbursts of a religious nature.

Freedom of Religion -- the Adjudicative Angle

Freedom of religion for Jews on the Temple Mount, as opposed to freedom of access, has been dealt with in many judgements of the High Court of Justice. In these judgements, criticism has been directed at the police decision to refuse permission to Jews who wish to pray on the Temple Mount. The majority of the appeals have been rejected by the Court, and, in most cases, an opinion has been expressed that the Temple Mount matter must be approached with great sensitivity, preferable to ". . . the hard-line and non-flexible approach of the law. . ." (see HCJ 222/86).

CHAPTER 4: REVIEW OF ORDERS AND ISRAEL POLICE PREPARATIONS.

GENERAL

At the beginning of 1990, an operational plan was formulated which dealt with police preparations in the Jerusalem area, and which was termed "First Thought." The main points of the plan determined that responsibility for the above area would be held by the Border Patrol headquarters, Jerusalem, which would be subordinate to the Jerusalem area [police] command and that the new headquarters would be granted the possibility and authority to operate on independent initiative.

The Border Patrol's "C" company was given responsibility for the area within the walls of the Old City (district D). It was clearly stated that disturbances and incitement were possible on the Temple Mount within this district. [Police] preparations brought into account the need to reinforce and increase forces under special circumstances. The "priestly benediction" [Birkat Hacohanim] and activities of the "Temple Mount Faithful" were cited among such circumstances.

POLICE ORDERS REGARDING SECURITY ON THE TEMPLE MOUNT

Jerusalem Area [Police department] -- In July 1983, the Jerusalem area published security orders and regulations regarding the Temple Mount. The orders include a description of the role attributed the commander of the Temple Mount [police] and standing orders to its policemen. In addition, the orders establish regulations regarding the activation of the Border Patrol force stationed on alert at the Mahkameh point, for reinforcement during incidents at the Temple Mount.

On 1.8.90, the Temple Mount unit was made subordinate to the police station in the Old City.

On 17.7.84, national [police] headquarters published "framework orders" -- security and regulations on the Temple Mount. No detailed order given by the Southern district or the Jerusalem area was brought to the Commissions's attention, and the order given in July 1983 will be updated.

Border Patrol -- In June 1989, a security order was issued to the Border Patrol's "C" company. The order established that responsibility for maintaining order and security on the Temple Mount, as well as the safeguarding of approach roads for visitors and the prevention of disturbances on the Temple Mount, lay with the Border Patrol unit.

ISRAEL POLICE ORDERS ISSUED BEFORE 8.10.90

National Headquarters -- On 21.8.90, the operations division of the national headquarters issued "Operational Orders -- Holidays 1990," intended to ensure public order and especially to ensure the safety of worshipers at various sites. The intelligence evaluation submitted with the orders determined that Jewish holidays constitute preferred dates for attacks, and stated clearly the sensitivity in East Jerusalem and on the Temple Mount as well as the probability of attack.

Southern District Headquarters -- On 29.8.90, headquarters issued operational orders -- "Southern district preparations for the New Year and Sukkot holidays 1990." The operational orders do not relate specifically to the Temple Mount and Western Wall area, apart from reference to the priestly benediction as a central event.

Jerusalem Area Headquarters -- In August 1990, headquarters issued Jerusalem headquarters preparation orders for the 1990 holidays. The orders emphasized vacation sites, but neither the Temple Mount nor the Western Wall were cited as special targets at which security had to be increased.

A number of appendixes were added to the orders. Appendix 9 dealt with the Old City police station, Appendix 13 with events due to take place over the holidays; citing the priestly benediction and "Temple Mount Faithful" events; Appendix 21 included orders regarding the priestly benediction events and imposed operational responsibility on the Border Patrol, Jerusalem; Appendix 22 related to the "Temple Mount Faithful" and detailed the events which they would be allowed to carry out in order to prevent "disturbances of the peace in the area."

Jerusalem District Border Patrol -- On 16.9.90, preparation orders for the 1990 holidays were issued. It was clearly stated that the company would increase its forces at the Western Wall and prepare reinforcements above the Western Wall. In Appendix 6 to the order, it was stated, inter alia, that a special force, to be stationed on the Temple Mount above the Western Wall, would be added on the eve of the Sukkot holiday and on the day of the priestly benediction.

PRELIMINARY INFORMATION AND DISCUSSIONS HELD BEFORE THE EVENTS

Discussions at the Police and Security Service Level:

On 24.8.90, information regarding a possible conflagration concerning the Temple Mount was brought to the attention of the relevant police officials. At the end of September, the security situation expected over the holidays was discussed with the head of police intelligence within a forum which was convened by the committee for the security of Jerusalem, and with the inspector-general at a working meeting between the Jerusalem area commander and with the [person] responsible for the city's security.

The Prime Minister's statements -- On 30.9.90, at the end of the cabinet meeting in which the police minister and inspector-general briefed on the issue, the Prime Minister concluded: ". . . Security in Jerusalem is of the utmost importance and the police, at the time, received special orders to ensure that Jerusalem's security would not be violated. . . we are witness to too many disturbances and attacks in Jerusalem. This situation must be halted."

THE APPEAL OF THE "TEMPLE MOUNT FAITHFUL" TO THE HIGH COURT

On 1.10.90, the appeal directing the police to allow the Temple cornerstone laying ceremony to be carried out adjacent to the Dung Gate and the building of a sukkah next to the Mughrabi Gate was discussed. A declaration made by an officer from the Jerusalem area operations division was attached to the notice of objection to the petition, filed on behalf of the State Attorney, which stated that the police had intelligence information about expected disturbances on the Temple Mount as a result of the appellants' intentions, and that building a sukkah adjacent to the Mughrabi Gate would result in stone-throwing, which could unintentionally harm worshipers at the Western Wall Plaza.

The appeal was rejected and this was given widespread coverage in Arabic newspapers published in East Jerusalem. In addition to this coverage, conclusions of the discussion were submitted on 3.10.90 to the Waqf administration and to the Al-Aqsa mosque administration.

PREPARATIONS REGARDING THE TEMPLE MOUNT BEFORE 8.10.90

Calls during Friday prayers:

Despite coverage and the announcements communicated to the Waqf administration, the muezin, after Friday prayers (5.10.90), called on youths to arrive at the Temple Mount on Monday (8.10.90) in order to bodily prevent Jews from laying the cornerstone on the Temple Mount. Following the muezin's appeal, speeches were made, repeating the appeals.

Intelligence sources and a Hamas leaflet informed of expected

disturbances on 5,6,7-11.10.90. On 7.10, masked assailants called on the residents of Abu Tor to arrive the following day at the Temple Mount in response to the intentions of Jews to arrive at the site.

DISCUSSION AND PUBLICATIONS

On 5.10.90, a discussion regarding security preparations in Jerusalem was held in the police minister's office. On 7.10, the minister briefed the cabinet. On the morning of the day of the events, the afternoon newspapers published reports about the reinforcement of forces and new preparations in Jerusalem resulting from the Muslim religious leaders' calls.

CHAPTER 5: DESCRIPTION OF EVENTS ON THE TEMPLE MOUNT ON 8.10.90.

This chapter describes as accurately as possible the chain of events on the Temple Mount. The description is based on testimony (gathered under sworn statement and under warning) from security personnel who were present on the Temple Mount at the time of the events. The testimony was investigated and verified through various means -- whether by video, written declarations or additional information gathered by the security services and the public. Some of the detainees were also investigated, as well as those injured. All facts and times were cross-checked.

At 03:30, chain of events begin when Muslim worshipers entered the Temple Mount for dawn prayers, and ended at 13:30. In this summary, we will make mention of only a number of main events.

At 08:30, when a few hundred youths already were present on the Temple Mount, a "calming discussion" was held between the commander of police on the Temple Mount and Waqf dignitaries. The police commander announced that no one would enter the Temple Mount on that day. It was emphasized that the "Temple Mount Faithful" would not be allowed to enter the Temple Mount either.

At 08:40, a gathering of about 2,000 people was reported and a warning about disturbances was given. A Border Patrol officer requested response.

At 09:00, a reinforcement force of Border Patrol was deployed above the Western Wall.

Between 09:15 and 09:30, Waqf dignitaries were requested to calm the atmosphere.

Between 09:40 and 09:50, the "priestly benediction" was held at the Western Wall, with the participation of between 20,000 and 30,000 people. At the conclusion of the prayers, they began leaving the site.

At 09:50, approximately 20 members of the "Temple Mount Faithful" arrived at the Western Wall Plaza.

At 10:00 they departed, accompanied by police, for the Pool of Shiloah. At this time, sermons and speeches began to be heard on the Temple Mount, which included incitement against Jews. Waqf members were warned that wild incitement could lead to disturbances and were requested to calm the atmosphere. At this time, youths began gathering stones from buildings being renovated on the Temple Mount.

At 10:45, approximately 2,000-3,000 people stormed toward 44 Border Patrol policemen who were standing above the Western Wall.

Stones and pieces of iron were thrown at them and in the direction of the Western Wall. An order was given to shoot tear gas and rubber bullets, but the storming was not halted. Border Patrol policemen, some of whom were injured, retreated to beyond the Mughrabi Gate and toward the Mahkameh. The evacuation of worshipers from the Western Wall Plaza was begun immediately.

At 10:55, hundreds of youths charged the police station on the Temple Mount, in which two policemen who were shouting for help were trapped. Contact with them was broken and the two policemen, who managed to escape, did not succeed in relaying word of their escape. Weapons and ammunition were left in the police station. While worshipers and Border Patrol policemen were being evacuated, no live fire was directed at the rioters.

At 11:05, policemen began breaking through to the Temple Mount via the Mughrabi Gate. The policemen met a barrage of stones and iron and gas cannisters which they shot were thrown back at them. The incited mob prevented the policemen from progressing toward the police point. Masked assailants stormed the policemen and, since they were not halted by rubber bullets, live ammunition was fired, first in the air, and subsequently toward the rioters.

At about 11:00, the first ambulances arrived at the Temple Mount and parked at the entrance to Al-Aqsa mosque, in an area in which tear gas and rubber bullets and subsequently live ammunition were being shot. As a result of the shooting, the ambulance driver and the accompanying nurse were injured.

At 11:15, a patrol helicopter was called in to the Temple Mount area. Throughout the incident no shooting took place from the helicopter, and it served for follow-up and reconnaissance purposes only.

At 11:25, after the rioters retreated into the mosques, the "cease fire" order was given.

At 11:30, disturbances began in the vicinity of Lions' Gate. Youths attacked policemen with stones and, because rubber bullets and gas were not effective, the policemen were compelled to use live ammunition. Border Patrol policemen arrived in vicinity of the Lions' Gate after hearing on two-way radios that severe riots and disturbances were taking place there.

Between 12:50 and 13:00, a team of Border Patrol policemen were attacked by youths and masked assailants near Mukased Hospital. During the chase, a gas cannister was released, and entered the hospital. The patrol commander apologized for this regrettable incident.

There were many injuries in this severe incident. 19 policemen were injured as well as 9 Western Wall worshipers. According to Israel Police statistics, 20 people were killed and 53 injured on the Temple Mount. Due to a lack of written record, those who arrived at hospitals and were released the same day were not included in the number of wounded. The casualties and wounded were killed and injured while being present on the Temple Mount. No one was wounded while being present in mosques or buildings on the Temple Mount compound.

CHAPTER 6: ORGANIZATION, OPERATION AND SUPERVISION.

Intelligence -- Difficulties in the gathering of information create a division [of labor] whereby the GSS gathers information regarding disturbances which are organized in advance, and spontaneous disturbances are dealt with by the police. Information concerning street gatherings which are conveyed quickly to the police facilitate police response. The Commission is convinced that the present division of roles between the GSS and the police is correct and should not be changed.

Temple Mount Intelligence -- The information on which the Jerusalem district based its evaluations regarding possible events on the Mount on 8.10.90, are partly covert and partly overt: Muezin calls, leaflets, information about masked assailants who were in the neighborhood and covert information regarding concern over a confrontation with the "Temple Mount Faithful."

Based on this information, the police estimated that if it were to notify the Waqf administration of the High Court decision stating that there was no need to intervene in the police decision to prevent the "Temple Mount Faithful" from carrying out their plans -- passions would calm down. This was done, and the Jerusalem area police estimated that its steps calmed passions and, therefore, did not deploy its regular contingent for events on the Temple Mount which are liable to result in disruptions of order. The GSS evaluation relayed to the Commission on 16.10.90 differed. According to this evaluation, an unexpected accelerating factor in a[n emotionally] charged crowd is sufficient to cause a confrontation with the police. No basis was found for this evaluation in material distributed by the GSS before 8.10.90.

Police Preparations for Operations on the Temple Mount -- A Border Patrol regiment is subordinate to the Jerusalem area. "C" company, part of this regiment, is stationed in the Old City. A standby unit is also stationed at the Mahkameh. The Border Patrol company coordinates its operations with other police forces. The recently established Old City headquarters holds regional responsibility for all areas in the Old City.

On days given to disturbances, the Jerusalem area takes command of all forces and establishes a forward command post. When a forward command post is established, no questions arise as to command of the forces. Ordinarily, the question of authority over the Border Patrol company in the Old City arises.

The division of command over policemen on the Temple Mount,

between commander of the Old City and the Border Patrol commander, resulted in faults in the containment of the unrest. "C" company operated under the complete authority of the Border Police commander until the arrival of the Jerusalem area commander, who subsequently took command of all forces. The deployment of forces on the Temple Mount on 8.10.90 was based on preparation orders of the Jerusalem area, Southern district, which were issued to Border Patrol headquarters. Border Patrol headquarters also issued an order pertaining to its company and which defined its missions.

Headquarters Alert -- The special sensitivity of the site, and information available to the commanders, should have caused them to arrive at the site. The commanders were occupied with other events, but, in light of information available to them, they should have altered their priorities. The Commission has investigated and found that the commander of "C" company took the necessary decisions, based on preliminary orders issued him and an assessment of the field situation. Different preparations would have subjected the 20,000 worshipers to severe danger.

Conclusions -- Police Deployment on the Temple Mount -- Thousands of worshipers concentrate on the Temple Mount and in the Western Wall Plaza on religious holidays. The mounting extremism among minority groups of Jews and Muslims obligates the adoption of appropriate security measures. The gathering of hundreds of Muslims within the Temple Mount boundaries constitutes a threat to worshipers at the Western Wall. Their storming above the Wall, even when this area is manned by policemen, does not prevent stoning in the direction of the Plaza. Their containment, in such a case, can be achieved only by the shooting of tear gas, rubber bullets and when no choice remains -- live ammunition.

It is in the Commission's opinion that an appropriate security apparatus must be based, first and foremost, upon control and supervision of entry into the Temple Mount.

Actions Taken by the Forces -- Stage 1: The storming of more than 2,000 Muslims toward Border Patrol policemen, some of whom were wounded, who were compelled to use tear gas, shoot rubber bullets and retreat in alarm. At this stage, live fire was shot by only two commanders. At the same time, Border Patrol policemen warned worshipers at the Western Wall to begin evacuation of the Plaza.

Stage 2: The area commander arrived at the Mughrabi Gate and took command. The duty officer at the Temple Mount police station calls for help, the station is attacked. The police force prepares to charge and the area commander allows the use of live ammunition, in accordance with police orders.

The charging police forces gathered in an improvised manner. During the charge there was an unsupervised use of live

ammunition. The rescue of the two policemen trapped inside the Temple Mount police station justified a quick operation and the use of all means. On other fronts, only those policemen whose lives were in danger were justified in using live ammunition. Gaining control of the line between the police station and Al-Aqsa mosque was essential, but it is doubtful whether clearing the area from there in the direction of the Lions' Gate was crucial under conditions which prevailed on the Mount.

Difficulties in Activation of the Forces -- The Jerusalem area headquarters and Border Patrol headquarters had no advance plans for gaining control of the Temple Mount area. It was not forecasted that during routine days, a mob would gain control of the Temple Mount area or that police forces would have to regain control of the area. These facts influenced the operation of the forces. Deployment of the Border Patrol forces above the Wall came as a surprise to the area commander and the area operations officer. It would have been preferable to ensure that the Gate of the Chain remain open through advance planning and early orders.

The many events that took place in the Jerusalem area resulted in the fact that the area commander and officers of his staff were not present at headquarters, and this severely impeded its operation. The absence of a commander is justified as long as headquarters serve as a center of control over forces in the field.

Important information was relayed to the headquarters during the day. Had there been an authoritative duty officer present, the situation would have been different. Such circumstances would have facilitated a re-evaluation of forces, a suitable deterrent force would have prevented the mob from attacking the Border Patrol policemen who were stationed above the Western Wall, and such extensive use of live fire would have been prevented.

There has to be an immediate implementation of the lessons of 8.10.90; faults have to be rectified; and, the functioning of [forces] in the Temple Mount area in times of emergency, as well as under regular conditions, has to be re-evaluated.



Security Council

Distr.
GENERAL

S/21919/Corr.1
1 November 1990

ORIGINAL: ENGLISH

REPORT SUBMITTED TO THE SECURITY COUNCIL BY THE
SECRETARY-GENERAL IN ACCORDANCE WITH RESOLUTION
672 (1990)

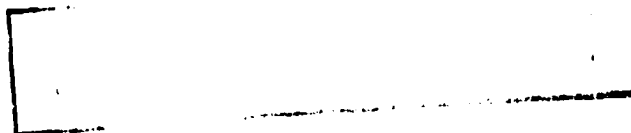
Corrigendum

Paragraph 14 line 2

For such as read as is the case with

Paragraph 24 line 6

For custodian read guardian





Security Council

Distr.
GENERAL

S/22027*
31 December 1990

ORIGINAL: ENGLISH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

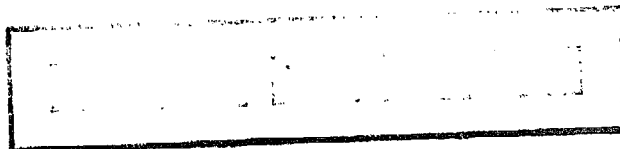
At the resumed 2970th meeting, on 20 December 1990, prior to the adoption of resolution 681 (1990), the President made the following statement on behalf of the members of the Security Council:

The members of the Security Council reaffirm their determination to support an active negotiating process in which all relevant parties would participate leading to a comprehensive, just and lasting peace to the Arab-Israeli conflict through negotiations which should be based on resolutions 242 (1967) and 338 (1973) of the Security Council and which should take into account the right to security of all States in the region, including Israel, and the legitimate political rights of the Palestinian people.

In this context they agree that an international conference, at an appropriate time, properly structured, should facilitate efforts to achieve a negotiated settlement and lasting peace in the Arab-Israeli conflict.

However, the members of the Council are of the view that there is not unanimity as to when would be the appropriate time for such a conference.

In the view of the members of the Council, the Arab-Israeli conflict is important and unique and must be addressed independently, on its own merits.



* Reissued for technical reasons.

At its 2967th meeting, on 10 December 1990, the Council continued its consideration of the question.

After suspension and resumption of the meeting and in response to a motion by the representative of the Union of Soviet Socialist Republics in accordance with rule 33, paragraph 3, of the provisional rules of procedure, the Council decided, by a vote, to adjourn the meeting to Wednesday, 12 December 1990, at 6 p.m.

Adopted at the 2967th meeting by 9 votes to 4 (Colombia, Cuba, Malaysia, Yemen) with 2 abstentions (China, France).

At its 2968th meeting, on 12 December 1990, the Council continued its consideration of the question.

In response to a motion by the representative of the Union of Soviet Socialist Republics in accordance with rule 33, paragraph 3, of the provisional rules of procedure, the Council decided, by a vote, to adjourn the meeting to Monday, 17 December 1990, at 3 p.m.

Adopted at the 2968th meeting by 9 votes to 4 (Colombia, Cuba, Malaysia, Yemen) with 2 abstentions (China, France).

At its 2970th meeting, on 19 December 1990, the Council continued its consideration of the question.

In response to a motion by the representative of the United Kingdom of Great Britain and Northern Ireland in accordance with rule 33, paragraph 1, of the provisional rules of procedure, the Council decided, by a vote, to suspend the meeting.

Adopted at the 2970th meeting by 9 votes to 6 (China, Colombia, Cuba, France, Malaysia, Yemen).

At the resumed 2970th meeting, on 20 December 1990, prior to the adoption of resolution 681 (1990), the President made the following statement on behalf of the members of the Council:⁴⁵

"The members of the Council reaffirm their determination to support an active negotiating process in which all relevant parties would participate leading to a comprehensive, just and lasting peace to the Arab-Israeli conflict through negotiations which should be based on Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 and should take into account the right to security of all States in the region, including Israel, and the legitimate political rights of the Palestinian people.

"In this context, they agree that an international conference, at an appropriate time, properly structured, should facilitate efforts to achieve a negotiated settlement and lasting peace in the Arab-Israeli conflict.

⁴⁵ S/22027.

"However, they are of the view that there is not unanimity as to when would be the appropriate time for such a conference.

"In the view of the members of the Council, the question of the Arab-Israeli conflict is important and unique and must be addressed independently, on its own merits."

Resolution 681 (1990) of 20 December 1990

The Security Council,

Reaffirming the obligations of Member States under the Charter of the United Nations,

Reaffirming also the principle of the inadmissibility of the acquisition of territory by war, set forth in resolution 242 (1967) of 22 November 1967,

Having received the report of the Secretary-General submitted in accordance with resolution 672 (1990) of 12 October 1990 on ways and means of ensuring the safety and protection of the Palestinian civilians under Israeli occupation,⁴⁶ and taking note in particular of paragraphs 20 to 26 thereof,

Taking note of the interest of the Secretary-General to visit and to send his envoy to pursue his initiative with the Israeli authorities, as indicated in paragraph 22 of his report, and of their recent invitation extended to him,

Gravely concerned at the dangerous deterioration of the situation in all the Palestinian territories occupied by Israel since 1967, including Jerusalem, and at the violence and rising tension in Israel,

Taking into consideration the statement made by the President of the Security Council on 20 December 1990⁴⁵ concerning the method and approach for a comprehensive, just and lasting peace in the Arab-Israeli conflict,

Recalling its resolutions 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989 and 641 (1989) of 30 August 1989, and alarmed by the decision of the Government of Israel to deport four Palestinians from the occupied territories in contravention of its obligations under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁴⁰

1. *Expresses its appreciation* to the Secretary-General for his report;
2. *Expresses its grave concern* over the rejection by Israel of its resolutions 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990;
3. *Deplores* the decision by the Government of Israel, the occupying Power, to resume the deportation of Palestinian civilians in the occupied territories;
4. *Urges* the Government of Israel to accept the *de jure* applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁴⁰ to all the territories occupied by Israel since 1967 and to abide scrupulously by the provisions of the Convention;

⁴⁶ *Official Records of the Security Council, Forty-fifth Year, Supplement for October, November and December 1990, documents S/21919 and Corr.1 and Add.1-3.*

5. *Calls upon* the High Contracting Parties to the said Convention to ensure respect by Israel, the occupying Power, for its obligations under the Convention in accordance with article 1 thereof;

6. *Requests* the Secretary-General, in co-operation with the International Committee of the Red Cross, to develop further the idea, expressed in his report, of convening a meeting of the High Contracting Parties to the said Convention to discuss possible measures that might be taken by them under the Convention and, for this purpose, to invite the Parties to submit their views on how the idea could contribute to the goals of the Convention, as well as on other relevant matters, and to report thereon to the Council;

7. *Also requests* the Secretary-General to monitor and observe the situation regarding Palestinian civilians under Israeli occupation, making new efforts in this regard on an urgent basis, and to utilize and designate or draw upon the United Nations and other personnel and resources present there, in the area and elsewhere, needed to accomplish this task, and to keep the Security Council regularly informed;

8. *Further requests* the Secretary-General to submit a first progress report to the Security Council by the first week of March 1991 and to report every four months thereafter, and decides to remain seized of the matter as necessary.

Adopted unanimously at the 2970th meeting.

LETTER DATED 2 FEBRUARY 1990 FROM THE PERMANENT REPRESENTATIVE OF CUBA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Decisions

At its 2907th meeting, on 9 February 1990, the Council discussed the item entitled "Letter dated 2 February 1990 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council (S/21120)."⁴⁷

At the same meeting, the President (Cuba) made a procedural statement, indicating his decision to have resort to rule 20 of the provisional rules of procedure and to yield the Chair, for the purpose of the consideration of the item currently on the agenda, to the representative of the member next in English alphabetical order (Democratic Yemen!).

⁴⁷ *Official Records of the Security Council, Forty-fifth Year, Supplement for January, February and March 1990.*

THE SITUATION IN CYPRUS⁴⁸

Decisions

On 22 February 1990, following consultations with the members of the Council, the President made the following statement on behalf of the Council:⁴⁹

"The members of the Council recall the statement made on their behalf by the President on 14 December 1989.⁵⁰ They express their appreciation to the Secretary-General for his briefing on the current situation about his mission of good offices concerning Cyprus and give their full support to his efforts to assist the two communities to reach a just and lasting solution.

"The members of the Council stress the importance

⁴⁸ Resolutions or decisions on this question were also adopted by the Council in 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988 and 1989.

⁴⁹ S/21160.

⁵⁰ See *Resolutions and Decisions of the Security Council, 1989*, p. 18.

they attach to an early negotiated settlement of the Cyprus problem.

"The members of the Council are pleased that the leaders of the two sides in Cyprus have accepted the Secretary-General's invitation to meet with him for an extended session beginning on 26 February 1990 to complete the work on an outline of an overall agreement, as agreed in June 1989.

"The members of the Council call upon the leaders of the two sides to demonstrate the necessary goodwill and flexibility and to cooperate fully with the Secretary-General so that the talks will result in a major step toward the resolution of the Cyprus problem.

"The members of the Council request the Secretary-General to report to the Council at the conclusion of the forthcoming meeting to inform them of the results achieved and of his assessment of the situation at that time."

At its 2909th meeting, on 12 March 1990, the Council



Security Council

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GENERAL

S/22046
4 January 1991

ORIGINAL: ENGLISH

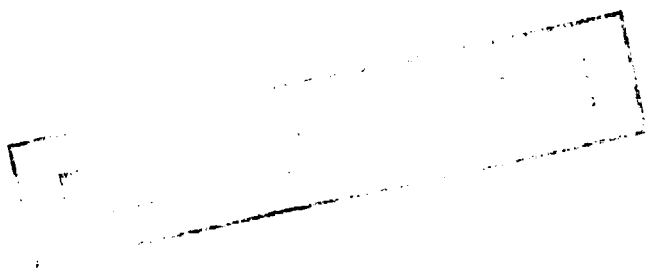
NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

At the 2973rd meeting of the Security Council, held on 4 January 1991, the President of the Security Council made the following statement on behalf of the Council:

"The members of the Security Council are deeply concerned about recent acts of violence in Gaza, especially actions by Israeli security forces against Palestinians, which led to scores of casualties among those civilians.

"The members of the Council deplore those actions, particularly the shooting of civilians. They reaffirm the applicability of the Fourth Geneva Convention of 1949 to all the Palestinian territories occupied by Israel since 1967, including Jerusalem, and request that Israel, the occupying Power, fully comply with the provisions of the Convention.

"The members of the Council reaffirm their positions, most recently expressed in Security Council resolution 681 (1990), and support the work of the Secretary-General in implementing the said resolution. The members of the Council further urge intensified efforts by all who can contribute to reducing conflict and tension in order to achieve peace in the area."





Security Council

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GENERAL

S/22408
27 March 1991

ORIGINAL: ENGLISH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

Following consultations of the Security Council, the President made the following statement, on behalf of the Council, at its 2980th meeting on 27 March 1991, in connection with the Council's consideration of the item entitled "The situation in the occupied Arab territories":

"The members of the Security Council are gravely concerned by the continued deterioration of the situation in the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, and especially by the current serious situation resulting from the imposition of curfews by Israel.

"The members of the Security Council deplore the decision of 24 March 1991 by the Government of Israel to expel four Palestinian civilians in violation of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 12 August 1949, which is applicable to the above-mentioned territories, and in contravention of relevant resolutions of the Security Council.

"The members of the Security Council also call upon Israel to desist from deporting Palestinians and to ensure the safe return of those deported.

"Recalling Security Council resolution 681 (1990) and other Security Council resolutions, the members of the Security Council will keep the situation described in paragraph 1 above under review".



Security Council

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GENERAL

S/22472
9 April 1991

ORIGINAL: ENGLISH

REPORT SUBMITTED TO THE SECURITY COUNCIL BY THE SECRETARY-GENERAL
IN ACCORDANCE WITH RESOLUTION 681 (1990)

Introduction

1. On 20 December 1990, the Security Council adopted resolution 681 (1990), which reads as follows:

"The Security Council,

"Reaffirming the obligations of Member States under the Charter of the United Nations,

"Reaffirming also the principle of the inadmissibility of the acquisition of territory by war set forth in Security Council resolution 242 (1967) of 22 November 1967,

"Having received the report of the Secretary-General submitted in accordance with Security Council resolution 672 (1990) of 12 October 1990 on ways and means of ensuring the safety and protection of the Palestinian civilians under Israeli occupation, and taking note in particular of paragraphs 20 to 26 thereof,

"Taking note of the interest of the Secretary-General to visit and send his envoy to pursue his initiative with the Israeli authorities, as indicated in paragraph 22 of his report, and of their recent invitation extended to him,

"Gravely concerned at the dangerous deterioration of the situation in all the Palestinian territories occupied by Israel since 1967, including Jerusalem, and at the violence and rising tension in Israel,

"Taking into consideration the statement made by the President of the Security Council on 20 December 1990 concerning the method and approach for a comprehensive, just and lasting peace in the Arab-Israeli conflict,

"Recalling its resolutions 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989 and 641 (1989) of 30 August 1989, and alarmed by the decision of the Government of Israel to deport four Palestinians from the occupied territories in contravention of its obligations under the Fourth Geneva Convention of 1949,

"1. Expresses its appreciation to the Secretary-General for his report;

"2. Expresses its grave concern over the rejection by Israel of Security Council resolutions 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990;

"3. Deplores the decision by the Government of Israel, the occupying Power, to resume the deportation of Palestinian civilians in the occupied territories;

"4. Urges the Government of Israel to accept the de jure applicability of the Fourth Geneva Convention, of 1949, to all the territories occupied by Israel since 1967 and to abide scrupulously by the provisions of the said Convention;

"5. Calls upon the high contracting parties to the Fourth Geneva Convention, of 1949, to ensure respect by Israel, the occupying Power, for its obligations under the Convention in accordance with article 1 thereof;

"6. Requests the Secretary-General, in co-operation with the International Committee of the Red Cross, to develop further the idea expressed in his report of convening a meeting of the high contracting parties to the Fourth Geneva Convention and to discuss possible measures that might be taken by them under the Convention and for this purpose to invite the parties to submit their views on how the idea could contribute to the goals of the Convention, as well as on other relevant matters, and to report thereon to the Council;

"7. Also requests the Secretary-General to monitor and observe the situation regarding Palestinian civilians under Israeli occupation, making new efforts in this regard on an urgent basis, and to utilize and designate or draw upon the United Nations and other personnel and resources present there, in the area and elsewhere, needed to accomplish this task and to keep the Security Council regularly informed;

"8. Further requests the Secretary-General to submit a first progress report to the Security Council by the first week of March 1991 and every four months thereafter, and decides to remain seized of the matter as necessary."

2. Immediately following its adoption, the text of the above resolution was cabled to the Minister for Foreign Affairs of Israel.

3. It will be recalled that, in his report to the Security Council of 31 October 1990 (S/21919 and Corr.1), the Secretary-General drew attention to the fact that the Council had, on numerous occasions since December 1987, addressed the question of the safety and protection of the Palestinian civilians in the occupied territories. In each of its related resolutions and presidential statements, the Security Council had reaffirmed the applicability to the occupied territories of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949. ^{1/} The Security Council had, moreover, repeatedly called on Israel to abide by its obligations under the Convention. Resolution 681 (1990) represents a new step on the part of the Security Council because it entrusts, for the first time, ongoing responsibilities to the Secretary-General with respect to the Palestinian civilians under Israeli occupation. At the same time, the resolution underlines the obligations of the parties chiefly responsible under the Fourth Geneva Convention for ensuring their protection, namely Israel, the occupying Power, and the high contracting parties to the Convention. Paragraph 4 of the resolution urges the Government of Israel to accept the de jure applicability of the Fourth Geneva Convention, to all the territories occupied by Israel since 1967 and to abide scrupulously by the provisions of the said Convention. Paragraph 5 calls upon the high contracting parties to the Fourth Geneva Convention to ensure respect by Israel, the occupying Power, for its obligations under the Convention in accordance with article 1 thereof. Paragraph 6 requests the Secretary-General, in cooperation with the International Committee of the Red Cross (ICRC), to develop further the idea expressed in his 31 October 1990 report of convening a meeting of the high contracting parties to the Fourth Geneva Convention and to discuss possible measures that might be taken by them under the Convention and for this purpose to invite the parties to submit their views on how the idea could contribute to the goals of the Convention, as well as on other relevant matters, and to report to the Council thereon. Paragraph 7 also requests the Secretary-General to monitor and observe the situation regarding Palestinian civilians under Israeli occupation, making new efforts in this regard on an urgent basis, and to utilize and designate or draw upon the United Nations and other personnel and resources present there, in the area and elsewhere, needed to accomplish this task and to keep the Security Council regularly informed.

4. On 21 December 1990, the Secretary-General outlined for the Security Council, in informal consultations, the manner in which he intended to pursue his responsibilities under paragraphs 6 and 7 of resolution 681 (1990). With respect to paragraph 6, he informed the Council that he would be in immediate contact with ICRC in order to explore further the idea of convening a meeting of the high contracting parties to the Fourth Geneva Convention and that, in particular, modalities for inviting the views of the parties would be discussed. As for paragraph 7, the Secretary-General stated that steps were being taken to implement its provisions, without however affecting the mandates of the United Nations organizations currently operating in the occupied territories. The Secretary-General informed the Council that he would be asking the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the largest United Nations body in the occupied territories, to take the lead and

specifically to task an appropriate number of international staff serving in the area to monitor and observe the situation regarding Palestinians under Israeli occupation. At the same time, the Secretary-General stated that it was essential that ICRC, which under article 10 of the Fourth Geneva Convention has a special responsibility for protection of civilians, continue to play its role. He noted that ICRC and UNRWA already maintained close contact on the ground and he trusted that such contacts would continue. The Secretary-General added that he would be exploring with the President of ICRC ways in which that organization might be able to cooperate with him in the implementation of his mandate. The Secretary-General then drew to the attention of the Council the fact that a number of Governments that were high contracting parties to the Fourth Geneva Convention had consulates at Jerusalem which followed closely developments in the occupied territories. For resolution 681 (1990) to be implemented in a pragmatic and realistic manner, he said, it would be helpful if the efforts of United Nations and ICRC personnel were to receive the full support of Governments with consular staff in the area. Paragraph 5 of resolution 681 (1990) was especially relevant in that connection.

5. Since the adoption of resolution 681 (1990), the Secretary-General has been in continuous contact with the Commissioner-General of UNRWA, with a view to establishing arrangements that would enable that organization to assist the Secretary-General in carrying out his obligations under paragraph 7 of resolution 681 (1990). At the request of the Secretary-General, UNRWA has designated personnel, in the occupied territories, and at its Vienna headquarters, to help with the implementation of the Secretary-General's mandate.

6. The Secretary-General has also discussed resolution 681 (1990) with the President of ICRC. In this connection, ICRC has indicated that any assistance it might offer to the Secretary-General regarding paragraph 7 will be subject to that organization's traditional rules of confidentiality. As for the request in paragraph 6 that the Secretary-General, in cooperation with ICRC, develop further his idea for convening a meeting of the high contracting parties to the Fourth Geneva Convention, consultations with ICRC are continuing. For his part, the Secretary-General has sent a note verbale to the high contracting parties requesting that they submit to him by 1 May 1991 their views about such a meeting. The replies of the parties will be addressed in the next report of the Secretary-General.

Period under review

7. The following paragraphs provide an overview of the situation regarding Palestinian civilians under Israeli occupation from 20 December 1990 to 28 February 1991. The information conveyed therein has been provided to the Secretary-General mainly by UNRWA, as well as other sources. It should not be viewed as an exhaustive account of incidents that occurred during the reporting period. Rather, it highlights the major developments affecting life in the occupied territories.

8. Late December 1990 and early January 1991 were marked, in particular, by two serious developments. On 29 December 1990, an incident in the Rafah

refugee camp in the Gaza Strip led to widespread clashes between residents of the camp and the Israeli Defence Forces (IDF) in which several Palestinians were shot and killed and hundreds were wounded. Upon hearing of the clashes, the Secretary-General asked UNRWA to look into the matter and, on 3 January 1991, he conveyed to the Security Council, in informal consultations, the following account:

At approximately 1400 hours on 29 December 1990, security force personnel in civilian clothing and driving a car with local licence plates surprised two masked youths, aged 18 and 19, in the Shabura quarter of the Rafah refugee camp. The security forces opened fire, severely wounding both masked men, who were then arrested. Violent confrontations broke out as IDF reinforcements arrived and the residents of the camp attempted to release the arrested youths.

The disturbances spread to the market area and main square, where a large contingent of IDF was stationed, and two young men were shot and killed. When their bodies were returned from Nasser Hospital for burial, the confrontations became so fierce that the security forces were forced to retreat to an area just west of the Civil Administration. During the afternoon, thousands of stones, metal objects and more than 30 petrol bombs were thrown at IDF forces, who responded with live ammunition, rubber bullets and stones from a stone-throwing machine.

As darkness fell, the demonstrators were dispersed when an IDF helicopter dropped stones and tear-gas grenades over the area. Later in the evening, as it became known that the two men shot earlier in the day had died, thousands of residents took to the streets, but the security forces did not intervene and no further incidents were reported.

When news of the fatalities spread to Jabalia refugee camp during the evening, hundreds of youths took to the streets to demonstrate and stone the military camp. IDF and border police reinforcements arrived and attempted to disperse the youths using a stone-throwing machine and by firing into the air. The situation eventually calmed down at about 2030 hours. During the clashes, an IDF major stationed his troops in front of the health centre for one hour and then closed the gate of the health centre while he proceeded to search two ambulances. When UNRWA Refugee Affairs Officers intervened, he threatened to throw tear-gas into the centre but eventually agreed to the gate remaining open.

Four people were shot dead in Rafah on 29 December. One hundred and ninety-three, including 14 women, were injured by live ammunition, 36 of them by plastic-coated metal bullets, 32 by tear-gas and 23 by the IDF stone-throwing machine. Over 400 people were affected by tear-gas and treated by mobile UNRWA medical teams. Five women reportedly suffered miscarriages as a result of tear-gas inhalation.

The entire incident was an unusually violent one, a fact that may be attributable to the circumstances of its initiation. The security force

personnel in civilian clothing who had surprised the masked men were accompanied by a person widely known locally to be a "collaborator". Local eyewitness accounts indicate that the latter fired on the masked men. For whatever reason, there is no doubt that the crowd reaction was unprecedented in both the scale and the intensity of its violence.

IDF, in turn, clearly must have felt that their lives were in danger and that the Civil Administration building risked being overrun. In those circumstances, it was probably inevitable that they would fire at the crowd, although they might be criticized for the extent to which they chose to use live rounds in preference to other ammunition.

9. On 4 January 1991, the Security Council issued the following presidential statement (S/22046):

"The members of the Security Council are deeply concerned about recent acts of violence in Gaza, especially actions by Israeli security forces against Palestinians, which led to scores of casualties among those civilians.

"The members of the Council deplore those actions, particularly the shooting of civilians. They reaffirm the applicability of the Fourth Geneva Convention, of 1949, to all the Palestinian territories occupied by Israel since 1967, including Jerusalem, and request that Israel, the occupying Power, fully comply with the provisions of the Convention.

"The members of the Council reaffirm their positions, most recently expressed in Security Council resolution 681 (1990), and support the work of the Secretary-General in implementing the said resolution. The members of the Council further urge intensified efforts by all who can contribute to reducing conflict and tension in order to achieve peace in the area."

10. On 8 January 1991, the Israeli authorities carried out their decision to expel four Palestinian residents of the occupied territories. In a statement issued the same day, the Secretary-General expressed his deep concern and strongly deplored the action, which was in direct contravention of the Fourth Geneva Convention. Recalling that the decision by Israel to resume its policy of deportation had been addressed in Security Council resolution 681 (1990), the Secretary-General called on the Israeli authorities to permit those who had been deported to return to their homes. For its part, ICRC, through its delegation in Tel Aviv, issued the following statement:

"The State of Israel expelled four citizens from the Gaza Strip on 8 January 1991, thus resuming a course of action it had discontinued in May 1989.

"The expulsions bring to 66 the total number of persons expelled from the occupied territories since the beginning of the intifadah. They constitute a grave breach of article 49 of the Fourth Geneva Convention,

which prohibits the forced transfer of civilians outside an occupied territory for any reason whatsoever.

"This move takes place in a climate of violence fomented by the growing number of civilian victims since September 1990. During the past four months over 50 people have been killed and several thousand wounded in Israel and the occupied territories, an escalation attributable to the increasingly widespread use of live ammunition against civilians and the frequency of indiscriminate attacks with knives and explosives.

"The International Committee of the Red Cross (ICRC) asks that everything possible be done to put an end to the spiral of violence and repression, and that the population of the West Bank and the Gaza Strip be treated in accordance with the provisions of the Fourth Geneva Convention."

11. It should be noted that resolution 681 (1990) was adopted at a time of great tension in the region as a whole, where the crisis between Iraq and Kuwait and the prospect of military hostilities were uppermost in the minds of people throughout the area. In this connection, a source of concern to the international community, including the United Nations organizations operating in the occupied territories, was the policy of the Government of Israel regarding the provision of gas masks to the Palestinian population. Since the inception of the crisis, Iraq had repeatedly threatened to attack Israel with conventional and non-conventional weapons in the event of hostilities. As part of its civil defence procedures, Israel provided to its citizens gas masks and related equipment for protection against a chemical attack. The Israeli authorities also issued gas masks to the Palestinian residents of Jerusalem. United Nations officials in the area repeatedly expressed concern about the need for the Palestinian population as a whole to be given such equipment. On 14 January 1991, the Israeli High Court of Justice ruled as follows:

"The Military Commander must indeed exercise equality in the area. He may not discriminate between residents. When the Military Commander has reached the conclusion that protective kits must be distributed to Jewish residents in the area, protective kits must also be distributed to the area's Arab residents".

The High Court ordered that:

"First, the 173,000 gas masks presently in stock in emergency warehouses must be immediately distributed to adults living in the areas surrounding Jerusalem, as well as in those areas near the Green Line. Second, all efforts possible should be made to secure masks for the children of these adults, and these masks must be distributed immediately upon their being obtained. Third, all residents of the area should receive masks immediately upon their being purchased by the Military Commander. The Military Commander must make every possible effort to secure these masks as soon as possible".

Despite the urgency expressed in the decision of the High Court, the distribution of gas masks from Israel's existing stock proceeded slowly. The IDF spokesman's office told B'Tselem, an Israeli human rights organization, that, as of 2 February 1991, 50,000 masks had been given out. Those that were distributed lacked the atropine and decontamination powder contained in the kits provided to Israeli citizens. Few, if any, masks were made available to Palestinian children. Furthermore, the vast majority of Palestinian detainees - many of whom are housed in tents and therefore more vulnerable in the event of an attack - were not given gas masks. For its part, UNRWA launched an appeal and received, from international donors, 62,000 masks for adults. Its distribution of the masks was slowed by the fact that the Israeli authorities requested that they be delivered on a house-to-house basis during the curfews.

12. During the period under review, the measure that had the widest and most profound effect on the Palestinian civilian population was the imposition of a general curfew, beginning on 16 January 1991 in the Gaza Strip and on 17 January 1991 in the West Bank. With the exception of those living in East Jerusalem, which was exempt from the curfew, the Palestinian residents of the occupied territories were confined to their homes, on a 24-hour basis, for several weeks. Every three to four days, the curfew would be lifted for a few hours in different areas and at different times. During such periods, only women and young children were allowed to circulate, mainly to shop for food. The first general lifting of the curfew came on 11 February 1991, when most residents of the West Bank and those in Rafah and in Gaza Town in the Gaza Strip were permitted to leave their homes for six to eight hours per day. Restrictions were, however, imposed on travel between towns and villages. Furthermore, curfews continued to be imposed in various parts of the occupied territories.

13. The curfews had an impact on all spheres of daily life in the occupied territories. Economic activity came to a halt. Schools were closed. Access to medical facilities was curtailed. For a large number of Palestinians who had been living in precarious financial circumstances prior to the curfew, the absence of daily income meant that heads of households had little or no means with which to purchase basic necessities for their families during the curfew breaks. More than 1,000 Palestinians in the West Bank and Gaza Strip rely on daily paid labour for their income. The majority were unable to work for a minimum of four weeks in January and February 1991. Especially hard hit were the approximately 110,000 labourers who depend on working in Israel, a fraction of whom were permitted to return to jobs there after the curfews began to be lifted. According to Israeli defence sources, 15,800 Palestinian workers from the West Bank and Gaza Strip crossed into Israel on 20 February 1991. In this connection, it should be noted that the practice of prohibiting Palestinians with "green" identity cards (issued to them by the Israeli authorities for security reasons) from working in Israel was maintained after the curfew was lifted. At the same time, very few Palestinian factories and businesses in the West Bank and Gaza Strip received permits to operate during the curfew. Those that did could not be assured that their labourers would be able to come to work. The output of these

companies was thus negatively affected. Furthermore, exports could not be shipped and demands for Palestinian products in local markets declined.

14. The curfews also had an adverse impact on agriculture in the occupied territories. Crops could neither be planted, harvested nor irrigated. While some citrus farmers were given curfew permits allowing fruit to be picked, many of their labourers remained under curfew and could not travel to work. Citrus and vegetable merchants were unable to export their produce to Jordan or to European markets. Even within the occupied territories, restrictions on movement impeded the marketing of fresh produce, some of which subsequently rotted. For their part, livestock farmers had difficulty in tending their herds and/or putting them to pasture; factories supplying animal fodder were closed. Also affected by the curfews were fishermen, who were prevented from going to sea.

15. In an effort to alleviate some of the hardship faced by Palestinians in the West Bank and Gaza Strip as a result of the curfews, UNRWA undertook large-scale food distributions. The Agency launched a general distribution of flour and skim milk powder to 135,000 refugee and non-refugee families in the Gaza Strip on 29 January 1991. Despite the limited and sometimes erratic breaks in the curfew, the distributions proceeded relatively smoothly, even when labourers had to be hired on the spot because the regular UNRWA distribution workers had not been issued with curfew passes. A similar distribution began in the West Bank on 20 February 1991, although in the latter instance the Israeli authorities expressed reservations about the distribution of food to non-refugees and therefore stationed officials of the Civil Administration at the distribution centres to monitor the activities. Over all, some 295,000 families in the West Bank and Gaza Strip have received or are receiving food.

16. The availability of medical services to Palestinians during the curfews was impeded by the travel restrictions imposed both on patients and on medical staff seeking access to the hospitals and clinics. Of particular significance was the ban on travel from the West Bank and Gaza to East Jerusalem, where Al-Maqassed hospital, the largest hospital serving Palestinians in the occupied territories, is located. Shortly after the general curfew was imposed on 17 January, a new regulation was issued by the Civil Administration requiring patients in the West Bank and Gaza who sought to be transferred to hospital in Jerusalem to obtain a special permit. Permits must also be issued for ambulances transporting them. This bureaucratic procedure, in combination with the general difficulty of circulating during the curfews, inhibited many Palestinians from attempting to get to the hospital. Authorities at Al-Maqassed reported, for example, that the number of births dropped to less than one third of the usual monthly total of 500 and that, in general, the number of admissions to the hospital declined substantially. Preventive health care, such as vaccination programmes, was also affected by the inability of Palestinians to travel during the curfews. For their part, UNRWA's medical facilities remained open during this period, although there was some interference by the authorities with the movement of health buses and staff. The lack of access by Palestinians to government and private medical facilities put an increased burden on agency clinics. Agency health workers

made home visits in an attempt to keep vaccination programmes on schedule. From 20 December 1990 to 20 February 1991, there were 16 incursions by IDF personnel into UNRWA clinics in the West Bank and 37 interferences with agency health centres in the Gaza Strip.

17. Education in the occupied territories, which has been severely disrupted at all levels since the beginning of the intifadah, was again put on hold as a result of the curfew. Schools had been ordered shut by the Civil Administration for a mid-year break from 31 December 1990 to 12 January 1991. They reopened on 13 January 1991 only to close again two days later. On 19 February 1991 some primary schools (principally grades 1 to 3) were allowed to begin classes in a number of Gaza villages, as well as in villages and towns in the West Bank. No schools were permitted to reopen in the Gaza refugee camps, however, and 28 of UNRWA's West Bank schools remained closed.

18. With respect to Palestinian casualties during the period covered by the present report, the greatest number arising from a single incident were those that occurred during the clashes in Gaza on 29 December 1990 as reported in paragraph 8 above. With the imposition of the general curfew in mid-January 1991, casualties declined in the occupied territories. Whereas the number of fatalities in Gaza rose slightly, from 7 in December 1990 to 8 in January 1991, the overall casualties there dropped from a total of 1,677 in December to 894 in January. From 20 December 1990 to 28 February 1991 there were, according to UNRWA, 19 fatalities in the West Bank (15 by live ammunition) and 13 fatalities in Gaza (12 by live ammunition). UNRWA's records show that during that same period, non-fatal injuries caused by live ammunition, beatings, rubber-bullet wounds, tear-gas and other causes amounted to 371 in the West Bank and 2,479 in Gaza. It should be noted, however, that UNRWA's ability to compile statistics for the Gaza Strip is enhanced by the fact that its medical facilities cover more than 50 per cent of the population. The availability of alternative medical facilities, especially in the West Bank, means that not all casualties are reported to UNRWA. According to UNRWA's records, during the same period, seven Palestinians in the West Bank and eight Palestinians in Gaza were killed for allegedly collaborating with Israeli authorities.

19. Regarding arrests and detentions, IDF reported to the press in December 1990 that 9,944 Palestinians were being held in Israeli prisons and detention camps. This figure was broken down into the following categories: 4,470 convicted and serving sentences; 1,275 suspected offenders; 3,450 undergoing interrogation and 799 under administrative detention. However, in its country reports on human rights practices for 1990, the United States State Department records 1,263 Palestinians held under administrative detention at the end of December 1990. The practice of detaining Palestinians without charge continued in January and February 1991, although a precise figure is not available. Those held under administrative detention include a number of prominent Palestinian personalities. Following the imposition of the general curfew, some 2,300 Palestinians were arrested for curfew violations. According to an IDF spokesman, as quoted by B'Tselem, 1,714 were arrested in the West Bank for breaking the curfew. The head of the Gaza Bar

Association indicated to UNRWA that 600 Palestinians were arrested for violating the curfew in Gaza. According to Israeli and Palestinian human rights groups, hundreds of persons arrested for violating the curfew were tried in "quick courts" and without legal representation. The large majority pleaded guilty and were fined between \$250 and \$500. A substantial number of those arrested were, however, unable to pay the sum and remained in custody. During the reporting period, the Israeli authorities carried out other collective punishments, such as the demolition of homes and uprooting of trees.

Observations

20. In my first report to the Security Council under resolution 681 (1990), I have attempted to provide an overview of the situation affecting Palestinian civilians under Israeli occupation from 20 December 1990 to 28 February 1991. Most of the information contained in the present report has been provided by UNRWA, which is playing a major role in helping me to carry out my obligations under resolution 681 (1990). At the same time, it should be noted that UNRWA, which has a special responsibility towards the refugee population in the occupied territories, is not in a position to monitor every incident that occurs on the ground. This is particularly true in the West Bank which, geographically, is considerably larger than the Gaza Strip and where the percentage of refugees relative to the overall population is smaller than in Gaza. At the same time, given that it is the largest United Nations operation in the territories, with an international staff of some 50 people, UNRWA's continuous interaction with the Palestinians to whom it provides services and general assistance enables it to gain first-hand knowledge of their day-to-day life, including Israeli practices affecting them.

21. The period covered by this report cannot but be viewed against the backdrop of the crisis in the Persian Gulf, which, since its inception in August 1990, has had direct repercussions in the occupied territories. On the economic level, Iraq's invasion of Kuwait proved devastating for the territories. Remittances and transfer payments from the Gulf region plummeted. On the political level, widespread Palestinian support for Iraq led to increased tension between the inhabitants of the occupied territories and the Israeli security forces and, more broadly, cost the Palestinians much good will among the Israeli public. This tension was exacerbated by the 8 October 1990 incidents at the Al-Haram al-Sharif and other Holy Places of Jerusalem in which at least 17 Palestinians were killed and 150 wounded by Israeli security forces and more than 20 Israeli civilians and police were wounded by Palestinians. These tragic events once again highlighted the need for greater safety and protection of the Palestinian civilians living under Israeli occupation. Following the incidents, the Security Council adopted resolutions 672 (1990) and 673 (1990) and, in accordance with the requests contained therein, I submitted to the Security Council on 31 October 1990 a report (S/21919 and Corr.1) which inter alia put forward ideas concerning the safety and protection of Palestinian civilians.

22. The weeks prior to the adoption of resolution 681 (1990) were marked by a spate of violent incidents involving Israelis and Palestinians, in Israel as

well as the occupied territories, with bloodshed and loss of life on both sides. As the atmosphere deteriorated, the Israeli authorities imposed restrictions on travel to Israel and to East Jerusalem by Palestinian residents of the West Bank and Gaza Strip - a policy which affected, in particular, labourers who worked inside Israel. The decision by Israel to resume deportations further aggravated tensions. The particularly violent clashes which occurred in Gaza on 29 December 1990 clearly illustrate how an incident involving a few individuals can quickly escalate into a widespread confrontation in which hundreds of people might be hurt. They also demonstrate the depth of the distrust and anger that prevail between Palestinian residents of the occupied territories and the security forces controlling the area.

23. The curfews imposed on the occupied territories during January and February 1991 led to a decline in such clashes, with an attendant drop in casualties. However, the practice of confining Palestinians throughout the West Bank and Gaza Strip to their homes, for a period of weeks, brought severe hardship to the population as a whole. The Israeli authorities felt compelled to take special security precautions inside Israel and the occupied territories as the likelihood of war in the area increased. At the outset of the hostilities in the Gulf, and particularly after Israel, which was not a party to the conflict between Iraq and Kuwait, was attacked by Iraqi missiles, normal life in Israel, as well as the occupied territories, was disrupted. Yet, as Israeli and Palestinian human rights groups have pointed out, the curfews imposed on the occupied territories were extended well beyond the time when Israeli citizens began to resume their daily routines. Especially hard hit by the curfews were vulnerable groups, such as the poor and the sick.

24. These issues were addressed by my Personal Representative, Mr. Jean-Claude Aimé, when he visited the area from 1 to 11 March 1991. Given that his arrival in the area came shortly after the cessation of hostilities in the Persian Gulf, virtually everyone with whom he met was preoccupied with the aftermath of the crisis and its longer-term implications. There was a general feeling of relief, among Palestinians and Israelis alike, that the war was over. Yet, on the Palestinian side, there was great uneasiness and apprehension about what the future would hold. Of immediate concern to them was the very severe economic situation prevailing in the occupied territories and the fact that tens of thousands of Palestinian labourers continued to be without work. The Palestinians with whom Mr. Aimé met expressed alarm at the renewed policy of deportations and at the number of Palestinians who had been detained without charge by the Israeli authorities. There was great bitterness that primary and secondary education had, once again, been interrupted by the curfews and continued to be denied altogether at the university level. Resentment was also expressed by Palestinians that, despite the stated position of the Israeli authorities that security measures were necessary in the light of the Gulf war, tax raids were none the less conducted during the general curfew.

25. In his meetings with Israeli officials, Mr. Aimé emphasized these Palestinian concerns. For their part, the officials felt that the curfew

policy had been warranted on security grounds given that the population as a whole had sided with Iraq. As evidence of this, they pointed to the fact that Palestinians had publicly rejoiced in response to the Iraqi missile attacks on Israeli population centres. At the same time, they acknowledged that the economic situation in the occupied territories was deteriorating. They stated that some of the Palestinian labourers who had previously worked in Israel would gradually be reabsorbed into the Israeli labour market. An alternative source of employment would, however, have to be found for those workers who would not be given jobs. In the light of this, I have asked the United Nations Development Programme (UNDP) to look into the possibility of sending an economic mission to the occupied territories, the principal objective of which will be to develop income-generating projects.

26. On a regional level, the events that occurred during the period covered by the present report were extraordinary; the crisis in the Persian Gulf affected the policies of all Governments in the area. In this connection, Israel clearly had a right to take what it considered to be appropriate measures to defend itself in the face of the threat articulated against it. Yet, under the Fourth Geneva Convention, Israel also has the obligation at all times to protect the Palestinian civilian population under its control. In the context of the recent crisis, it was felt, for example, that the civil defence precautions undertaken by the Israeli authorities on behalf of Palestinian civilians were inadequate. At the same time, the extended curfew imposed undue hardship on the Palestinian population. More generally, the continuation of practices such as deportations, administrative detentions and collective punishments such as closure of schools and demolition of homes, all of which are violations of the Fourth Geneva Convention, are cause for concern.

27. In this connection, I should like to recall some views conveyed in my report of 31 October 1990 to the Security Council:

"The issue before us today is what practical steps can, in fact, be taken by the international community to ensure the safety and protection of the Palestinian civilians living under Israeli occupation. Clearly, the numerous appeals - whether by the Security Council, by myself as Secretary-General, by individual Member States or by ICRC, which is the guardian of the Geneva Conventions - to the Israeli authorities to abide by their obligations under the Fourth Geneva Convention have been ineffective. It is evident that for any measure of protection to be ensured, the cooperation of the Israeli authorities is, under the present circumstances, absolutely essential. Nevertheless, given the special responsibility of the high contracting parties for ensuring respect for the Convention, the Security Council might wish to call for a meeting of the high contracting parties to discuss possible measures that might be taken by them under the Convention" (S/21919, para. 24).

28. In putting forward the idea of such a meeting I sought to highlight the role of the parties responsible, under the Fourth Geneva Convention, for ensuring the safety and protection of Palestinian civilians in the occupied territories. In the absence of a decision by Israel to apply in full the

provisions of the Fourth Geneva Convention, the high contracting parties to the Convention have an obligation under its article 1 to ensure that it is respected. The idea regarding a meeting of these parties is, in my view, strengthened by the fact that the Security Council has itself repeatedly drawn attention to their responsibilities, most recently in paragraph 5 of resolution 681 (1990), which called on the high contracting parties to the Fourth Geneva Convention to ensure respect by Israel for its obligations under the Convention. This idea is not, as some have suggested, intended to politicize the issues at stake. Rather, I believe that an exchange of views between the high contracting parties - with a focus on measures outlined in the Convention, such as the appointment of a protecting Power (art. 9), conciliation (art. 12) and the enquiry procedure (art. 149) - could have the beneficial effect of enhancing the safety and protection of the Palestinian civilians under Israeli occupation. It should, in this connection, be noted that each of these measures requires the consent of the occupying Power.

29. In my next report to the Security Council I will, as indicated in paragraph 6 above, address in greater detail the idea of a meeting of the high contracting parties. In the meantime, I will continue to pursue the mandate entrusted to me under paragraph 7 of resolution 681 (1990). In saying this, I recognize that there is less than full support for the resolution, even though it was adopted unanimously. In his statement to the Security Council at the time of the adoption of resolution 681 (1990), the Permanent Representative of Israel expressed his Government's opposition to it, describing it as unfairly singling out Israel and noting that the mandates of the United Nations personnel in the area had previously been agreed with the Israeli authorities. In Israel's view, he said, "it would be both highly inappropriate and impractical that a resolution of the Security Council should alter such an agreed upon basis". At the same time, the Alternate Permanent Observer of Palestine, in his statement to the Security Council, expressed the view that resolution 681 (1990) represented less than what had been sought and did not reflect the position which the Security Council should have adopted "in view of the current situation in the Palestinian territories occupied since 1967, including Arab Al-Quds, and in view of the volatile situation in the Middle East in general".

30. However, I, as Secretary-General, view resolution 681 (1990) as a positive step aimed at providing increased safety and protection for the Palestinian civilians under occupation. If this objective can be achieved, I feel that the atmosphere of distrust and fear that now prevails between Palestinians and Israelis, and which has the effect of undermining prospects for dialogue between them, would be dissipated and would facilitate the search for a peaceful settlement of a conflict that has brought untold suffering to both peoples.

Notes

1/ United Nations, Treaty Series, vol. 75, No. 973.

May 1991 from the representatives of Côte d'Ivoire, Cuba, Ecuador, India, Yemen, Zaire and Zimbabwe to the United Nations addressed to the President of the Security Council (S/22634)".⁷

At the same meeting, in response to the request of the same date from the observer of Palestine,⁸ the Council also decided, by a vote, that an invitation should be accorded to the observer of Palestine to participate in the discussion of the item entitled "The situation in the occupied Arab territories" and that that invitation would confer upon it the same rights of participation as those conferred on a Member State when it was invited to participate under rule 37 of the provisional rules of procedure.

Adopted by 11 votes to 1 (United States of America), with 3 abstentions (Belgium, France, United Kingdom of Great Britain and Northern Ireland).

Resolution 694 (1991)
of 24 May 1991

The Security Council,

Reaffirming its resolution 681 (1990) of 20 December 1990,

Having learned with deep concern and consternation that Israel has, in violation of its obligations under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁴ and acting in opposition to relevant Security Council resolutions, and to the detriment of efforts to achieve a comprehensive, just and lasting peace in the Middle East, deported four Palestinian civilians on 18 May 1991,

1. *Declares* that the action of the Israeli authorities of deporting four Palestinians on 18 May 1991 is in violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁴ which is applicable to all the Palestinian territories occupied by Israel since 1967, including Jerusalem;

2. *Deplores* this action and reiterates that Israel, the occupying Power, must refrain from deporting any Palestinian civilian from the occupied territories and ensure the safe and immediate return of all those deported;

3. *Decides* to keep the situation under review.

Adopted unanimously at the 2989th meeting

THE SITUATION IN LIBERIA

Decisions

At its 2974th meeting, on 22 January 1991, the Council decided to invite the representatives of Liberia and Nigeria to participate, without vote, in the discussion of the item entitled "The situation in Liberia: letter dated 15 January 1991 from the Charge d'affaires a.i. of the Permanent Mission of Cote d'Ivoire to the United Nations addressed to the President of the Security Council (S/22076)".⁹

At the same meeting, the President made the following statement on behalf of the Council:¹⁰

"The members of the Security Council took note of the final communiqué of the first extraordinary session of the Authority of Heads of State and Government of the Economic Community of West African States, issued in Bamako on 28 November 1990."¹¹

"The members of the Council commend the efforts made by the heads of State and Government of the Community to promote peace and normalcy in Liberia.

"The members of the Council call upon the parties to the conflict in Liberia to continue to respect the cease-fire agreement which they have signed and to co-operate fully with the Community to restore peace and normalcy in Liberia.

"The members of the Council express appreciation to the Member States, the Secretary-General and humanitarian organizations for the humanitarian assistance to Liberia and call for additional assistance. In this connection the Council welcomes the resumption of the United Nations emergency programme in Liberia following the acceptance of a general cease-fire.

"The members of the Council support the appeal launched by the heads of State and Government of the Economic Community of West African States to the international community for increased humanitarian assistance to the people of Liberia."

THE SITUATION IN THE OCCUPIED ARAB TERRITORIES²¹

Decisions

At its 3026th meeting, on 6 January 1992, the Council decided to invite the representatives of Egypt, Israel, and the Syrian Arab Republic to participate, without vote, in the discussion of the item entitled "The situation in the occupied Arab territories".

At the same meeting, in response to the request of the same date from the observer of Palestine to the United Nations,²² the Council decided, by a vote, that an invitation should be extended to the observer of Palestine to participate in the discussion and that that invitation would confer upon it the same rights of participation as those conferred on a Member State when it was invited to participate under rule 37 of the provisional rules of procedure.

Adopted by 10 votes to 1 (United States of America), with 4 abstentions (Belgium, France, Hungary, the United Kingdom of Great Britain and Northern Ireland).

Resolution 726 (1992)

of 6 January 1992

The Security Council,

Recalling the obligations of Member States under the Charter of the United Nations,

Recalling its resolutions 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989, 641 (1989) of 30 August 1989 and 694 (1991) of 24 May 1991,

Having been apprised of the decision of Israel, the occupying Power, to deport twelve Palestinian civilians from the occupied Palestinian territories,

1. *Strongly condemns* the decision of Israel, the occupying Power, to resume deportations of Palestinian civilians;

2. *Reaffirms* the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,²³ to all the Palestinian territories occupied by Israel since 1967, including Jerusalem;

3. *Requests* Israel, the occupying Power, to refrain from deporting any Palestinian civilian from the occupied territories;

4. *Also requests* Israel, the occupying Power, to ensure the safe and immediate return to the occupied territories of all those deported;

5. *Decides* to keep the matter under review.

Adopted unanimously at the 3026th meeting.

Decisions

At its 3065th meeting, on 4 April 1992, in response to the request dated 3 April 1992 from the observer of Palestine,²⁴ the Council decided, by a vote, that an invitation should be extended to the observer of Palestine to participate in the discussion of the item entitled "The situation in the occupied Arab territories" and that that invitation would confer upon it the same rights of participation as those conferred on a Member State when it was invited to participate under rule 37 of the provisional rules of procedure.

Adopted by 10 votes to 1 (United States of America), with 4 abstentions (Belgium, France, Hungary, the United Kingdom of Great Britain and Northern Ireland).

At the same meeting, following consultations held earlier among members of the Council, the President made the following statement on behalf of the members of the Council:²⁵

"The members of the Council are gravely concerned by the continued deterioration of the situation in the Gaza Strip, especially by the current serious situation in Rafah in which several Palestinians have been killed and many more injured.

"The members of the Council condemn all these acts of violence at Rafah. They urge maximum restraint in order to bring the violence to an end.

"The members of the Council urge Israel to abide at all times by its obligations under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,²³ and to respect and to act in accordance with the relevant resolutions of the Security Council. The members of the Council are concerned that any escalation of violence would have serious implications for the peace process, especially at a time when negotiations to achieve a comprehensive, just and lasting peace are under way.

"The members of the Council request the Secretary-General to use his good offices, in accordance with resolution 681 (1990) of 20 December 1990, regarding this situation concerning Palestinian civilians under Israeli occupation."

At its 3151st meeting, on 18 December 1992, the Council decided to invite the representatives of Egypt, Israel, Jordan, Lebanon and the Syrian Arab Republic to participate, without vote, in the discussion of the item entitled "The situation in the occupied Arab territories: letter dated 18 December 1992 from the Permanent Representative of Lebanon to the United Nations addressed to the President of the Security Council (S/24980)".¹⁷



Security Council

Distr.
GENERAL

S/23783
4 April 1992

ORIGINAL: ENGLISH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

Following consultations among members of the Security Council, the President of the Council made the following statement, on behalf of the members of the Council, at its 3065th meeting, on 4 April 1992, in connection with the Council's consideration of the item entitled "The situation in the occupied Arab territories":

"The members of the Security Council are gravely concerned by the continued deterioration of the situation in the Gaza Strip, especially by the current serious situation in Rafah in which several Palestinians have been killed and many more injured.

"The members of the Security Council condemn all these acts of violence at Rafah. They urge maximum restraint in order to bring the violence to an end.

"The members of the Security Council urge Israel to abide at all times by its obligations under the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 12 August 1949 and to respect and to act in accordance with the relevant resolutions of the Security Council. The members of the Security Council are concerned that any escalation of violence would have serious implications for the peace process, especially at a time when negotiations to achieve a comprehensive, just and lasting peace are under way.

"The members of the Security Council request the Secretary-General to use his good offices, in accordance with resolution 681 (1990), regarding this situation concerning Palestinian civilians under Israeli occupation."



Security Council

Distr.
GENERAL

S/RES/799 (1992)
18 December 1992

RESOLUTION 799 (1992)

Adopted by the Security Council at its 3151st meeting,
on 18 December 1992

The Security Council,

Recalling the obligations of Member States under the United Nations Charter,

Reaffirming its resolutions 607 (1988), 608 (1988), 636 (1989), 641 (1989), 681 (1990), 694 (1991) and 726 (1992),

Having learned with deep concern that Israel, the occupying Power, in contravention of its obligations under the Fourth Geneva Convention of 1949, deported to Lebanon on 17 December 1992, hundreds of Palestinian civilians from the territories occupied by Israel since 1967, including Jerusalem,

1. Strongly condemns the action taken by Israel, the occupying Power, to deport hundreds of Palestinian civilians, and expresses its firm opposition to any such deportation by Israel;
2. Reaffirms the applicability of the Fourth Geneva Convention of 12 August 1949 to all the Palestinian territories occupied by Israel since 1967, including Jerusalem, and affirms that deportation of civilians constitutes a contravention of its obligations under the Convention;
3. Reaffirms also the independence, sovereignty and territorial integrity of Lebanon;
4. Demands that Israel, the occupying Power, ensure the safe and immediate return to the occupied territories of all those deported;
5. Requests the Secretary-General to consider dispatching a representative to the area to follow up with the Israeli Government with regard to this serious situation and to report to the Security Council;
6. Decides to keep the matter actively under review.



Security Council

Distr.
GENERAL

S/25149
25 January 1993

ORIGINAL: ENGLISH

REPORT SUBMITTED TO THE SECURITY COUNCIL BY THE SECRETARY-GENERAL
IN ACCORDANCE WITH RESOLUTION 799 (1992)

1. On 18 December 1992 the Security Council adopted resolution 799 (1992), which reads as follows:

"The Security Council,

"Recalling the obligations of Member States under the United Nations Charter,

"Reaffirming its resolutions 607 (1988), 608 (1988), 636 (1989), 641 (1989), 681 (1990), 694 (1991) and 726 (1992),

"Having learned with deep concern that Israel, the occupying Power, in contravention of its obligations under the Fourth Geneva Convention of 1949, deported to Lebanon on 17 December 1992, hundreds of Palestinian civilians from the territories occupied by Israel since 1967, including Jerusalem,

"1. Strongly condemns the action taken by Israel, the occupying Power, to deport hundreds of Palestinian civilians, and expresses its firm opposition to any such deportation by Israel;

"2. Reaffirms the applicability of the Fourth Geneva Convention of 12 August 1949 to all the Palestinian territories occupied by Israel since 1967, including Jerusalem, and affirms that deportation of civilians constitutes a contravention of its obligations under the Convention;

"3. Reaffirms also the independence, sovereignty and territorial integrity of Lebanon;

"4. Demands that Israel, the occupying Power, ensure the safe and immediate return to the occupied territories of all those deported;

"5. Requests the Secretary-General to consider dispatching a representative to the area to follow up with the Israeli Government with regard to this serious situation and to report to the Security Council;

"6. Decides to keep the matter actively under review."

2. In pursuance of paragraph 5 of resolution 799 (1992), the Secretary-General telephoned the Minister for Foreign Affairs of Israel, Mr. Shimon Peres, to inform him of his decision to send Under-Secretary-General for Political Affairs, Mr. James O. C. Jonah, to the region. The Secretary-General expressed the hope that it would be possible to achieve a solution in conformity with the position adopted unanimously by the Security Council.

3. Mr. Jonah visited the area from 27 to 30 December 1992. In Israel he held extensive discussions with the Prime Minister, Mr. Yitzhak Rabin, and the Minister for Foreign Affairs, Mr. Shimon Peres. While in Jerusalem, he met with a group of Palestinians, led by Mr. Faisal Husseini, the head of the Palestinian delegation to the peace talks with Israel. In Lebanon, he met the President, Mr. Elias Hrawi, the Prime Minister, Mr. Rafik Hariri, and the Minister of Health and Acting Minister for Foreign Affairs, Mr. Marwan Hamadieh. Mr. Jonah was prevented from meeting with the deportees themselves, but he met with representatives of their families, at the request of the latter. He also met, at their request, with Israeli families who had suffered from acts of terrorism. In addition, Mr. Jonah was briefed during his visit by representatives of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and the United Nations Interim Force in Lebanon (UNIFIL). It should be noted that 16 of the deportees are UNRWA staff members.

4. On 2 January 1993, Mr. Jonah briefed the Secretary-General in Addis Ababa on his discussions in the region, which had been inconclusive because it had not proved possible to persuade the Government of Israel to fulfil its obligations under resolution 799 (1992). The Secretary-General subsequently telephoned Prime Minister Rabin from Addis Ababa to inform him of his intention to send a second mission, led by his Special Political Adviser and Representative to the multilateral peace talks on the Middle East, Under-Secretary-General Chinmaya Gharekhan. This decision was based, he said, on his determination to exert every possible effort to achieve a solution in accordance with the will of the Security Council.

5. On 4 January 1993, the Secretary-General conveyed a letter to the President of the Security Council in which he underlined that an important principle was at stake, namely, that Israel's decision to deport to Lebanon 415 Palestinian civilians was illegal under international law. It was a contravention of Israel's obligations under article 49 of the Fourth Geneva Convention, 1/ and constituted a fundamental disregard of the Universal Declaration of Human Rights. 2/ For its part, the Security Council had repeatedly (in its resolutions 607 (1988), 608 (1988), 636 (1989), 641 (1989), 681 (1990), 694 (1991) and 726 (1992) and most recently in resolution

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799 (1992)) expressed its opposition to and condemnation of the deportation of Palestinian civilians from the occupied territories. In his letter, the Secretary-General reported with regret that Mr. Jonah's mission had been unsuccessful and that that was attributable to Israel's unwillingness to comply with resolution 799 (1992). Recalling the unanimous and unequivocal position taken by the Security Council in that resolution, in particular the explicit demand contained in paragraph 4 thereof, the Secretary-General said that in his opinion there was no alternative to the safe and immediate return to the occupied territories of all those deported. He informed the Council that, in view of the gravity of the situation and before presenting a full report, he felt compelled to make a further effort to find a solution in conformity with the terms set out in resolution 799 (1992) and that consequently he had decided to send Mr. Gharekhan to the region to discuss with the Government of Israel ways of bringing an end to the situation. He hoped that the Israeli authorities would recognize the need to comply with resolution 799 (1992); if not, he might have to recommend in his report that the Council consider taking further steps to ensure that its decision was respected.

6. The Secretary-General briefed Mr. Gharekhan in Cairo on 6 January 1993 about his mission, and emphasized that, in his discussions with the Israeli authorities, he should focus solely on implementation of resolution 799 (1992). While the United Nations was concerned over the humanitarian plight of the Palestinian deportees, this aspect had not been addressed by the Security Council. In the circumstances, it seemed appropriate that the International Committee of the Red Cross (ICRC), which under the Fourth Geneva Convention has a special responsibility for civilians residing under occupation, should address the humanitarian needs of the deportees.

7. Mr. Gharekhan visited Israel from 7 to 12 January 1993. He held extensive discussions with the Israeli authorities, including Prime Minister Rabin, with whom he met twice, and Minister for Foreign Affairs Peres. The Prime Minister emphasized that the decision adopted by the Government of Israel on 16 December 1992 "to expel temporarily" 415 Palestinians could not be rescinded. The decision had been taken in the light of a number of acts of violence carried out by supporters of the Hamas and Islamic Jihad movements against Israeli citizens, which had culminated in the kidnapping and subsequent murder of an Israeli border policeman. The Prime Minister noted that the Government had refrained from adopting harsher measures, including capital punishment, which, he pointed out, was permissible under the Fourth Geneva Convention. He mentioned, however, that a number of petitions had been filed with the Israeli High Court of Justice, including one that challenged the legality of the Government's decision which had been adopted on an ad hoc basis and, unlike previous situations in which Israeli deportation orders had been issued to Palestinian residents of the occupied territories, did not stem from the British Mandatory Emergency Regulations of 1945. The Prime Minister stated that, should the High Court rule that the government decision was illegal, the deportees would be returned to "the places from which they had been taken" prior to their expulsion. Otherwise, each expelled individual had the right to appeal. In

the opinion of the Israeli authorities, the expulsion orders were not inconsistent with the position taken by the Security Council. All those expelled would be permitted to return, as requested by the Council; the only difference was regarding the timing. Each deportee had been informed, at the time of his expulsion, of the period that he would have to remain away. Finally, the Prime Minister said that, although the Government of Israel did not wish to enter into a confrontation with the Security Council, it believed that its decision regarding the temporary expulsions was justified, not only on the grounds that it would serve as a deterrent to further acts of violence but also that it would help to sustain the peace process. In the Government's view, Palestinian supporters of the peace process had been intimidated and indeed had their own lives threatened by Hamas and the Islamic Jihad, which were opposed not only to negotiations with Israel but to peace itself. The Prime Minister said that, if the Security Council was to adopt measures against Israel, it might lead to a collapse of the peace process, for which the Council would be held responsible.

8. For his part, Mr. Gharekhan emphasized to his Israeli interlocutors the imperative need for compliance with the decision of the Security Council. He stated that the objective of his mission was to find a solution in accordance with resolution 799 (1992) and that he would not address the humanitarian aspects of the problem. He would not, therefore, travel to Lebanon. He stressed that, if Israel failed to fulfil its obligations under resolution 799 (1992), the Secretary-General would have no choice but to submit an unambiguous report to the Security Council as a follow-up to his 4 January 1993 letter to the President of the Council. Moreover, he firmly rejected the view that the Security Council should be held responsible for a collapse in the Middle East peace process. Should such an eventuality arise, Israel alone would be responsible. In this connection, Mr. Gharekhan conveyed to the Prime Minister a message from the Palestinians he had met the previous evening that they would not resume the peace talks unless the deportees were permitted to return. In response to suggestions that the deportees might be transferred to third countries, Mr. Gharekhan stated that his sole objective was to help to find a solution in strict accordance with the decision of the Security Council, which had demanded the safe and immediate return of the deportees. He noted that it was open to Israel to place the deportees in prison or under administrative detention which, at least, would not be in violation of the Fourth Geneva Convention.

9. During his visit to Jerusalem, Mr. Gharekhan also met, at their request, with a widely representative group of Palestinians, led by Mr. Faisal Hussein. Without exception, the Palestinians expressed opposition to the deportations and called for full implementation of resolution 799 (1992). Unless the deportees were permitted to return, they said, the Palestinian delegation would not resume peace talks with Israel. As indicated above, they requested Mr. Gharekhan to convey this latter message to Prime Minister Rabin. They rejected the Israeli explanation that the deportees had been expelled because of their opposition to the peace process, and expressed apprehension at the precedent set by the ad hoc government decision, which could be applied to any Palestinian civilian in the occupied territories. More generally, the group expressed deep disappointment and

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bitterness at Israel's continuing defiance of Security Council resolutions and asked why, in the light of the most recent example of Israeli non-compliance, they should believe that Israel would eventually abide by resolutions 242 (1967) and 338 (1973) on which the peace process was based. Furthermore, it was widely felt that, since the Madrid peace conference, the international community had ignored the right of Palestinians under occupation to safety and protection. Security Council resolution 681 (1990), which inter alia requests the Secretary-General to monitor and observe the situation regarding Palestinian civilians under Israeli occupation, was cited in this connection. Mr. Gharekhan assured the Palestinians that their concerns would be conveyed to the Secretary-General as well as to Israeli leaders with whom he would meet.

10. While his mission did not concern humanitarian matters, Mr. Gharekhan met twice with the head of the ICRC delegation in Tel Aviv, who inter alia briefed him on the 9 January 1993 ICRC visit to the deportees, which had been agreed to by Lebanon and UNIFIL on a one-time basis, as well as by Israel. For this purpose, ICRC had chartered a UNIFIL helicopter, on which United Nations markings were replaced by those of the Red Cross. In the event, the ICRC delegate and medical doctor who conducted the visit had decided, and were given permission by the Israeli authorities, to evacuate two deportees on humanitarian grounds. One, a 16-year-old boy, had been expelled "by mistake", and was permitted to return to his home in the occupied territories. The other was evacuated for medical reasons and, after spending the night of 9 January under ICRC supervision at UNIFIL's hospital in Naqoura, was transferred to Marjayoun Hospital in the Israeli-controlled area (ICA) in southern Lebanon.

11. On 13 January 1993, Mr. Gharekhan briefed the Secretary-General in Paris on his mission.

12. In the meantime, the Secretary-General had a number of meetings and telephone conversations about the deportees with leaders in the region and representatives of other interested Governments. In Geneva he met the Minister for Foreign Affairs of Algeria, Mr. Lakhdar Ibrahimi, the Minister for Foreign Affairs of France, Mr. Roland Dumas, and the Chairman of the Executive Committee of the Palestine Liberation Organization, Mr. Yasser Arafat. In each of these meetings, the situation of the deportees and implementation of resolution 799 (1992) was discussed at length. In Bonn, the Secretary-General addressed the same issues in a meeting with the Minister for Foreign Affairs of Germany, Mr. Klaus Kinkel. In Paris, he again discussed the situation with the Ministers for Foreign Affairs of Algeria and France, as well as the Secretary of State of the United States of America, Mr. Lawrence Eagleburger. During this period, the Secretary-General spoke several times by telephone with the Prime Minister of Lebanon, Mr. Rafik Hariri.

13. On 13 January 1993, the Secretary-General met in Paris with the Minister for Foreign Affairs of Israel. He reiterated to Mr. Peres the need for Israel to comply immediately with the decision of the Security Council. The following day, he spoke twice by telephone with Prime Minister Rabin, and

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agreed to send Mr. Gharekhan to Jerusalem again, in a further effort to secure implementation of resolution 799 (1992).

14. On 18 January 1993, Mr. Gharekhan met in Geneva with the President of ICRC, Mr. Cornelio Sommaruga. He conveyed the Secretary-General's appreciation for the humanitarian activities carried out by ICRC with respect to the deportees. Mr. Sommaruga briefed him on further measures contemplated by his organization. In the course of their meeting, Mr. Sommaruga and Mr. Gharekhan noted that the respective responsibilities of the United Nations and ICRC concerning the deportees were separate and different. The mandate of the United Nations was set out in resolution 799 (1992), which demands the "safe and immediate return" of the deportees. The mandate of ICRC was based on humanitarian law and, in particular, the Fourth Geneva Convention, which explicitly opposes deportation. However, in the absence of the return of the deportees, ICRC had a responsibility to ensure that humanitarian assistance, such as relief and medical care, as well as family messages and powers of attorney, was made available to them as long as they were in their present location. Mr. Sommaruga expressed his organization's full support for the efforts of the Secretary-General.

15. Mr. Gharekhan returned to Israel on the evening of 19 January and left early on 22 January 1993. During his stay he met twice with Prime Minister Rabin and once with Minister for Foreign Affairs Peres. A new development since his previous visit was that the Israeli High Court of Justice had, on 17 January 1993, begun its consideration of the appeal which challenged the legality of the Government's action in "temporarily expelling" 415 Palestinians. As at the date of the present report, the Court hearings are continuing. The Prime Minister informed Mr. Gharekhan that he would not be in a position to act, or even to discuss alternative measures, until the Court gave its judgement. Mr. Gharekhan explained to his Israeli interlocutors that the Security Council had acted in the matter independently of the internal judicial processes of Israel. The Prime Minister expressed his understanding of this point, but again emphasized that he could take no action before the Court gave its judgement. He stated that he was prepared to resume discussions with Mr. Gharekhan after the Court had decided.

16. As during his previous visit, Mr. Gharekhan met with a group of Palestinians. The Palestinians expressed support for the efforts of the Secretary-General, and demanded the implementation without delay of resolution 799 (1992). They once again reiterated their position that they could not take part in the peace talks unless the issue of the deportees was resolved.

Observations

17. To recognize fully the gravity of the situation addressed in Security Council resolution 799 (1992), it is important to recall that the deportations carried out by the Government of Israel on 17 December 1992 are only the most recent in a series of violations by Israel of the Fourth Geneva Convention. The question of the safety and protection of Palestinian civilians under

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Israeli occupation has repeatedly been addressed by the Security Council since December 1987. For this reason and in the light of requests conveyed by Palestinian leaders to me as well as to Mr. Jonah and Mr. Gharekhan during their missions to the region, I intend to initiate discussions with the Israeli authorities regarding the establishment of a United Nations monitoring mechanism in the occupied territories, as suggested in resolution 681 (1990). This should have the effect of reassuring Palestinians under Israeli occupation that the international community is not neglecting their need for safety and protection, a need which must be met regardless of progress in the peace talks.

18. As has been made clear by the above narrative, Israel continues to refuse to comply with resolution 799 (1992). This is all the more regrettable given that I have, in accordance with the mandate entrusted to me in paragraph 5 of that resolution, made persistent efforts to achieve a solution. I have sent three missions to the region and have personally spoken several times with Israeli Prime Minister Rabin and Minister for Foreign Affairs Peres. The refusal by Israel to ensure the safe and immediate return of deportees as demanded in resolution 799 (1992), in my view, challenges the authority of the Security Council. Additionally, there is a growing perception, throughout the international community, that the Council, by not pressing for Israeli compliance with its resolutions, of which resolution 799 (1992) is only the latest, does not attach equal importance to the implementation of all of its decisions. In these circumstances, I would be failing in my duty if I did not recommend to the Security Council that it should take whatever measures are required to ensure that its unanimous decision, as set out in resolution 799 (1992), is respected.

19. Having said that, I wish to point out that developments such as those that are the subject of the present report underscore the need to achieve a comprehensive, just and lasting peace in the Middle East. This objective has long been and will continue to be an important focus of United Nations efforts. The ongoing volatility of the situation in the occupied territories remains a matter of deep concern, and makes it all the more imperative that the international community should spare no effort in pursuit of a settlement. For my part, I remain committed to do everything possible to help in this endeavour.

Notes

- 1/ United Nations Treaty Series, vol. 75, No. 973.
- 2/ General Assembly resolution 217 A (III).



**General Assembly
Security Council**

Distr.
GENERAL

A/48/486
S/26560
11 October 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-eighth session
Agenda item 10
REPORT OF THE SECRETARY-GENERAL ON
THE WORK OF THE ORGANIZATION

SECURITY COUNCIL
Forty-eighth year

Letter dated 8 October 1993 from the Permanent Representatives
of the Russian Federation and the United States of America to
the United Nations addressed to the Secretary-General

As co-sponsors of the peace process launched at Madrid in October 1991 and witnesses to the signing at Washington, D.C., on 13 September 1993 of the Declaration of Principles on Interim Self-Government Arrangements, including its Annexes, and its Agreed Minutes, by the Government of the State of Israel and the Palestine Liberation Organization, we have the honour to enclose the above document (see annex).

We would be grateful if you would have the present letter and its attachment circulated as an official document of the forty-eighth session of the General Assembly, under agenda item 10, and of the Security Council.

(Signed) Madeleine K. ALBRIGHT
Ambassador
Permanent Representative
to the United Nations of the
United States of America

(Signed) Yuliy M. VORONTSOV
Ambassador
Permanent Representative
to the United Nations of
the Russian Federation

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S/26560
English
Page 2

Letter dated 8 October 1993 from the Permanent
Representative of Israel to the United Nations
addressed to the Secretary-General

I have the honour to enclose the Declaration of Principles on Interim Self-Government Arrangements, including its Annexes, and its Agreed Minutes, signed at Washington, D.C., on 13 September 1993 by the Government of the State of Israel and the Palestine Liberation Organization and witnessed by the United States of America and the Russian Federation (see annex).

I would be grateful if you would have the present letter and its attachment circulated as an official document of the forty-eighth session of the General Assembly, under agenda item 10, and of the Security Council.

(Signed) Gad YAACOBI
Ambassador
Permanent Representative

Letter dated 8 October 1993 from the Permanent
Observer of Palestine to the United Nations
addressed to the Secretary-General

I have the honour to enclose the Declaration of Principles on Interim Self-Government Arrangements, including its Annexes, and its Agreed Minutes, signed at Washington, D.C., on 13 September 1993 by the Government of the State of Israel and the Palestine Liberation Organization and witnessed by the United States of America and the Russian Federation (see annex).

I would be grateful if you would have the present letter and its attachment circulated as an official document of the forty-eighth session of the General Assembly, under agenda item 10, and of the Security Council.

(Signed) Dr. Nasser AL-KIDWA
Permanent Observer of Palestine
to the United Nations

ANNEX

Declaration of Principles on Interim
Self-Government Arrangements

The Government of the State of Israel and the PLO team (in the Jordanian-Palestinian delegation to the Middle East Peace Conference) (the "Palestinian Delegation"), representing the Palestinian people, agree that it is time to put an end to decades of confrontation and conflict, recognize their mutual legitimate and political rights, and strive to live in peaceful coexistence and mutual dignity and security and achieve a just, lasting and comprehensive peace settlement and historic reconciliation through the agreed political process. Accordingly, the two sides agree to the following principles:

Article I

AIM OF THE NEGOTIATIONS

The aim of the Israeli-Palestinian negotiations within the current Middle East peace process is, among other things, to establish a Palestinian Interim Self-Government Authority, the elected Council (the "Council"), for the Palestinian people in the West Bank and the Gaza Strip, for a transitional period not exceeding five years, leading to a permanent settlement based on Security Council resolutions 242 (1967) and 338 (1973). It is understood that the interim arrangements are an integral part of the whole peace process and that the negotiations on the permanent status will lead to the implementation of Security Council resolutions 242 (1967) and 338 (1973).

Article II

FRAMEWORK FOR THE INTERIM PERIOD

The agreed framework for the interim period is set forth in this Declaration of Principles.

Article III

ELECTIONS

1. In order that the Palestinian people in the West Bank and Gaza Strip may govern themselves according to democratic principles, direct, free and general political elections will be held for the Council under agreed supervision and international observation, while the Palestinian police will ensure public order.
2. An agreement will be concluded on the exact mode and conditions of the elections in accordance with the protocol attached as Annex I, with the goal of holding the elections not later than nine months after the entry into force of this Declaration of Principles.

3. These elections will constitute a significant interim preparatory step toward the realization of the legitimate rights of the Palestinian people and their just requirements.

Article IV

JURISDICTION

Jurisdiction of the Council will cover West Bank and Gaza Strip territory, except for issues that will be negotiated in the permanent status negotiations. The two sides view the West Bank and the Gaza Strip as a single territorial unit, whose integrity will be preserved during the interim period.

Article V

TRANSITIONAL PERIOD AND PERMANENT STATUS NEGOTIATIONS

1. The five-year transitional period will begin upon the withdrawal from the Gaza Strip and Jericho area.

2. Permanent status negotiations will commence as soon as possible, but not later than the beginning of the third year of the interim period, between the Government of Israel and the Palestinian people's representatives.

3. It is understood that these negotiations shall cover remaining issues, including: Jerusalem, refugees, settlements, security arrangements, borders, relations and cooperation with other neighbours, and other issues of common interest.

4. The two parties agree that the outcome of the permanent status negotiations should not be prejudiced or preempted by agreements reached for the interim period.

Article VI

PREPARATORY TRANSFER OF POWERS AND RESPONSIBILITIES

1. Upon the entry into force of this Declaration of Principles and the withdrawal from the Gaza Strip and the Jericho area, a transfer of authority from the Israeli military government and its Civil Administration to the authorized Palestinians for this task, as detailed herein, will commence. This transfer of authority will be of a preparatory nature until the inauguration of the Council.

2. Immediately after the entry into force of this Declaration of Principles and the withdrawal from the Gaza Strip and Jericho area, with the view to promoting economic development in the West Bank and Gaza Strip, authority will be transferred to the Palestinians in the following spheres: education and culture, health, social welfare, direct taxation and tourism. The Palestinian side will commence in building the Palestinian police force, as agreed upon.

Pending the inauguration of the Council, the two parties may negotiate the transfer of additional powers and responsibilities, as agreed upon.

Article VII

INTERIM AGREEMENT

1. The Israeli and Palestinian delegations will negotiate an agreement on the interim period (the "Interim Agreement").
2. The Interim Agreement shall specify, among other things, the structure of the Council, the number of its members, and the transfer of powers and responsibilities from the Israeli military government and its Civil Administration to the Council. The Interim Agreement shall also specify the Council's executive authority, legislative authority in accordance with Article IX below, and the independent Palestinian judicial organs.
3. The Interim Agreement shall include arrangements, to be implemented upon the inauguration of the Council, for the assumption by the Council of all of the powers and responsibilities transferred previously in accordance with Article VI above.
4. In order to enable the Council to promote economic growth, upon its inauguration, the Council will establish, among other things, a Palestinian Electricity Authority, a Gaza Sea Port Authority, a Palestinian Development Bank, a Palestinian Export Promotion Board, a Palestinian Environmental Authority, a Palestinian Land Authority and a Palestinian Water Administration Authority and any other Authorities agreed upon, in accordance with the Interim Agreement, that will specify their powers and responsibilities.
5. After the inauguration of the Council, the Civil Administration will be dissolved, and the Israeli military government will be withdrawn.

Article VIII

PUBLIC ORDER AND SECURITY

In order to guarantee public order and internal security for the Palestinians of the West Bank and the Gaza Strip, the Council will establish a strong police force, while Israel will continue to carry the responsibility for defending against external threats, as well as the responsibility for overall security of Israelis for the purpose of safeguarding their internal security and public order.

Article IX

LAWS AND MILITARY ORDERS

1. The Council will be empowered to legislate, in accordance with the Interim Agreement, within all authorities transferred to it.

2. Both parties will review jointly laws and military orders presently in force in remaining spheres.

Article X

JOINT ISRAELI-PALESTINIAN LIAISON COMMITTEE

In order to provide for a smooth implementation of this Declaration of Principles and any subsequent agreements pertaining to the interim period, upon the entry into force of this Declaration of Principles, a Joint Israeli-Palestinian Liaison Committee will be established in order to deal with issues requiring coordination, other issues of common interest and disputes.

Article XI

ISRAELI-PALESTINIAN COOPERATION IN ECONOMIC FIELDS

Recognizing the mutual benefit of cooperation in promoting the development of the West Bank, the Gaza Strip and Israel, upon the entry into force of this Declaration of Principles, an Israeli-Palestinian Economic Cooperation Committee will be established in order to develop and implement in a cooperative manner the programmes identified in the protocols attached as Annex III and Annex IV.

Article XII

LIAISON AND COOPERATION WITH JORDAN AND EGYPT

The two parties will invite the Governments of Jordan and Egypt to participate in establishing further liaison and cooperation arrangements between the Government of Israel and the Palestinian representatives, on the one hand, and the Governments of Jordan and Egypt, on the other hand, to promote cooperation between them. These arrangements will include the constitution of a Continuing Committee that will decide by agreement on the modalities of admission of persons displaced from the West Bank and Gaza Strip in 1967, together with necessary measures to prevent disruption and disorder. Other matters of common concern will be dealt with by this Committee.

Article XIII

REDEPLOYMENT OF ISRAELI FORCES

1. After the entry into force of this Declaration of Principles, and not later than the eve of elections for the Council, a redeployment of Israeli military forces in the West Bank and the Gaza Strip will take place, in addition to withdrawal of Israeli forces carried out in accordance with Article XIV.

2. In redeploying its military forces, Israel will be guided by the principle that its military forces should be redeployed outside populated areas.

3. Further redeployments to specified locations will be gradually implemented commensurate with the assumption of responsibility for public order and internal security by the Palestinian police force pursuant to Article VIII above.

Article XIV

ISRAELI WITHDRAWAL FROM THE GAZA STRIP AND JERICHO AREA

Israel will withdraw from the Gaza Strip and Jericho area, as detailed in the protocol attached as Annex II.

Article XV

RESOLUTION OF DISPUTES

1. Disputes arising out of the application or interpretation of this Declaration of Principles, or any subsequent agreements pertaining to the interim period, shall be resolved by negotiations through the Joint Liaison Committee to be established pursuant to Article X above.
2. Disputes which cannot be settled by negotiations may be resolved by a mechanism of conciliation to be agreed upon by the parties.
3. The parties may agree to submit to arbitration disputes relating to the interim period, which cannot be settled through conciliation. To this end, upon the agreement of both parties, the parties will establish an Arbitration Committee.

Article XVI

ISRAELI-PALESTINIAN COOPERATION CONCERNING REGIONAL PROGRAMMES

Both parties view the multilateral working groups as an appropriate instrument for promoting a "Marshall Plan", the regional programmes and other programmes, including special programmes for the West Bank and Gaza Strip, as indicated in the protocol attached as Annex IV.

Article XVII

MISCELLANEOUS PROVISIONS

1. This Declaration of Principles will enter into force one month after its signing.
2. All protocols annexed to this Declaration of Principles and Agreed Minutes pertaining thereto shall be regarded as an integral part hereof.

DONE at Washington, D.C., this thirteenth day of September 1993.

For the Government of Israel:

(Signed) Shimon PERES

For the PLO:

(Signed) Mahmud ABBAS

Witnessed By:

The United States of America

(Signed) Warren CHRISTOPHER

The Russian Federation

(Signed) Andrei V. KOZYREV

ANNEX I

Protocol on the Mode and Conditions of Elections

1. Palestinians of Jerusalem who live there will have the right to participate in the election process, according to an agreement between the two sides.
2. In addition, the election agreement should cover, among other things, the following issues:
 - (a) The system of elections;
 - (b) The mode of the agreed supervision and international observation and their personal composition;
 - (c) Rules and regulations regarding election campaigns, including agreed arrangements for the organizing of mass media, and the possibility of licensing a broadcasting and television station.
3. The future status of displaced Palestinians who were registered on 4 June 1967 will not be prejudiced because they are unable to participate in the election process owing to practical reasons.

ANNEX II

Protocol on Withdrawal of Israeli Forces
from the Gaza Strip and Jericho Area

1. The two sides will conclude and sign within two months from the date of entry into force of this Declaration of Principles an agreement on the withdrawal of Israeli military forces from the Gaza Strip and Jericho area. This agreement will include comprehensive arrangements to apply in the Gaza Strip and the Jericho area subsequent to the Israeli withdrawal.

2. Israel will implement an accelerated and scheduled withdrawal of Israeli military forces from the Gaza Strip and Jericho area, beginning immediately with the signing of the agreement on the Gaza Strip and Jericho area and to be completed within a period not exceeding four months after the signing of this agreement.

3. The above agreement will include, among other things:

(a) Arrangements for a smooth and peaceful transfer of authority from the Israeli military government and its Civil Administration to the Palestinian representatives;

(b) Structure, powers and responsibilities of the Palestinian authority in these areas, except: external security, settlements, Israelis, foreign relations and other mutually agreed matters;

(c) Arrangements for the assumption of internal security and public order by the Palestinian police force consisting of police officers recruited locally and from abroad (holding Jordanian passports and Palestinian documents issued by Egypt). Those who will participate in the Palestinian police force coming from abroad should be trained as police and police officers;

(d) A temporary international or foreign presence, as agreed upon;

(e) Establishment of a joint Palestinian-Israeli Coordination and Cooperation Committee for mutual security purposes;

(f) An economic development and stabilization programme including the establishment of an Emergency Fund, to encourage foreign investment and financial and economic support. Both sides will coordinate and cooperate jointly and unilaterally with regional and international parties to support these aims;

(g) Arrangements for a safe passage for persons and transportation between the Gaza Strip and Jericho area.

4. The above agreement will include arrangements for coordination between both parties regarding passages:

(a) Gaza - Egypt;

(b) Jericho - Jordan.

5. The offices responsible for carrying out the powers and responsibilities of the Palestinian authority under this Annex II and Article VI of the Declaration of Principles will be located in the Gaza Strip and in the Jericho area pending the inauguration of the Council.

6. Other than these agreed arrangements, the status of the Gaza Strip and Jericho area will continue to be an integral part of the West Bank and Gaza Strip, and will not be changed in the interim period.

ANNEX III

Protocol on Israeli-Palestinian Cooperation
in Economic and Development Programmes

The two sides agree to establish an Israeli-Palestinian Continuing Committee for Economic Cooperation, focusing, among other things, on the following:

1. Cooperation in the field of water, including a Water Development Programme prepared by experts from both sides, which will also specify the mode of cooperation in the management of water resources in the West Bank and Gaza Strip, and will include proposals for studies and plans on water rights of each party, as well as on the equitable utilization of joint water resources for implementation in and beyond the interim period.
2. Cooperation in the field of electricity, including an Electricity Development Programme, which will also specify the mode of cooperation for the production, maintenance, purchase and sale of electricity resources.
3. Cooperation in the field of energy, including an Energy Development Programme, which will provide for the exploitation of oil and gas for industrial purposes, particularly in the Gaza Strip and in the Negev, and will encourage further joint exploitation of other energy resources. This Programme may also provide for the construction of a petrochemical industrial complex in the Gaza Strip and the construction of oil and gas pipelines.
4. Cooperation in the field of finance, including a Financial Development and Action Programme for the encouragement of international investment in the West Bank and the Gaza Strip, and in Israel, as well as the establishment of a Palestinian Development Bank.
5. Cooperation in the field of transport and communications, including a Programme, which will define guidelines for the establishment of a Gaza Sea Port Area, and will provide for the establishing of transport and communications lines to and from the West Bank and the Gaza Strip to Israel and to other countries. In addition, this Programme will provide for carrying out the necessary construction of roads, railways, communications lines, etc.
6. Cooperation in the field of trade, including studies, and Trade Promotion Programmes, which will encourage local, regional and interregional trade, as well as a feasibility study of creating free trade zones in the Gaza Strip and in Israel, mutual access to these zones and cooperation in other areas related to trade and commerce.
7. Cooperation in the field of industry, including Industrial Development Programmes, which will provide for the establishment of joint Israeli-Palestinian Industrial Research and Development Centres, will promote Palestinian-Israeli joint ventures, and provide guidelines for cooperation in the textile, food, pharmaceutical, electronics, diamonds, computer and science-based industries.

8. A Programme for cooperation in, and regulation of, labour relations and cooperation in social welfare issues.

9. A Human Resource Development and Cooperation Plan, providing for joint Israeli-Palestinian workshops and seminars, and for the establishment of joint vocational training centres, research institutes and data banks.

10. An Environmental Protection Plan, providing for joint and/or coordinated measures in this sphere.

11. A Programme for developing coordination and cooperation in the field of communications and media.

12. Any other programmes of mutual interest.

ANNEX IV

Protocol on Israeli-Palestinian Cooperation
concerning Regional Development Programmes

1. The two sides will cooperate in the context of the multilateral peace efforts in promoting a Development Programme for the region, including the West Bank and the Gaza Strip, to be initiated by the Group of Seven. The parties will request the Group of Seven to seek the participation in this Programme of other interested States, such as members of the Organisation for Economic Cooperation and Development, regional Arab States and institutions, as well as members of the private sector.

2. The Development Programme will consist of two elements:

(a) An Economic Development Programme for the West Bank and the Gaza Strip;

(b) A Regional Economic Development Programme.

A. The Economic Development Programme for the West Bank and the Gaza Strip will consist of the following elements:

(1) A Social Rehabilitation Programme, including a Housing and Construction Programme;

(2) A Small and Medium Business Development Plan;

(3) An Infrastructure Development Programme (water, electricity, transportation and communications, etc.);

(4) A Human Resources Plan;

(5) Other programmes.

B. The Regional Economic Development Programme may consist of the following elements:

(1) The establishment of a Middle East Development Fund, as a first step, and a Middle East Development Bank, as a second step;

(2) The development of a joint Israeli-Palestinian-Jordanian Plan for coordinated exploitation of the Dead Sea area;

(3) The Mediterranean Sea (Gaza) - Dead Sea Canal;

(4) Regional desalinization and other water development projects;

(5) A regional plan for agricultural development, including a coordinated regional effort for the prevention of desertification;

- (6) Interconnection of electricity grids;
- (7) Regional cooperation for the transfer, distribution and industrial exploitation of gas, oil and other energy resources;
- (8) A Regional Tourism, Transportation and Telecommunications Development Plan;
- (9) Regional cooperation in other spheres.

3. The two sides will encourage the multilateral working groups and will coordinate towards their success. The two parties will encourage inter-sessional activities, as well as pre-feasibility and feasibility studies, within the various multilateral working groups.

Agreed Minutes to the Declaration of Principles
on Interim Self-Government Arrangements

A. GENERAL UNDERSTANDINGS AND AGREEMENTS

Any powers and responsibilities transferred to the Palestinians pursuant to the Declaration of Principles prior to the inauguration of the Council will be subject to the same principles pertaining to Article IV, as set out in these Agreed Minutes below.

B. SPECIFIC UNDERSTANDINGS AND AGREEMENTS

Article IV

It is understood that:

1. Jurisdiction of the Council will cover West Bank and Gaza Strip territory, except for issues that will be negotiated in the permanent status negotiations: Jerusalem, settlements, military locations and Israelis.
2. The Council's jurisdiction will apply with regard to the agreed powers, responsibilities, spheres and authorities transferred to it.

Article VI (2)

It is agreed that the transfer of authority will be as follows:

1. The Palestinian side will inform the Israeli side of the names of the authorized Palestinians who will assume the powers, authorities and responsibilities that will be transferred to the Palestinians according to the Declaration of Principles in the following fields: education and culture, health, social welfare, direct taxation, tourism and any other authorities agreed upon.
2. It is understood that the rights and obligations of these offices will not be affected.
3. Each of the spheres described above will continue to enjoy existing budgetary allocations in accordance with arrangements to be mutually agreed upon. These arrangements also will provide for the necessary adjustments required in order to take into account the taxes collected by the direct taxation office.
4. Upon the execution of the Declaration of Principles, the Israeli and Palestinian delegations will immediately commence negotiations on a detailed plan for the transfer of authority on the above offices in accordance with the above understandings.

Article VII (2)

The Interim Agreement will also include arrangements for coordination and cooperation.

Article VII (5)

The withdrawal of the military government will not prevent Israel from exercising the powers and responsibilities not transferred to the Council.

Article VIII

It is understood that the Interim Agreement will include arrangements for cooperation and coordination between the two parties in this regard. It is also agreed that the transfer of powers and responsibilities to the Palestinian police will be accomplished in a phased manner, as agreed in the Interim Agreement.

Article X

It is agreed that, upon the entry into force of the Declaration of Principles, the Israeli and Palestinian delegations will exchange the names of the individuals designated by them as members of the Joint Israeli-Palestinian Liaison Committee. It is further agreed that each side will have an equal number of members in the Joint Committee. The Joint Committee will reach decisions by agreement. The Joint Committee may add other technicians and experts, as necessary. The Joint Committee will decide on the frequency and place or places of its meetings.

ANNEX II

It is understood that, subsequent to the Israeli withdrawal, Israel will continue to be responsible for external security, and for internal security and public order of settlements and Israelis. Israeli military forces and civilians may continue to use roads freely within the Gaza Strip and the Jericho area.

DONE at Washington, D.C., this thirteenth day of September 1993.

For the Government of Israel:

(Signed) Shimon PERES

For the PLO:

(Signed) Mahmud ABBAS

Witnessed By:

The United States of America

(Signed) Warren CHRISTOPHER

The Russian Federation

(Signed) Andrei V. KOZYREV



Security Council

Distr.
GENERAL

S/RES/904 (1994)
18 March 1994

RESOLUTION 904 (1994)

Adopted by the Security Council at its 3351st meeting,
on 18 March 1994

The Security Council,

Shocked by the appalling massacre committed against Palestinian worshippers in the Mosque of Ibrahim in Hebron, on 25 February 1994, during the holy month of Ramadan,

Gravely concerned by the consequent Palestinian casualties in the occupied Palestinian territory as a result of the massacre, which underlines the need to provide protection and security for the Palestinian people,

Determined to overcome the adverse impact of the massacre on the peace process currently under way,

Noting with satisfaction the efforts undertaken to guarantee the smooth proceeding of the peace process and calling upon all concerned to continue their efforts to this end,

Noting the condemnation of this massacre by the entire international community,

Reaffirming its relevant resolutions, which affirmed the applicability of the Fourth Geneva Convention of 12 August 1949 to the territories occupied by Israel in June 1967, including Jerusalem, and the Israeli responsibilities thereunder,

1. Strongly condemns the massacre in Hebron and its aftermath which took the lives of more than 50 Palestinian civilians and injured several hundred others;

2. Calls upon Israel, the occupying Power, to continue to take and implement measures, including, inter alia, confiscation of arms, with the aim of preventing illegal acts of violence by Israeli settlers;

3. Calls for measures to be taken to guarantee the safety and protection of the Palestinian civilians throughout the occupied territory, including, inter alia, a temporary international or foreign presence, which was provided for in the Declaration of Principles (S/26560), within the context of the ongoing peace process;

4. Requests the co-sponsors of the peace process, the United States of America and the Russian Federation, to continue their efforts to invigorate the peace process, and to undertake the necessary support for the implementation of the above-mentioned measures;

5. Reaffirms its support for the peace process currently under way, and calls for the implementation of the Declaration of Principles, signed by the Government of Israel and the Palestine Liberation Organization on 13 September 1993 in Washington, D.C., without delay.



General Assembly
Security Council

Distr.
GENERAL

A/49/180
S/1994/727
20 June 1994

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Item 38 of the preliminary list*
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-ninth year

Letter dated 27 May 1994 from the Permanent Representatives
of the Russian Federation and the United States of America
to the United Nations addressed to the Secretary-General

As co-sponsors of the peace process launched at Madrid in October 1991 and witnesses to the signing at Cairo on 4 May 1994 of the Agreement on the Gaza Strip and the Jericho Area, including its annexes and maps, and an exchange of letters by the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, we have the honour to enclose the above document (see annex).

We would be grateful if you would have the present letter, the attached Agreement, including its annexes and maps, and the exchange of letters distributed as an official document of the General Assembly, under item 38 of the preliminary list, and of the Security Council.

(Signed) Yuliy M. VORONTSOV
Ambassador
Permanent Representative
to the United Nations of the
Russian Federation

(Signed) Madeleine K. ALBRIGHT
Ambassador
Permanent Representative
to the United Nations of the
United States of America

* A/49/50/Rev.1.

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S/1994/727
English
Page 2

Letter dated 27 May 1994 from the Permanent Representative
of Israel to the United Nations addressed to the
Secretary-General

Following my letter to you of 8 October 1993, concerning the Declaration of Principles on Interim Self-Government Arrangements, signed on 13 September 1993 at Washington, D.C. (see A/48/486-S/26560), I have the honour to enclose the Agreement on the Gaza Strip and the Jericho Area, including its annexes and maps, signed on 4 May 1994 at Cairo, as well as the exchange of letters signed on the same day by the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, and witnessed by the United States of America, the Russian Federation and the Arab Republic of Egypt (see annex).

I would be grateful if you would have the present letter, the attached Agreement, including its annexes and maps, and the exchange of letters distributed as an official document of the General Assembly, under item 38 of the preliminary list, and of the Security Council.

(Signed) Gad YAACOB
Ambassador
Permanent Representative of Israel
to the United Nations

/...

Letter dated 27 May 1994 from the Permanent Observer
of Palestine to the United Nations; addressed to the
Secretary-General

Following my letter to you of 8 October 1993, concerning the Declaration of Principles on Interim Self-Government Arrangements, signed on 13 September 1993 at Washington, D.C. (see A/48/486-S/26560), I have the honour to enclose the Agreement on the Gaza Strip and the Jericho Area, including its annexes and maps, signed on 4 May 1994 at Cairo, as well as the exchange of letters signed on the same day by the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, and witnessed by the United States of America, the Russian Federation and the Arab Republic of Egypt (see annex).

I would be grateful if you would have the present letter, the attached Agreement, including its annexes and maps, and the exchange of letters distributed as an official document of the General Assembly, under item 38 of the preliminary list, and of the Security Council.

(Signed) Dr. Nasser AL-KIDWA
Permanent Observer of Palestine
to the United Nations

/...

ANNEX*

AGREEMENT ON THE GAZA STRIP AND THE JERICHO AREA

Cairo, 4 May 1994

* The present annex is being published as received, without formal editing.

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AGREEMENT ON THE GAZA STRIP AND THE JERICHO AREA

The Government of the State of Israel and the Palestine Liberation Organization (hereinafter "the PLO"), the representative of the Palestinian people;

PREAMBLE

- WITHIN the framework of the Middle East peace process initiated at Madrid in October 1991;
- REAFFIRMING their determination to live in peaceful coexistence, mutual dignity and security, while recognizing their mutual legitimate and political rights;
- REAFFIRMING their desire to achieve a just, lasting and comprehensive peace settlement through the agreed political process;
- REAFFIRMING their adherence to the mutual recognition and commitments expressed in the letters dated September 9, 1993, signed by and exchanged between the Prime Minister of Israel and the Chairman of the PLO;
- REAFFIRMING their understanding that the interim self-government arrangements, including the arrangements to apply in the Gaza Strip and the Jericho Area contained in this Agreement, are an integral part of the whole peace process and that the negotiations on the permanent status will lead to the implementation of Security Council Resolutions 242 and 338;
- DESIROUS of putting into effect the Declaration of Principles on Interim Self-Government Arrangements signed at Washington, D.C. on September 13, 1993, and the Agreed Minutes thereto (hereinafter "the Declaration of Principles"), and in particular the Protocol on withdrawal of Israeli forces from the Gaza Strip and the Jericho Area;
- HEREBY AGREE to the following arrangements regarding the Gaza Strip and the Jericho Area: /...

Article I

Definitions

For the purpose of this Agreement:

- a. the Gaza Strip and the Jericho Area are delineated on map Nos. 1 and 2 attached to this Agreement;
- b. "the Settlements" means the Gush Katif and Erez settlement areas, as well as the other settlements in the Gaza Strip, as shown on attached map No. 1;
- c. "the Military Installation Area" means the Israeli military installation area along the Egyptian border in the Gaza Strip, as shown on map No. 1; and
- d. the term "Israelis" shall also include Israeli statutory agencies and corporations registered in Israel.

Article II

Scheduled Withdrawal of Israeli Military Forces

1. Israel shall implement an accelerated and scheduled withdrawal of Israeli military forces from the Gaza Strip and from the Jericho Area to begin immediately with the signing of this Agreement. Israel shall complete such withdrawal within three weeks from this date.
2. Subject to the arrangements included in the Protocol Concerning Withdrawal of Israeli Military Forces and Security Arrangements attached as Annex I, the Israeli withdrawal shall include evacuating all military bases and other fixed installations to be handed over to the Palestinian Police, to be established pursuant to Article IX below (hereinafter "the Palestinian Police").

/...

3. In order to carry out Israel's responsibility for external security and for internal security and public order of Settlements and Israelis, Israel shall, concurrently with the withdrawal, redeploy its remaining military forces to the Settlements and the Military Installation Area, in accordance with the provisions of this Agreement. Subject to the provisions of this Agreement, this redeployment shall constitute full implementation of Article XIII of the Declaration of Principles with regard to the Gaza Strip and the Jericho Area only.
4. For the purposes of this Agreement, "Israeli military forces" may include Israel police and other Israeli security forces.
5. Israelis, including Israeli military forces, may continue to use roads freely within the Gaza Strip and the Jericho Area. Palestinians may use public roads crossing the Settlements freely, as provided for in Annex I.
6. The Palestinian Police shall be deployed and shall assume responsibility for public order and internal security of Palestinians in accordance with this Agreement and Annex I.

Article III

Transfer of Authority

1. Israel shall transfer authority as specified in this Agreement from the Israeli military government and its Civil Administration to the Palestinian Authority, hereby established, in accordance with Article V of this Agreement, except for the authority that Israel shall continue to exercise as specified in this Agreement.
2. As regards the transfer and assumption of authority in civil spheres, powers and responsibilities shall be transferred and assumed as set out in the Protocol Concerning Civil Affairs attached as Annex II.

/...

3. Arrangements for a smooth and peaceful transfer of the agreed powers and responsibilities are set out in Annex II.
4. Upon the completion of the Israeli withdrawal and the transfer of powers and responsibilities as detailed in paragraphs 1 and 2 above and in Annex II, the Civil Administration in the Gaza Strip and the Jericho Area will be dissolved and the Israeli military government will be withdrawn. The withdrawal of the military government shall not prevent it from continuing to exercise the powers and responsibilities specified in this Agreement.
5. A Joint Civil Affairs Coordination and Cooperation Committee (hereinafter "the CAC") and two Joint Regional Civil Affairs Subcommittees for the Gaza Strip and the Jericho Area respectively shall be established in order to provide for coordination and cooperation in civil affairs between the Palestinian Authority and Israel, as detailed in Annex II.
6. The offices of the Palestinian Authority shall be located in the Gaza Strip and the Jericho Area pending the inauguration of the Council to be elected pursuant to the Declaration of Principles.

Article IV

Structure and Composition of the Palestinian Authority

1. The Palestinian Authority will consist of one body of 24 members which shall carry out and be responsible for all the legislative and executive powers and responsibilities transferred to it under this Agreement, in accordance with this Article, and shall be responsible for the exercise of judicial functions in accordance with Article VI, subparagraph 1.b. of this Agreement.
2. The Palestinian Authority shall administer the departments transferred to it and may establish, within its jurisdiction, other departments and subordinate administrative units as necessary for the fulfillment of its responsibilities. It shall determine its own internal procedures.

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3. The PLO shall inform the Government of Israel of the names of the members of the Palestinian Authority and any change of members. Changes in the membership of the Palestinian Authority will take effect upon an exchange of letters between the PLO and the Government of Israel.
4. Each member of the Palestinian Authority shall enter into office upon undertaking to act in accordance with this Agreement.

Article V

Jurisdiction

1. The authority of the Palestinian Authority encompasses all matters that fall within its territorial, functional and personal jurisdiction, as follows:
 - a. The territorial jurisdiction covers the Gaza Strip and the Jericho Area territory, as defined in Article I, except for Settlements and the Military Installation Area.

Territorial jurisdiction shall include land, subsoil and territorial waters, in accordance with the provisions of this Agreement.
 - b. The functional jurisdiction encompasses all powers and responsibilities as specified in this Agreement. This jurisdiction does not include foreign relations, internal security and public order of Settlements and the Military Installation Area and Israelis, and external security.
 - c. The personal jurisdiction extends to all persons within the territorial jurisdiction referred to above, except for Israelis, unless otherwise provided in this Agreement.
2. The Palestinian Authority has, within its authority, legislative, executive and judicial powers and responsibilities, as provided for in this Agreement.

/...

3. a. Israel has authority over the Settlements, the Military Installation Area, Israelis, external security, internal security and public order of Settlements, the Military Installation Area and Israelis, and those agreed powers and responsibilities specified in this Agreement.
- b. Israel shall exercise its authority through its military government, which, for that end, shall continue to have the necessary legislative, judicial and executive powers and responsibilities, in accordance with international law. This provision shall not derogate from Israel's applicable legislation over Israelis in personam.
4. The exercise of authority with regard to the electromagnetic sphere and airspace shall be in accordance with the provisions of this Agreement.
5. The provisions of this Article are subject to the specific legal arrangements detailed in the Protocol Concerning Legal Matters attached as Annex III. Israel and the Palestinian Authority may negotiate further legal arrangements.
6. Israel and the Palestinian Authority shall cooperate on matters of legal assistance in criminal and civil matters through the legal subcommittee of the CAC.

Article VI

Powers and Responsibilities of the Palestinian Authority

1. Subject to the provisions of this Agreement, the Palestinian Authority, within its jurisdiction:
 - a. has legislative powers as set out in Article VII of this Agreement, as well as executive powers;
 - b. will administer justice through an independent judiciary;
 - c. will have, *inter alia*, power to formulate policies, supervise their implementation, employ staff, establish departments,

/...

authorities and institutions, sue and be sued and conclude contracts; and

- d. will have, inter alia, the power to keep and administer registers and records of the population, and issue certificates, licenses and documents.
2. a. In accordance with the Declaration of Principles, the Palestinian Authority will not have powers and responsibilities in the sphere of foreign relations, which sphere includes the establishment abroad of embassies, consulates or other types of foreign missions and posts or permitting their establishment in the Gaza Strip or the Jericho Area, the appointment of or admission of diplomatic and consular staff, and the exercise of diplomatic functions.
 - b. Notwithstanding the provisions of this paragraph, the PLO may conduct negotiations and sign agreements with states or international organizations for the benefit of the Palestinian Authority in the following cases only:
 - (1) economic agreements, as specifically provided in Annex IV of this Agreement;
 - (2) agreements with donor countries for the purpose of implementing arrangements for the provision of assistance to the Palestinian Authority;
 - (3) agreements for the purpose of implementing the regional development plans detailed in Annex IV of the Declaration of Principles or in agreements entered into in the framework of the multilateral negotiations; and
 - (4) cultural, scientific and educational agreements.
 - c. Dealings between the Palestinian Authority and representatives of foreign states and international organizations, as well as the establishment in the Gaza Strip and the Jericho Area of representative offices other than those described in subparagraph 2.a.

/...

above, for the purpose of implementing the agreements referred to in subparagraph 2.b. above, shall not be considered foreign relations.

Article VII

Legislative Powers of the Palestinian Authority

1. The Palestinian Authority will have the power, within its jurisdiction, to promulgate legislation, including basic laws, laws, regulations and other legislative acts.
2. Legislation promulgated by the Palestinian Authority shall be consistent with the provisions of this Agreement.
3. Legislation promulgated by the Palestinian Authority shall be communicated to a legislation subcommittee to be established by the CAC (hereinafter "the Legislation Subcommittee"). During a period of 30 days from the communication of the legislation, Israel may request that the Legislation Subcommittee decide whether such legislation exceeds the jurisdiction of the Palestinian Authority or is otherwise inconsistent with the provisions of this Agreement.
4. Upon receipt of the Israeli request, the Legislation Subcommittee shall decide, as an initial matter, on the entry into force of the legislation pending its decision on the merits of the matter.
5. If the Legislation Subcommittee is unable to reach a decision with regard to the entry into force of the legislation within 15 days, this issue will be referred to a board of review. This board of review shall be comprised of two judges, retired judges or senior jurists (hereinafter "Judges"), one from each side, to be appointed from a compiled list of three Judges proposed by each.

In order to expedite the proceedings before this board of review, the two most senior Judges, one from each side, shall develop written informal rules of procedure.

/...

6. Legislation referred to the board of review shall enter into force only if the board of review decides that it does not deal with a security issue which falls under Israel's responsibility, that it does not seriously threaten other significant Israeli interests protected by this Agreement and that the entry into force of the legislation could not cause irreparable damage or harm.
7. The Legislation Subcommittee shall attempt to reach a decision on the merits of the matter within 30 days from the date of the Israeli request.: If this Subcommittee is unable to reach such a decision within this period of 30 days, the matter shall be referred to the Joint Israeli-Palestinian Liaison Committee referred to in Article XV below (hereinafter "the Liaison Committee"). This Liaison Committee will deal with the matter immediately and will attempt to settle it within 30 days.
8. Where the legislation has not entered into force pursuant to paragraphs 5 or 7 above, this situation shall be maintained pending the decision of the Liaison Committee on the merits of the matter, unless it has decided otherwise.
9. Laws and military orders in effect in the Gaza Strip or the Jericho Area prior to the signing of this Agreement shall remain in force, unless amended or abrogated in accordance with this Agreement.

Article VIII

Arrangements for Security and Public Order

1. In order to guarantee public order and internal security for the Palestinians of the Gaza Strip and the Jericho Area, the Palestinian Authority shall establish a strong police force, as set out in Article IX below. Israel shall continue to carry the responsibility for defense against external threats, including the responsibility for protecting the Egyptian border and the Jordanian line, and for defense against external threats from the sea and from the air, as well as the responsibility for overall security of Israelis and

/...

Settlements, for the purpose of safeguarding their internal security and public order, and will have all the powers to take the steps necessary to meet this responsibility.

2. Agreed security arrangements and coordination mechanisms are specified in Annex I.
3. A joint Coordination and Cooperation Committee for mutual security purposes (hereinafter "the JSC"), as well as three joint District Coordination and Cooperation Offices for the Gaza district, the Khan Yunis district and the Jericho district respectively (hereinafter "the DCOs") are hereby established as provided for in Annex I.
4. The security arrangements provided for in this Agreement and in Annex I may be reviewed at the request of either Party and may be amended by mutual agreement of the Parties. Specific review arrangements are included in Annex I.

Article IX

The Palestinian Directorate of Police Force

1. The Palestinian Authority shall establish a strong police force, the Palestinian Directorate of Police Force (hereinafter "the Palestinian Police"). The duties, functions, structure, deployment and composition of the Palestinian Police, together with provisions regarding its equipment and operation, are set out in Annex I, Article III. Rules of conduct governing the activities of the Palestinian Police are set out in Annex I, Article VIII.
2. Except for the Palestinian Police referred to in this Article and the Israeli military forces, no other armed forces shall be established or operate in the Gaza Strip or the Jericho Area.
3. Except for the arms, ammunition and equipment of the Palestinian Police described in Annex I, Article III, and those of the Israeli military forces, no organization or individual in the Gaza Strip and the Jericho Area shall manufacture, sell, acquire, possess, import or otherwise introduce

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into the Gaza Strip or the Jericho Area any firearms, ammunition, weapons, explosives, gunpowder or any related equipment, unless otherwise provided for in Annex I.

Article X

Passages

Arrangements for coordination between Israel and the Palestinian Authority regarding the Gaza-Egypt and Jericho-Jordan passages, as well as any other agreed international crossings, are set out in Annex I, Article X.

Article XI

Safe Passage between the Gaza Strip and the Jericho Area

Arrangements for safe passage of persons and transportation between the Gaza Strip and the Jericho Area are set out in Annex I, Article IX.

Article XII

Relations Between Israel and the Palestinian Authority

1. Israel and the Palestinian Authority shall seek to foster mutual understanding and tolerance and shall accordingly abstain from incitement, including hostile propaganda, against each other and, without derogating from the principle of freedom of expression, shall take legal measures to prevent such incitement by any organizations, groups or individuals within their jurisdiction.

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2. Without derogating from the other provisions of this Agreement, Israel and the Palestinian Authority shall cooperate in combatting criminal activity which may affect both sides, including offenses related to trafficking in illegal drugs and psychotropic substances, smuggling, and offenses against property, including offenses related to vehicles.

Article XIII

Economic Relations

The economic relations between the two sides are set out in the Protocol on Economic Relations signed in Paris on April 29, 1994 and the Appendices thereto, certified copies of which are attached as Annex IV, and will be governed by the relevant provisions of this Agreement and its Annexes.

Article XIV

Human Rights and the Rule of Law

Israel and the Palestinian Authority shall exercise their powers and responsibilities pursuant to this Agreement with due regard to internationally-accepted norms and principles of human rights and the rule of law.

Article XV

The Joint Israeli-Palestinian Liaison Committee

1. The Liaison Committee established pursuant to Article X of the Declaration of Principles shall ensure the smooth implementation of this Agreement. /...

It shall deal with issues requiring coordination, other issues of common interest and disputes.

2. The Liaison Committee shall be composed of an equal number of members from each Party. It may add other technicians and experts as necessary.
3. The Liaison Committee shall adopt its rules of procedure, including the frequency and place or places of its meetings.
4. The Liaison Committee shall reach its decisions by Agreement.

Article XVI

Liaison and Cooperation with Jordan and Egypt

1. Pursuant to Article XII of the Declaration of Principles, the two Parties shall invite the Governments of Jordan and Egypt to participate in establishing further liaison and cooperation arrangements between the Government of Israel and the Palestinian representatives on the one hand, and the Governments of Jordan and Egypt on the other hand, to promote cooperation between them. These arrangements shall include the constitution of a Continuing Committee.
2. The Continuing Committee shall decide by agreement on the modalities of admission of persons displaced from the West Bank and the Gaza Strip in 1967, together with necessary measures to prevent disruption and disorder.
3. The Continuing Committee shall deal with other matters of common concern.

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Article XVII

Settlement of Differences and Disputes

Any difference relating to the application of this Agreement shall be referred to the appropriate coordination and cooperation mechanism established under this Agreement. The provisions of Article XV of the Declaration of Principles shall apply to any such difference which is not settled through the appropriate coordination and cooperation mechanism, namely:

1. Disputes arising out of the application or interpretation of this Agreement or any subsequent agreements pertaining to the interim period shall be settled by negotiations through the Liaison Committee.
2. Disputes which cannot be settled by negotiations may be settled by a mechanism of conciliation to be agreed between the Parties.
3. The Parties may agree to submit to arbitration disputes relating to the interim period, which cannot be settled through conciliation. To this end, upon the agreement of both Parties, the Parties will establish an Arbitration Committee.

Article XVIII

Prevention of Hostile Acts

Both sides shall take all measures necessary in order to prevent acts of terrorism, crime and hostilities directed against each other, against individuals falling under the other's authority and against their property, and shall take legal measures against offenders. In addition, the Palestinian side shall take all measures necessary to prevent such hostile acts directed against the Settlements, the infrastructure serving them and the Military Installation Area, and the Israeli side shall take all measures necessary to prevent such hostile acts emanating from the Settlements and directed against Palestinians.

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Article XIX

Missing Persons

The Palestinian Authority shall cooperate with Israel by providing all necessary assistance in the conduct of searches by Israel within the Gaza Strip and the Jericho Area for missing Israelis, as well as by providing information about missing Israelis. Israel shall cooperate with the Palestinian Authority in searching for, and providing necessary information about, missing Palestinians.

Article XX

Confidence Building Measures

With a view to creating a positive and supportive public atmosphere to accompany the implementation of this Agreement, and to establish a solid basis of mutual trust and good faith, both Parties agree to carry out confidence building measures as detailed herewith:

1. Upon the signing of this Agreement, Israel will release, or turn over, to the Palestinian Authority within a period of 5 weeks, about 5,000 Palestinian detainees and prisoners, residents of the West Bank and the Gaza Strip. Those released will be free to return to their homes anywhere in the West Bank or the Gaza Strip. Prisoners turned over to the Palestinian Authority shall be obliged to remain in the Gaza Strip or the Jericho Area for the remainder of their sentence.
2. After the signing of this Agreement, the two Parties shall continue to negotiate the release of additional Palestinian prisoners and detainees, building on agreed principles.

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3. The implementation of the above measures will be subject to the fulfillment of the procedures determined by Israeli law for the release and transfer of detainees and prisoners.
4. With the assumption of Palestinian authority, the Palestinian side commits itself to solving the problem of those Palestinians who were in contact with the Israeli authorities. Until an agreed solution is found, the Palestinian side undertakes not to prosecute these Palestinians or to harm them in any way.
5. Palestinians from abroad whose entry into the Gaza Strip and the Jericho Area is approved pursuant to this Agreement, and to whom the provisions of this Article are applicable, will not be prosecuted for offenses committed prior to September 13, 1993.

Article XXI

Temporary International Presence

1. The Parties agree to a temporary international or foreign presence in the Gaza Strip and the Jericho Area (hereinafter "the TIP"), in accordance with the provisions of this Article.
2. The TIP shall consist of 400 qualified personnel, including observers, instructors and other experts, from 5 or 6 of the donor countries.
3. The two Parties shall request the donor countries to establish a special fund to provide finance for the TIP.
4. The TIP will function for a period of 6 months. The TIP may extend this period, or change the scope of its operation, with the agreement of the two Parties.
5. The TIP shall be stationed and operate within the following cities and villages: Gaza, Khan Yunis, Rafah, Deir El Ballah, Jabaliya, Apsan, Beit Hanun and Jericho.

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6. Israel and the Palestinian Authority shall agree on a special Protocol to implement this Article, with the goal of concluding negotiations with the donor countries contributing personnel within two months.

Article XXII

Rights, Liabilities and Obligations

1. a. The transfer of all powers and responsibilities to the Palestinian Authority, as detailed in Annex II, includes all related rights, liabilities and obligations arising with regard to acts or omissions which occurred prior to the transfer. Israel will cease to bear any financial responsibility regarding such acts or omissions and the Palestinian Authority will bear all financial responsibility for these and for its own functioning.
- b. Any financial claim made in this regard against Israel will be referred to the Palestinian Authority.
- c. Israel shall provide the Palestinian Authority with the information it has regarding pending and anticipated claims brought before any court or tribunal against Israel in this regard.
- d. Where legal proceedings are brought in respect of such a claim, Israel will notify the Palestinian Authority and enable it to participate in defending the claim and raise any arguments on its behalf.
- e. In the event that an award is made against Israel by any court or tribunal in respect of such a claim, the Palestinian Authority shall reimburse Israel the full amount of the award.
- f. Without prejudice to the above, where a court or tribunal hearing such a claim finds that liability rests solely with an employee or agent who acted beyond the scope of the powers

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assigned to him or her, unlawfully or with willful malfeasance, the Palestinian Authority shall not bear financial responsibility.

2. The transfer of authority in itself shall not affect rights, liabilities and obligations of any person or legal entity, in existence at the date of signing of this Agreement.

Article XXIII

Final Clauses

1. This Agreement shall enter into force on the date of its signing.
2. The arrangements established by this Agreement shall remain in force until and to the extent superseded by the Interim Agreement referred to in the Declaration of Principles or any other agreement between the Parties.
3. The five-year interim period referred to in the Declaration of Principles commences on the date of the signing of this Agreement.
4. The Parties agree that, as long as this Agreement is in force, the security fence erected by Israel around the Gaza Strip shall remain in place and that the line demarcated by the fence, as shown on attached map No. 1, shall be authoritative only for the purpose of this Agreement.
5. Nothing in this Agreement shall prejudice or preempt the outcome of the negotiations on the interim agreement or on the permanent status to be conducted pursuant to the Declaration of Principles. Neither Party shall be deemed, by virtue of having entered into this Agreement, to have renounced or waived any of its existing rights, claims or positions.
6. The two Parties view the West Bank and the Gaza Strip as a single territorial unit, the integrity of which will be preserved during the interim period.

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7. The Gaza Strip and the Jericho Area shall continue to be an integral part of the West Bank and the Gaza Strip, and their status shall not be changed for the period of this Agreement. Nothing in this Agreement shall be considered to change this status.
8. The Preamble to this Agreement, and all Annexes, Appendices and maps attached hereto, shall constitute an integral part hereof.

Done in Cairo this fourth day of May, 1994.

Y. Rabin

For the Government of the
State of Israel

Y. Arafat
For the PLO

Witnessed By:

Walter Christopher

The United States of America

A. Mourouf
The Russian Federation

[Signature]
The Arab Republic of Egypt

ANNEX I

**PROTOCOL CONCERNING WITHDRAWAL
OF ISRAELI MILITARY FORCES
AND SECURITY ARRANGEMENTS**

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ANNEX I

**Protocol Concerning Withdrawal of
Israeli Military Forces and Security Arrangements**

Article I

Arrangements for Withdrawal of Israeli Military Forces

1. Subject to the provisions of this Annex, withdrawal of Israeli military forces from the Gaza Strip and from the Jericho Area shall begin on the date of the signing of this Agreement and shall be completed within three weeks (21 days) from that date.
2.
 - a. The Joint Security Coordination and Cooperation Committee set up under Article II hereunder shall develop a plan to ensure full coordination between the Israeli military forces and the Palestinian Police during the withdrawal phases and the entry and deployment of the Palestinian Police.
 - b. This coordination will be implemented through the District Coordination Offices set up under Article II hereunder, that shall start functioning on the date of the signing of this Agreement.
 - c. The plan will include arrangements for the entry of the Palestinian Police, the introduction of police arms, ammunition and equipment and related matters, as well as arrangements intended to facilitate a smooth transfer of responsibility, including the transfer of civil authority, so that no vacuum in authority exists.

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Article II

Coordination and Cooperation In Security Matters

1. Joint Security Coordination and Cooperation Committee

- a. A joint Security Coordination and Cooperation Committee for Mutual Security Purposes (hereinafter "the JSC") is hereby established.
- b. The JSC shall:
 - (1) recommend security policy guidelines for the approval of the Joint Israeli-Palestinian Liaison Committee and implement such approved guidelines;
 - (2) deal with security issues raised by either side;
 - (3) provide the proper channel for exchanging information between the two sides, needed to solve security problems; and
 - (4) provide directives for the District Coordination Offices.
- c. The JSC shall comprise between five and seven members from each side. Decisions of the JSC will be reached by agreement between the two sides.
- d. The JSC shall determine its rules of procedure. Meetings of the JSC shall be held every two weeks. In the event that either side requests a special meeting, it shall be convened within forty-eight (48) hours.
- e. Unless otherwise agreed by the two sides, JSC meetings will be hosted by each of the sides alternately.

2. District Coordination Offices

- a. Three (3) District Coordination Offices are hereby established, one each for the districts of Gaza, Khan Yunis and Jericho (hereinafter "the DCOs").

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- b. The DCOs shall:
- (1) monitor and manage the matters requiring coordination as determined by the JSC, according to the policy and guidelines established by the JSC;
 - (2) monitor and manage all matters of a joint nature within the specific district of each DCO, including the coordination of activities by one side which may affect the other side;
 - (3) review, investigate and report to the JSC on the overall situation within the DCO's respective district, with special regard to specific events, incidents and activities occurring in the district;
 - (4) direct the Joint Patrols and Joint Mobile Units as defined in this Article, operating within the DCO's respective district; and
 - (5) direct the Liaison Bureau established under Article X below, operating at passages and crossing points as detailed in Article VII and X below, in conjunction with the Joint Civil Affairs Coordination and Cooperation Committee set up under Annex II to the Agreement (hereinafter the "CAC").
- c. Each DCO will be continuously staffed by a team of up to six officers from each side, comprising one commander and five duty officers.
- d. The DCOs will be operated jointly by both sides, 24 hours a day. At least one duty officer from each side will be present during each eight-hour shift, as well as the necessary number of assistants.
- e. With a view to preventing friction and to enabling the two sides to deal with possible incidents, both sides shall ensure that the relevant DCO shall immediately be notified of any of the following events:
- (1) routine, scheduled or irregular activity or deployment by the Israeli military-

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forces or the Palestinian Police that directly affect the other side. This includes activity or deployment in the proximity of Settlements or Palestinian villages, as the case may be;

- (2) events that pose a threat to public order;
 - (3) activities which disturb the regular flow of traffic on the main roads, including roadblocks and road works;
 - (4) incidents involving both Israelis and Palestinians, such as road accidents, rescue of casualties or persons in mortal danger, engagement steps or any incident in which a weapon is used;
 - (5) a terrorist action of any kind and from any source;
 - (6) infiltrations across the lines of the Gaza Strip and the Jericho Area; and
 - (7) all cases in which Israelis are hospitalized in the Gaza Strip or the Jericho Area or in which Palestinians of the Gaza Strip or the Jericho Area are hospitalized in Israel.
- f. Each DCO shall notify the relevant Israeli and Palestinian headquarters, as well as the Joint Patrols and Joint Mobile Units operating in the relevant district, of the occurrence of any of the events listed in subparagraph e. above.
- g. The JSC may modify the content of the list of events outlined in subparagraph e. above.
- h. Any event involving injury to Israelis, at any location within the Gaza Strip or the Jericho Area, shall be immediately reported to Israel through the relevant DCO. Israel may employ any means necessary for the evacuation and treatment of such injured persons, and will coordinate such activity through the relevant DCO.
- i. The DCOs shall be equipped with the necessary means of communication to enable direct and immediate contact both with the Joint Patrols /...

and the Joint Mobile Units, as well as with the respective district headquarters.

3. Joint Patrols

- a. The mission of the Joint Patrols is to ensure free, unimpeded and secure movement along the roads and in the areas described in Articles IV and V of this Annex.
- b. Unless the JSC decides otherwise, the Joint Patrols shall each be composed of two 4-wheel drive vehicles, one Palestinian and one Israeli. The vehicles shall be marked so as to be easily distinguishable from all other vehicles in the area. There will be four persons in each vehicle: an officer, a signal operator, a driver and a guard.
- c. The Joint Patrols will patrol 24 hours a day, in vehicles and on foot, along their routes of activity and on the adjacent sides of the roads upon which the security of traffic along these roads is dependent, or as directed by the DCO.
- d. In roads under Israeli security responsibility, the Israeli vehicle will be the leading vehicle. In roads under Palestinian security responsibility, the Palestinian vehicle will be the leading vehicle. The Joint Patrol will be under the direction of the relevant DCO.
- e. The Joint Patrols shall monitor continuously movement within their area of operation with a view to preventing incidents that may threaten or endanger persons using the roads. They shall report any such incident or threat thereof to the relevant DCO, and to the Israeli and Palestinian district headquarters.
- f. On reaching the scene of an incident, the Joint Patrol will provide as much assistance as possible. Where the incident is dealt with by the authorities functioning in the area, the Joint Patrol shall verify that the appropriate measures have been taken and report to the relevant DCO accordingly.
- g. Immediately upon becoming aware of the occurrence of one of the events listed in subparagraph 2.e above, the Joint Patrols

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shall report the event to the relevant DCO, as well as to the respective headquarters of the two sides.

4. Joint Mobile Units

- a. The mission of the Joint Mobile Units is to provide rapid response in the event of incidents and emergency situations, in order to ensure free, unimpeded and secure movement at the junctions where they are located, as well as along their designated routes of activity.
- b. The composition of the Joint Mobile Units shall be similar to that of the Joint Patrols.
- c. The duties of the Joint Mobile Units are:
 - (1) to monitor movement along designated roads from stationary locations on agreed junctions, from where they may patrol at random on agreed roads as directed by the relevant DCO, in which case their duties shall be the same as those of Joint Patrols; and
 - (2) in the event of an incident involving both Israelis and Palestinians, to reach the site of the incident in order to provide assistance and to investigate.

5. Review of Security Arrangements

The JSC shall meet six months after the signing of this Agreement, and at six-month intervals thereafter, to review the security arrangements and to recommend changes. Amendments will be adopted by mutual agreement based, among other factors, on the regular reports and recommendations received from the DCOs.

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Article III

The Palestinian Directorate of Police Force

1. General

The Palestinian Directorate of Police Force (hereinafter "the Palestinian Police") shall function in accordance with the following principles:

- a. It will be responsible for public order and internal security within the jurisdiction of the Palestinian Authority in accordance with Article V of the Agreement.
- b. Movement of Palestinian policemen between the Gaza Strip and the Jericho Area will be conducted in accordance with Article IX of this Annex.

2. Duties and Functions

- a. Subject to the provisions of this Agreement, in the areas under Palestinian jurisdiction the duties of the Palestinian Police shall be as follows:
 - (1) performing normal police functions, including maintaining internal security and public order;
 - (2) protecting the public and its property and acting to provide a feeling of security and safety;
 - (3) adopting all measures necessary for preventing crime in accordance with the law; and
 - (4) protecting public installations and places of special importance.

3. Structure and Composition

- a. The Palestinian Police shall consist of one integral unit under the control of the Palestinian Authority. It shall be composed of four branches:

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- (1) Civil Police (Al Shurta);
- (2) Public Security;
- (3) Intelligence; and
- (4) Emergency Services and Rescue (Al Difa'a Al Madani).

In each district, all members of the four Police branches shall be subordinate to one central command.

- b. The Palestinian Police will establish a Palestinian Coastal Police unit (hereinafter the "Palestinian Coastal Police") in accordance with Article XI of this Annex.
- c. The Palestinian Police will be comprised of up to 9,000 policemen in all its branches.

4. Recruitment

- a. The Palestinian Police shall consist of policemen recruited locally, and from abroad (from among individuals holding Jordanian passports or Palestinian documents issued by Egypt). The number of Palestinian recruits from abroad shall not exceed 7,000, of whom 1,000 will arrive three months after the signing of the Agreement.
- b. Palestinians recruited from abroad should be trained as policemen. The employment of policemen who have been convicted of serious crimes or have been found to be actively involved in terrorist activities subsequent to their employment will be immediately terminated. The list of Palestinians recruited, whether locally or from abroad, shall be agreed on by both sides.
- c. Palestinian policemen coming from abroad may be accompanied by spouse and children.

5. Arms, Ammunition and Equipment

- a. Uniformed policemen, as well as other policemen on duty who hold special accreditation, may carry arms.

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- b. The Palestinian Police will possess the following arms and equipment:
- (1) 7,000 light personal weapons.
 - (2) Up to 120 machine guns of 0.3" or 0.5" caliber.
 - (3) Up to 45 wheeled armored vehicles of a type to be agreed on between the two sides, and of which 22 will be deployed in protecting Palestinian Authority installations. The use of wheeled armored vehicles in the Security Perimeter, on the Lateral Roads and on their adjacent sides, or in the vicinity of the Settlements shall be approved through the relevant DCO. Movement of such vehicles along the central North-South road (Road No. 4) in the Gaza Strip may take place only after providing notification to the relevant DCO.
 - (4) Communication systems, subject to Article II of Annex II of this Agreement.
 - (5) Distinctive uniforms, identification badges and vehicle markings.
- c. Relevant police equipment and infrastructure funded from the budget of the Civil Administration shall be transferred to the Palestinian Police.

6. Introduction of Arms and Equipment and Foreign Assistance

- a. All foreign contributions and other forms of assistance to the Palestinian Police must comply with the provisions of this Agreement.
- b. The introduction into the Gaza Strip or the Jericho Area of arms, ammunition or equipment for the Palestinian Police, from all sources, shall be coordinated through the JSC.

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7. Deployment

The Palestinian Police shall be initially deployed in the Gaza Strip and the Jericho Area as shown on attached maps Nos. 4 and 5. Any changes to this deployment will be agreed on in the JSC.

Article IV

Security Arrangements in the Gaza Strip

1. The Delimiting Line

For the purpose of the present Agreement only, and without prejudice to the final status, the line delimiting the northern and eastern edge of the Gaza Strip follows the fence on the ground, as delineated on attached map No. 1 by an unbroken green line (hereinafter "the Delimiting Line") and shall have no other effect.

2. Security Perimeter

- a) There will be a security perimeter along the Delimiting Line inside the Gaza Strip as delineated on attached map No. 1 by a broken green line (hereinafter "the Security Perimeter").
- b) In accordance with the provisions of this Agreement, the Palestinian Police will be responsible for security in the Security Perimeter.
- c) The Palestinian Police will enforce special security measures aimed at preventing infiltrations across the Delimiting Line or the introduction into the Security Perimeter of any arms, ammunition or related equipment, except for the arms, ammunition or equipment of the Palestinian Police, authorized through the relevant DCO.
- d) Activities of the Palestinian Police inside the Security Perimeter will be coordinated through the relevant DCO. Security activities in Israel in the vicinity of the Delimiting

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Line that directly affect the other side will be coordinated with the Palestinian Police through the relevant DCO.

3. The Israeli Settlements

- a. In accordance with the Declaration of Principles, during the interim period, the Gush Katif and Erez settlement areas, as well as the other settlements in the Gaza Strip, as delineated on attached map No. 1 by a blue line, will be under Israeli authority.
- b. Palestinians will be free to move along the coast road and along the road from the Netzarim Junction to the seashore.

4. The Yellow Areas

- a. In the areas delineated by a broken red line and shaded in yellow on attached map No. 1 (hereinafter "the Yellow Areas"), and without derogating from Palestinian authority, responsibility will be shared as follows: The Israeli authorities will have the overriding responsibility and powers for security, and the Palestinian Authority will have the responsibility and powers for civil affairs, subject to this Agreement. In addition, with regard to the Yellow Areas, cooperation and coordination in security matters, including joint patrols, as agreed, will be implemented.
- b. Entry of Palestinian policemen into the Yellow Areas and their activity therein may take place as agreed upon through the relevant DCO.

5. The Mawasi Area

- a. Two joint patrols will operate in the Mawasi area, the fishermen's wharves of Rafah and Khan Yunis, and along the coast road led by the Israeli vehicle.
- b. Access of Palestinians to the Mawasi Area, as delineated on attached map No. 1, will be by the following roads:
 - (1) Rafah - Tel Sultan - Mawasi;
 - (2) Khan Yunis - El Bahr Village; and

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- (3) Deir El Ballah - along the beach to the Mawasi.

c. The Mawasi Beach

- (1) Notwithstanding Israeli authority over the Gush Katif settlement area, the Palestinian Authority may operate sections of the Mawasi beach extending to the east up to the coast road, totalling, together with the Rafah and Khan Yunis wharves, five (5) kilometers.
- (2) Upon the completion of the withdrawal of Israeli military forces from the Gaza Strip and the Jericho Area, Israel will notify the Palestinian Authority of the locations of these sections.
- (3) These sections may be used for the following purposes:
 - (a) sport and recreation, including boat hire facilities;
 - (b) operating food establishments;
 - (c) enlarging the wharves; and
 - (d) expanding the facilities for fishermen, such as offices, warehouses and cold storage facilities.
- (4) In these sections, the Palestinian Authority, in exercising its civil authority, will be able to grant licenses for businesses, collect fees and taxes, set and enforce public health standards and develop and manage the tourist sector.
- (5) In each of the fishermen's wharves, the Palestinian Authority may have an office building which shall be protected.
- (6) There will be not be any construction by Israelis of new sites along the beach.
- (7) During a period of three months from the signing of this Agreement, Israel may consider, in light of the security

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situation, the use by the Palestinian Authority of additional beach sections.

6. The Egyptian Border

The Military Installation Area along the Egyptian border in the Gaza Strip, as delineated on attached map No. 1 by a blue line and shaded in pink, will be under Israeli authority.

The village of Dahaniya will remain part of the Military Installation Area pending a declaration of a general amnesty for the residents of the village, and provision having been made for their protection. Upon realization of the above amnesty and protection, the village of Dahaniya will become part of the Yellow Area.

7. Lateral Roads to the Settlements

a. Without derogating from Palestinian authority and in accordance with the Declaration of Principles:

- (1) On the three lateral roads connecting the Israeli settlements in the Gaza Strip to Israel, namely: the Kissufim-Gush Katif road; the Sufa-Gush Katif road; and the Karni-Netzarim road, as delineated by a light blue line on attached map no. 1, including the adjacent sides upon which the security of traffic along these roads is dependent (hereinafter "the Lateral Roads"), the Israeli authorities will have all necessary responsibilities and powers in order to conduct independent security activity, including Israeli patrols.
- (2) Joint Israeli-Palestinian patrols will operate along the Lateral Roads. Such joint patrols will be led by the Israeli vehicle.
- (3) Where the Israeli authorities carry out engagement steps, they will do so with a view to transferring, at the earliest opportunity, the continued handling of the incidents falling within Palestinian responsibility, to the Palestinian Police.

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- (4) Overpasses will be constructed on intersections between the Lateral Roads and the central North-South road (Road No. 4).
 - (5) These arrangements will be reviewed by the JSC one year after the date of the signing of this Agreement.
 - b. Where the Lateral Roads overlap the Security Perimeter the two sides, in the exercise of their respective powers and responsibilities, will fully coordinate their activity in order to prevent friction.
8. The Central North-South Road (Road No. 4)

A joint patrol led by the Palestinian vehicle will be operated along the central North-South road (Road No. 4) in the Gaza Strip between Kfar Darom and Wadi Gaza.
9. Joint Mobile Units
 - a. Joint Mobile Units will be located at the following junctions:
 - (1) the Nissanit junction;
 - (2) the Netzarim junction;
 - (3) the Deir el-Ballah junction; and
 - (4) the Sufa-Morag junction.
 - b. At the Netzarim junction, the Israeli side of this Joint Mobile Unit will check Israeli vehicles, which will then be able to continue their journey without interference. This Joint Mobile Unit will also operate as a Joint Patrol between the Netzarim Junction and Wadi Gaza under the direction of the relevant DCO.
10. Coordination and Cooperation in the Gaza Strip

Two DCOs will function in the Gaza Strip as follows:

 - a. A DCO for the Gaza district, located at the Erez crossing point with subordinate Joint Liaison Bureaus at the Erez and Nahal Oz crossing points.

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- b. A DCO for the Khan Yunis district, located at the Nuriya Camp with subordinate Joint Liaison Bureaus at the Sufa crossing point and at the Rafah terminal.

Article V

Security Arrangements in the Jericho Area

1. Clarifications Concerning the Jericho Area

With regard to the definition of the Jericho Area, as delineated on attached map No. 2, it is hereby clarified that Route No. 90 crossing Auja from South to North and the East-West road connecting Route No. 90 with Yitav, and their adjacent sides, shall remain under Israeli authority. For the purpose of this Article, the width of each such road and its adjacent sides, as shown on attached map No. 2, shall extend at least 12 meters on each side measured from its center.

2. A Joint patrol led by the Palestinian vehicle shall operate along the main North-South road crossing Jericho (Route No. 90).

3. Joint Mobile Units

- a. A Joint Mobile Unit shall be located at the Auja junction being the intersection of Route No. 90 and the road to Yitav. This unit shall be led by the Israeli vehicle, and may be directed by the DCO to deal with certain incidents occurring on the road between Auja and Jericho in which Palestinians are involved.
- b. A Joint Mobile Unit shall be located at the Nahal Elisha junction on the road from Jericho to the Mousa Allami project.

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4. Coordination and Cooperation in the Jericho Area

A DCO located at the Vered Yericho crossing point will function in the Jericho Area and will maintain a subordinate Joint Liaison Bureau in the Allenby Terminal.

5. a. Pending the entry into force of the interim agreement, the holy site of Nebi Mousa will be under the auspices of the Palestinian Authority, for religious purposes.
 - b. During religious events that take place three times a year and other special occasions that will be coordinated with the Israeli authorities, Palestinians will have the right to religious pilgrimage to the al-Maghtas under the Palestinian flag.
 - c. Palestinian private projects, as well as joint ventures in accordance with the Declaration of Principles, will be located as agreed on the shore of the Dead Sea.
 - d. Safe passage will be provided from the Jericho Area to Nebi Mousa, al-Maghtas and the projects and ventures as agreed in subparagraph c. above on the shore of the Dead Sea for the aforementioned purposes.
6. Within three months of the signing of this Agreement, Israel may consider, in light of the security situation, the possibility of widening of the Jericho Area.

Article VI

**Security Arrangements Concerning
Planning, Building and Zoning**

1. Notwithstanding the provisions relating to planning, building and zoning set out elsewhere in this Agreement, the provisions of this Article shall apply with respect to the areas specified below.

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2. These arrangements will be reviewed within a period of six months from the signing of this Agreement and, thereafter, every six months, with a view to modifying them, with due consideration to Palestinian plans for establishing economic projects, and to the security concerns of both sides.
3. The limitations set out below on the construction of buildings and installations in specific areas shall not require the demolition or removal of existing buildings or installations.
4. The existing buildings, installations and natural and artificial culture in the Gaza Strip within a distance of 100 meters from the Delimiting Line shall remain as they are at present.
5. Within the next 500 meters of the Security Perimeter, and within the Yellow Areas, buildings or installations may be constructed, provided that:
 - a. one building or installation may be constructed on each plot, the size of which shall not be less than 25 dunams; and
 - b. such building or installation shall not exceed two floors, of a size not exceeding 180 sq. meters per floor.

The Palestinian Authority shall maintain the predominantly agricultural character of the remaining areas of the Security Perimeter.

6. Buildings or installations shall not be constructed on either side of the Lateral Roads up to a distance of 75 meters from the center of these Roads.
7. In the Jericho Area, no bridges or other structures will be built above Route No. 90 which may prevent the movement on this road of vehicles with a height of up to 5.25 meters.
8. For the purpose of enforcing this Article, the United States will provide both sides with satellite photographs of the Gaza Strip depicting the buildings, installations and natural and artificial culture existing at the time of the signing of this Agreement.

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Article VII

The Crossing Points

1. General

- a. Israel declares that work to relocate the Erez, Nahal Oz and Sufa crossing points currently within the Gaza Strip, to a location within Israel adjacent to the Delimiting Line, is underway. Israel will attempt to complete this work not later than 12 months from the date of the signing of this Agreement with regard to the Erez crossing point, and not later than 8 months from the date of the signing of this Agreement with regard to the Nahal Oz and Sufa crossing points. Pending the completion of this work, Israel shall retain control over these crossing points and operate them in accordance with the provisions of this Article.
- b. Israelis entering the Gaza Strip and the Jericho Area shall carry Israeli documentation (if they are above the age of 16) and, if driving a vehicle, a driving license and vehicle registration documentation recognized in Israel. Tourists to Israel entering the Gaza Strip and the Jericho Area shall carry their passports and other relevant documentation.
- c. Entry of residents of the Gaza Strip and the Jericho Area to Israel shall be subject to Israeli laws and procedures regulating entry into Israel, and such residents shall be required to carry the identity card as agreed upon in this Agreement, as well as documentation specified by Israel and notified through the CAC to the Palestinian Authority.
- d. The provisions of this Agreement shall neither prejudice the use of safe passage nor Israel's right, for security and safety considerations, to close the crossing points to Israel and to prohibit or limit the entry into Israel of residents and of vehicles from the Gaza Strip and the Jericho Area.

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2. Passage between the Gaza Strip and Israel

- a. Passage between the Gaza Strip and Israel will be via one or more of the following crossing points:
 - (1) the Erez crossing point;
 - (2) the Nahal Oz crossing point; and
 - (3) the Sufa crossing point.
- b. The Palestinian Authority may set up a checkpoint, within the Gaza Strip, on the road leading to the Erez crossing point and on the road leading to the Nahal Oz crossing point, at locations to be coordinated between the two sides, for the purpose of inspection and identification of passengers and vehicles. Israelis and tourists to Israel passing through these checkpoints may be only required to identify themselves by presenting Israeli documentation or a passport, as set out in subparagraph 1.b. above. The above requirements shall not apply to uniformed members of the Israeli military forces.
- c. The Palestinian Authority may set up a checkpoint, within the Gaza Strip, on the road leading to the Sufa crossing point, at a location acceptable to both sides, for the purpose of inspection and identification of Palestinian passengers and vehicles. Israeli vehicles may bypass this checkpoint unimpeded.
- d. Passage of Israelis, and tourists to Israel, between the Gaza Strip and Israel may, in addition, be via the following crossing points:
 - (1) the Karni crossing point;
 - (2) the Kisufim crossing point;
 - (3) the Kerem Shalom crossing point; and
 - (4) the Elei Sinai crossing point.
- e. Israelis, and tourists to Israel, who have passed through any of the above crossing points into the Gaza Strip shall not be required to undergo any inspection,

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identification or other requirement in addition to the stated provisions for entry into the Gaza Strip outlined in this Article.

Tourists to the Gaza Strip and the Jericho Area from countries having diplomatic relations with Israel, who have passed through an international crossing, will not be required to pass any additional entry control before entry to Israel.

- f. Arrangements for the movement of goods between the Gaza Strip and Israel through the crossing points are set out in Annex IV.
 - g. A Palestinian liaison officer will be present at each of the crossing points on the Lateral Roads.
3. Passage to and from the Jericho Area
- a. Passage between the Jericho Area and the rest of the West Bank shall be governed by the same rules regulating the movement of persons and vehicles within the West Bank, and shall not need to be effected through designated crossing points.
 - b. Passage between the Jericho Area and Israel via the West Bank shall be governed by the currently applicable rules regulating the movement of persons and vehicles between the West Bank and Israel.

Article VIII

Rules of Conduct in Security Matters

- 1. Subject to the provisions of this Agreement, the security and public order personnel of both sides shall exercise their powers and responsibilities pursuant to this Agreement with due regard to internationally-accepted norms of human rights and the rule of law and shall be guided by the need to protect the public, respect human dignity and avoid harassment.

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2. In the Yellow Areas and on the Lateral Roads and their adjacent sides, vehicles bearing Israeli license plates shall not be stopped, obstructed or delayed by the Palestinian Police, and no identification shall be required.
3. On the central North-South road (Road No. 4) in the Gaza Strip between the Netzarim Junction and Kfar Darom, and on the main North-South road crossing the Jericho Area (Route No. 90), vehicles bearing Israeli license plates may be stopped for identification by a Joint Patrol or a Joint Mobile Unit. The Israeli side of such a patrol or unit may carry out identity and vehicle documentation checks.
4. Without prejudice to the provisions of this Article regarding the areas mentioned in paragraphs 2 and 3 above, the following rules of conduct shall apply throughout the rest of the Gaza Strip and the Jericho Area:
 - a. Vehicles bearing Israeli license plates may be stopped by the Palestinian Police for the purpose of checking the driving license, and passengers' identity documentation (if above the age of sixteen).
 - b. Israelis shall under no circumstances be apprehended, arrested or placed in custody or prison by Palestinian authorities.

However, where an Israeli is suspected of having committed an offense, he or she may be detained in place by the Palestinian Police while ensuring his or her protection, in accordance with the provisions of Annex III, until the arrival of a Joint Patrol or Joint Mobile Unit, called immediately by the Palestinian Police, or of other Israeli representatives dispatched by the relevant DCO.
5. Pedestrians may be required to produce identity documentation (if above the age of sixteen). Thereafter, they shall be treated in accordance with the provisions of this Article.
6. Uniformed members of the Israeli military forces, as well as vehicles of the Israeli military forces, shall not be stopped by the Palestinian Police in any circumstances, and shall not be subject to any

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identification requirements. Without derogating from the above, in the event of suspicion regarding such a person or vehicle, the Palestinian Police may notify the Israeli authorities through the relevant DCO, in order to request appropriate assistance.

7. Notwithstanding the provisions of this Article, persons who are subject to identification pursuant to this Article and who claim to be Israelis but cannot present appropriate identification documentation may be detained in place by the Palestinian Police, in accordance with the provisions of Annex III, until the arrival of a Joint Patrol or Joint Mobile Unit, called by the Palestinian Police, or of other Israeli representatives dispatched by the relevant DCO.
8.
 - a. Each side shall enforce upon civilians subject to its authority a prohibition on possession or carrying weapons without a license.
 - b. The Palestinian Authority may grant licenses to possess or carry pistols for civilian use. The modalities for granting such licenses, as well as categories of persons who may be granted such licenses, will be agreed upon in the JSC.
9. Rules of Engagement
 - a. For the purpose of this Article, "engagement" shall mean an immediate response to an act or an incident constituting a danger to life or property that is aimed at preventing or terminating such an act or incident, or at apprehending its perpetrators.
 - b. Within the territory under the jurisdiction of the Palestinian Authority, in places where Israeli authorities exercise their security functions in accordance with this Annex, and in their immediate vicinities, the Israeli authorities may carry out engagement steps in cases where an act or an incident requires such action. In such cases, the Israeli authorities will take any measures necessary to bring to an end such an act or incident with a view to transferring, at the earliest opportunity, the continued handling of the incident falling within the Palestinian responsibility to the Palestinian Police. The Palestinian Authority will immediately be /...

notified, through the relevant DCO, of such engagement steps.

- c. Engagement with the use of firearms shall not be allowed, except as a last resort after all attempts at controlling the act or the incident such as warning the perpetrator or shooting in the air have failed. Use of firearms should be aimed at deterring and not at killing the perpetrator. The use of firearms shall cease once the danger is past.
 - d. Any activity involving the use of firearms other than for immediate operational purposes shall be subject to prior notification to the relevant DCO.
10. If a person is injured or otherwise in need of assistance, such assistance will be provided by the side that first reaches the site. If such a person is under the authority of the other side, the assisting side shall notify the relevant DCO and the appropriate provisions of Article II of this Annex, as well as the provisions of Annex II, Article II, regarding arrangements for treatment and hospitalization, shall be applied.

Article IX

Arrangements for Safe Passage Between the Gaza Strip and the Jericho Area

1. General
 - a. There shall be safe passage between the Gaza Strip and the Jericho Area for residents of the Gaza Strip and the Jericho Area and visitors to these areas from abroad, as detailed in this Article.
 - b. Israel will ensure safe passage during daylight hours (from sunrise to sunset) for persons and transportation.
 - c. Safe passage will be effected via the following designated crossing points:

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- (1) the Erez crossing point; and
 - (2) the Vered Jericho crossing point.
- d. Israel will make safe passage available through one or more of the routes delineated on attached map No. 3.

2. The usage of safe passage

- a. As detailed below, persons using safe passage shall carry, in addition to the personal and vehicle documentation, the following documents:
- (1) a safe passage card; and
 - (2) (for drivers only) a vehicle safe passage permit.

Arrangements for implementation of safe passage, as well as modalities for the issuance by Israel of safe passage cards and vehicle safe passage permits, shall be discussed and agreed in the CAC.

- b. Residents of the Gaza Strip and the Jericho Area in possession of a permit enabling them to enter Israel will be able to use this permit as a safe passage card.
- c. Safe passage cards and vehicle safe passage permits shall be stamped by the Israeli authorities at the crossing point with the time of departure from the crossing point and the estimated time of arrival.
- d. Residents of the Gaza Strip and the Jericho Area who are denied entry into Israel may be permitted by Israel to use safe passage in accordance with special arrangements to be made in each individual case through the JSC.
- e. Special arrangements will apply with respect to passage of Palestinian leaders, senior Palestinian Authority officials and distinguished personalities. The CAC will define the scope and nature of these special arrangements, in consultation with the JSC.

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- f. The mode of passage of Palestinian policemen on duty, between the Gaza Strip and the Jericho Area, will be coordinated through the JSC.
- g. Any additional matters relating to the usage of safe passage will be coordinated through the JSC.

3. Passage and Mode of Transit

- a. Persons and vehicles in transit under these arrangements shall neither break their journey nor depart from the designated routes, and shall complete the transit within the designated time stamped on their safe passage cards and permits, unless a delay is caused by a medical emergency or a technical breakdown.
- b. Persons using safe passage shall be subject to the laws and regulations applicable in Israel and in the West Bank respectively.
- c. Persons and vehicles using safe passage shall not carry explosives, firearms or other weapons or ammunition, except for special cases that will be agreed to in the JSC.

4. General Provisions Regarding the Routes

- a. The above arrangements shall in no way affect the status of the routes used for safe passage.
- b. Routes used for safe passage shall be closed on Yom Kippur, Israel's Memorial Day and Israel's Independence Day.
- c. Without prejudice to the use of safe passage, Israel may, for security or safety reasons, temporarily modify the arrangements for safe passage. Notice of such temporary modification shall be given to the Palestinian authority through the JSC. At least one route of safe passage shall, however, remain open.
- d. Israel shall notify the Palestinian Authority of incidents involving persons using safe passage.

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Article X

Passages

1. General

- a. While Israel remains responsible during the interim period for external security, including along the Egyptian border and the Jordanian line, border crossing shall take place according to the arrangements included in this Article. These arrangements aim at creating a mechanism that facilitates the entry and exit of people and goods, reflecting the new reality created by the Declaration of Principles, while providing full security for both sides.
- b. The arrangements included in this Article shall apply to the following border crossings:
 - (1) the Allenby Bridge crossing; and
 - (2) the Rafah crossing.
- c. The same arrangements will be applied by the Parties, with the necessary adjustments, to agreed seaports, airports or other international crossings, such as the Abdullah and Damya bridges.
- d. The two sides are determined to do their utmost to maintain the dignity of persons passing through the border crossings. To this end, the mechanism created will rely heavily on brief and modern procedures.
- e. In each border crossing there will be one terminal, consisting of two wings. The first wing will serve Palestinian residents of the Gaza Strip and West Bank and visitors to these areas (hereinafter "the Palestinian Wing"). The second wing will serve Israelis and others (hereinafter "the Israeli Wing"). There will be a closed Israeli checking area and a closed Palestinian checking area, as set out below.
- f. Special arrangements will apply to VIPs crossing through the Palestinian Wing. The liaison bureau to be established pursuant to /...

paragraph 5 below (hereinafter "the Liaison Bureau") will define the scope and the nature of these special arrangements.

2. Control and Management of the Passages

- a. For the purpose of this Article, "passage" is defined to mean the area from the crossing barrier at the Egyptian border or the Allenby Bridge, passing through and including the terminal and:
- (1) with regard to the Allenby Bridge crossing, from the terminal up to the Jericho Area; and
 - (2) with regard to the Rafah crossing, from the terminal up to the outer limit of the Israel military location along the Egyptian border.
- b.
- (1) Israel will have the responsibility for security throughout the passage, including for the terminal.
 - (2) An Israeli director-general will have the responsibility for the management and security of the terminal.
 - (3) The director-general will have two deputies who will report to him:
 - (a) an Israeli deputy who will be the manager of the Israeli Wing. Israel will have exclusive responsibility for the management of the Israeli Wing; and
 - (b) a Palestinian deputy, appointed by the Palestinian Authority, who will be the manager of the Palestinian Wing.
 - (4) Each deputy will have an assistant for security and an assistant for administration. The assignments of the Palestinian deputies for security and administration will be agreed upon by the two sides.

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- (5) There will be maximum coordination between the two sides. Both sides will maintain cooperation and coordination on matters of mutual concern.
 - (6) The director-general will continue to use Palestinian contractors to provide bus services and other administrative and logistical services.
 - (7) Palestinian policemen present at the terminal will be armed with handguns. Their deployment will be decided upon by the two sides. Other Palestinian officials present at the terminal will be unarmed.
 - (8) The details of management and security and Liaison Bureau issues will be dealt with by the two sides.
 - (9) The two sides will work together in order to seek ways for additional arrangements in the Rafah terminal.
 - (10) Both sides will review these procedures in a year's time.
- c. Except for the arrangements included in this Article, the current procedures and arrangements applicable outside the terminal shall continue to apply throughout the passage.
- d. (1) Once incoming passengers have crossed the terminal, they will proceed to the Jericho Area or the Gaza Strip, as appropriate, without any interference from Israeli authorities (safe passage).
- (2) Outgoing passengers may proceed to the terminal without any interference from Israeli authorities after joint verification that such passengers hold the necessary documentation for exiting the area to Jordan or Egypt, as set out in this Agreement.

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3. Arrangements for Entry from Egypt and Jordan
Through the Palestinian Wing

- a. At the entrance to the Palestinian Wing there will be a Palestinian policeman and a raised Palestinian flag.
- b. Before entering the Palestinian Wing, passengers will identify their personal luggage and it will be placed on a conveyor belt. Each side will be able to inspect such luggage inside its own checking area, using its own personnel and, if necessary, may open the luggage for inspection in the presence of the owner and a Palestinian policeman.
- c. Persons entering the Palestinian Wing will pass through a magnetic gate. An Israeli policeman and a Palestinian policeman will be posted on each side of this gate. In the event of suspicion, each side will be entitled to require a physical inspection to be conducted in inspection booths to be located adjacent to the gate. Passengers will be inspected by a Palestinian policeman in the presence of an Israeli policeman. Accompanying personal belongings may also be inspected at this point.
- d. Having completed the above phase, persons entering the Palestinian Wing will pass through one of three lanes for the purpose of identification and document control, as follows:
 - (1) The first lane will be used by Palestinian residents of the Gaza Strip and the Jericho Area. These passengers will pass via a Palestinian counter, where their documents and identity will be checked. Their documents will be checked by an Israeli officer who will also check their identity indirectly in an invisible manner.
 - (2) The second lane will serve other Palestinian residents of the West Bank. These passengers will first pass via a Palestinian counter, where their documents and identity will be checked. Then they will continue via an Israeli counter, where their documents and

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identity will be checked. The two counters will be separated by tinted glass and a revolving door.

- (3) The third lane will serve visitors to the Gaza Strip and West Bank. An identical procedure as in paragraph 3.d(2) above will apply to such visitors, except that they will first pass via the Israeli counter, and then continue via the Palestinian counter.

e. In the event of suspicion regarding a passenger in any of the three lanes described in subparagraph d. above, each side may question such passenger in its closed checking area. Suspicion justifying questioning in the closed checking area may be one of the following:

- (1) the passenger was involved, directly or indirectly, in criminal or planned criminal activity, in terrorist or planned terrorist activity and is not a beneficiary of the amnesty provisions of this Agreement.
- (2) the passenger conceals arms, explosives or related equipment;
- (3) the passenger holds forged or non-valid documentation or the details included in the documentation are inconsistent with those included in the population registry (in case of a resident) or in the data base (in case of a visitor), except that questions relating to such inconsistency will initially be raised at the counter and the passenger will be questioned in the closed checking area only if the suspicion has not been removed; or
- (4) the passenger acts in an obviously suspicious behavior during the passage via the terminal.

If, at the conclusion of this questioning, the suspicion has not been removed, such passenger may be apprehended, after the other side has been notified. In case of a Palestinian suspect being apprehended by the Israeli side, a Palestinian policeman will be asked to meet

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with the suspect. Following notification to the Liaison Bureau, any further treatment of the apprehended person will be in accordance with Annex III.

- f. In the Palestinian Wing, each side will have the authority to deny the entry of persons who are not residents of the Gaza Strip and West Bank.

For the purpose of this Agreement, "residents of the Gaza Strip and West Bank" means persons who, on the date of entry into force of this Agreement, are registered as residents of these areas in the population registry maintained by the military government of the Gaza Strip and West Bank, as well as persons who have subsequently obtained permanent residency in these areas with the approval of Israel, as set out in this Agreement.

- g. Following the above procedure, the passengers will collect their luggage and proceed to the customs area as described in Annex IV.
- h. The Palestinian side will provide passengers whose entry is approved with an entry permit stamped by the Palestinian side and attached to their documents.

At the conclusion of the direct and indirect checking of the documents and identity of passengers passing via the first lane and stamping their entry permits, the Palestinian officer will provide the passenger with a white card issued by the Israeli officer. A Palestinian official posted at the exit of the Palestinian Wing will verify that the passenger holds such a white card and will collect the cards with indirect and invisible Israeli checking.

For passengers going through the second and third lanes, the Israeli officer will provide the passengers with a blue card, after checking their documents and identity, and verifying their entry permits. An Israeli and a Palestinian official posted at the exit of the Palestinian Wing will verify and collect the cards. White and blue cards collected will be checked by Israeli and Palestinian officials.

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In cases where either side denies the entry of a non-resident passenger, that passenger will be escorted out of the terminal and sent back to Jordan or Egypt, as appropriate, after notifying the other side.

4. Arrangements for Exit to Egypt and Jordan Through The Palestinian Wing

Passengers exiting to Egypt or Jordan through the Palestinian Wing will enter the terminal without their luggage. Thereafter, the same procedures described in paragraph 3 above will apply to them, except that the order of passing via the Israeli and Palestinian counters will be reversed.

5. Liaison Bureau

- a. There will be a liaison bureau at each crossing point in order to deal with matters arising regarding passengers passing through the Palestinian Wing, issues requiring coordination, and differences regarding the implementation of these arrangements. Without derogating from Israel's responsibility for security, the bureau will also deal with incidents.
- b. This bureau will be comprised of an equal number of representatives from each side and will be located at a specified location inside each terminal.
- c. This bureau will be subordinate to the relevant subcommittee of the CAC.

6. Miscellaneous

- a. Special arrangements will be agreed upon by the two sides regarding the passage of goods, buses, trucks and privately-owned vehicles. Pending this agreement, the current arrangements will continue to apply.
- b. Israel will attempt to complete the structural alterations on the Rafah and Allenby Bridge terminals not later than the date of the completion of the withdrawal of Israeli forces from the Gaza Strip and the Jericho Area.

If these structural alterations are not completed by that time, the arrangements described in this Article shall apply, except

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for those arrangements that cannot be implemented without the structural alterations.

- c. In order to cross through the crossing points into and out of the Gaza Strip and the Jericho Area, residents of these areas will use documents as detailed in Annex II. Pending the entry into force of the Interim Agreement, other West Bank residents will continue to use the existing documents issued by the military government and its Civil Administration.

Article XI

Security Along the Coastline and in the Sea of Gaza

1. Maritime Activity Zones

a. Extent of Maritime Activity Zones

The sea off the coast of the Gaza Strip will be divided into three Maritime Activity Zones, K, L, and M as shown on map No. 6 attached to this Agreement, and as detailed below:

(1) Zones K and M

- (a) Zone K extends to 20 nautical miles in the sea from the coast in the northern part of the sea of Gaza and 1.5 nautical miles wide southwards.
- (b) Zone M extends to 20 nautical miles in the sea from the coast, and one (1) nautical mile wide from the Egyptian waters.
- (c) Subject to the provisions of this paragraph, Zones K and M will be closed areas, in which navigation will be restricted to activity of the Israel Navy.

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(2) Zone L

(a) Zone L bounded to the south by Zone M and to the north by Zone K extends 20 nautical miles into the sea from the coast.

(b) Zone L will be open for fishing, recreation and economic activities, in accordance with the following provisions:

- (i) Fishing boats will not exit Zone L into the open sea and may have engines of up to a limit of 25 HP for outboard motors and up to a maximum speed of 15 knots for inboard motors. The boats will neither carry weapons nor ammunition nor will they fish with the use of explosives.
- (ii) Recreational boats will be permitted to sail up to a distance of 3 nautical miles from the coast unless, in special cases, otherwise agreed within the Maritime Coordination and Cooperation Center as referred to in paragraph 3 below. Recreational boats may have engines up to a limit of 10 horsepower. Marine motor bikes and water jets will neither be introduced into Zone L nor be operated therein.
- (iii) Foreign vessels entering Zone L will not approach closer than 12 nautical miles from the coast except as regards activities covered in paragraph 4 below.

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b. General Rules of the Maritime Activity Zones

- (1) The aforementioned fishing boats and recreational boats and their skippers sailing in Zone L shall carry licenses issued by the Palestinian Authority, the format and standards of which will be coordinated through the JSC.
- (2) The boats shall have identification markings determined by the Palestinian Authority. The Israeli authorities will be notified through the JSC of these identification markings.
- (3) Residents of Israeli settlements in the Gaza Strip fishing in Zone L will carry Israeli licenses and vessel permits.
- (4) As part of Israel's responsibilities for safety and security within the three Maritime Activity Zones, Israel Navy vessels may sail throughout these zones, as necessary and without limitations, and may take any measures necessary against vessels suspected of being used for terrorist activities or for smuggling arms, ammunition, drugs, goods, or for any other illegal activity. The Palestinian Police will be notified of such actions, and the ensuing procedures will be coordinated through the Maritime Coordination and Cooperation Center.

2. The Palestinian Coastal Police

- a. The Palestinian Coastal Police may function in Zone L, up to a distance of 6 nautical miles from the coast. In special cases, it may also exercise control over Palestinian fishing boats fishing in Zone L in an additional area of 6 nautical miles, up to the limit of 12 nautical miles from the coastline, after clearance and coordination through the Maritime Coordination and Cooperation Center.
- b. The Palestinian Coastal Police shall have up to 8 boats with a displacement of up to 30 tons. They will sail at a speed of up to 20 knots.

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- c. The boats shall carry weapons of up to a 7.62 mm caliber.
- d. Boats of the Palestinian Coastal Police may fly a Palestinian flag, have police identification markings and shall operate identification lights.
- e. The Parties shall cooperate on all sea matters, including mutual help at sea, and pollution and environmental issues.
- f. The boats of the Palestinian Coastal Police will initially use the Gaza Wharf.
- g. Boats belonging to Israelis are solely subject to the control, authority and jurisdiction of Israel and the Israel Navy.

3. Maritime Coordination and Cooperation Center

- a. A Maritime Coordination and Cooperation Center (hereinafter "the MC") shall function as part of the JSC, to coordinate civil maritime activities and coastal police affairs off the coast of the Gaza Strip.
- b. The MC shall function within the relevant DCO, and will determine its own rules of procedure.
- c. The MC shall function 24 hours a day.
- d. The MC shall be staffed by members of the Israel Navy and the Palestinian Coastal Police, each providing a liaison officer and an assistant liaison officer.
- e. A direct radio telephone link (hot line) shall be set up between the Israel Navy vessels and the Palestinian Coastal Police vessels.
- f. The role of the MC is to coordinate:
 - (1) assistance between the Coastal Police and the Israel Navy as may be necessary to deal with incidents arising at sea;
 - (2) Coastal Police training involving the use of firearms;

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- (3) joint activities between the Coastal Police and the Israel Navy when pre-planning is operationally necessary;
- (4) radio contact between Coastal Police and Israel Navy vessels in the event that "hot line" communication between vessels of the two sides was not established;
- (5) search and rescue operations; and
- (6) maritime activities related to an agreed port, when established in the Gaza Strip.

4. Gaza Strip Port

- a. Plans for the establishment of a port in the Gaza Strip in accordance with the Declaration of Principles, its location, and related matters of mutual interest and concern, as well as licenses for vessels and crews sailing on international voyages will be discussed and agreed upon between Israel and the Palestinian Authority taking into consideration the provisions of Article X of this Agreement. To this end a special committee will be established by the two sides.
- b. The Gaza Sea Port Authority referred to in the Declaration of Principles, shall act on behalf of the Palestinian Authority in accordance with the provisions of this Agreement.
- c. Pending construction of a port, arrangements for entry and exit of vessels, passengers and goods by sea, as well as licenses for vessels and crews sailing on international voyages in transit to the Gaza Strip and the Jericho Area, shall be through Israeli ports in accordance with the relevant rules and regulations applicable in Israel and in accordance with the provisions of Annex IV.

Article XII

Security of the Airspace

1. Operation of aircraft for the use of the Palestinian Authority in the Gaza Strip and the Jericho Area shall be initially as follows:
 - a. Two (2) transport helicopters for VIP transportation within and between the Gaza Strip and the Jericho Area.
 - b. Four (4) up to twenty persons capacity fixed-wing transport aircraft, for transporting persons between the Gaza Strip and the Jericho Area.
2. Changes in the number, type and capacity of aircraft may be discussed and agreed upon in a Joint Aviation Subcommittee (hereinafter "the JAC") to be established within the JSC.
3. The Palestinian Authority may immediately establish and operate in the Gaza Strip and the Jericho Area provisional airstrips for the helicopters and fixed-wing aircraft referred to in subparagraphs 1.a and 1.b above, in accordance with arrangements and modalities to be discussed and agreed upon in the JAC.
4. All aviation activity or usage of the airspace by any aerial vehicle in the Gaza Strip and the Jericho Area shall require prior approval of Israel. It shall be subject to Israeli air traffic control including, *inter alia*, monitoring and regulation of air routes as well as relevant regulations and requirements to be implemented in accordance with the Israel Aeronautical Information Publication, the relevant parts of which will be issued after consultation with the Palestinian Authority.
5. Aircraft taking off from, and landing in the Gaza Strip and the Jericho Area shall be registered and licensed in Israel or in other states members of ICAO. Air crews of such aircraft shall be licensed in Israel or in such other states, provided that such licenses have been approved and recommended by the Palestinian Authority and validated by Israel. /...

6. Aircraft referred to in this Article shall not carry firearms, ammunition, explosives or weapons systems, unless otherwise approved by both sides. Special arrangements for armed guards escorting high-ranking officials, will be agreed upon in the JAC.
7. The location of navigational aids and other aviation equipment will be approved by Israel through the JAC.
8.
 - a. The Palestinian Authority shall ensure that only the aviation activity in accordance with this Agreement will take place in the Gaza Strip and the Jericho Area.
 - b. Further powers and responsibilities may be transferred to the Palestinian Authority through the JAC.
 - c. The Palestinian Authority may establish a Palestinian Civil Aviation Department to act on its behalf in accordance with the provisions of this Article and of this Agreement.
9.
 - a. Aviation activity by Israel will continue to be operated above the Gaza Strip and the Jericho Area, with the same limitations applicable in Israel regarding civil and military flights over densely-populated areas.
 - b. Israel will notify the Palestinian Authority of emergency rescue operations, searches and investigations of aerial accidents carried out in the Gaza Strip and the Jericho Area. Searches and investigations of civilian aircraft accidents will be conducted by Israel with the participation of the Palestinian Authority.
10. Commercial, domestic and international air services to, from and between the Gaza Strip and the Jericho Area may be operated by Palestinian, Israeli or foreign operators approved by both sides, certified and licensed in Israel or in ICAO member states maintaining bilateral aviation relations with Israel. Arrangements for such air services, beginning with a service between Gaza and Cairo using two (2) fixed-wing aircraft with capacity up to fifty passengers each, as well as arrangements regarding the establishment and /...

operation of airports and air terminals in the Gaza Strip and the Jericho Area, will be discussed and agreed upon by the two sides in the JAC.

Any such international commercial air services will be carried out in accordance with Israel's bilateral aviation agreements. The implementation phase will be discussed and agreed upon in the JAC.

ANNEX I I

PROTOCOL CONCERNING CIVIL AFFAIRS

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ANNEX II

PROTOCOL CONCERNING CIVIL AFFAIRS

Article I

Liaison and Coordination in Civil Matters

A. Joint Civil Affairs Coordination and Cooperation Committee

1. A Joint Civil Affairs Coordination and Cooperation Committee (hereinafter "the CAC") is hereby established.
2. The functions of the CAC are to coordinate between the Palestinian Authority on one hand, and Israel and the Civil Administration that shall continue to function in the rest of the West Bank on the other hand, concerning the following day-to-day matters:
 - a. Civil matters, including issues concerning the transfer of powers and responsibilities from the Israeli military government and its Civil Administration to the Palestinian Authority.
 - b. Matters arising with regard to roads, power lines and other infrastructure which require coordination according to this Agreement.
 - c. Questions regarding passage to and from the Gaza Strip and the Jericho Area and safe passage between the Gaza Strip and the Jericho Area, including crossing points and international crossings.
 - d. Day-to-day contacts between the two sides as regards matters such as employment permits, hospitalization, transportation licensing, transfer of information, etc.

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- e. Joint projects, matters of mutual interest and other matters requiring coordination and cooperation.
3. The CAC shall be comprised of an equal number of representatives from Israel and from the Palestinian Authority, and shall convene at least once a month unless otherwise agreed.

Each side may initiate the convening of a special meeting on short notice.
4. The CAC shall determine by agreement its mode of procedure.
5. Matters of principle and policy not settled within the CAC shall be passed on to the Joint Israeli-Palestinian Liaison Committee.

B. Joint Regional Civil Affairs Subcommittees

1. The CAC shall establish two Joint Regional Civil Affairs Subcommittees (hereinafter "the Subcommittees") for the Gaza Strip and the Jericho Area respectively.
2. Each Subcommittee shall deal with the day-to-day civil affairs matters as detailed in paragraph A.2 above.

The Jericho Area Subcommittee shall also coordinate the relations between the Palestinian Authority and the military government and Civil Administration in the rest of the West Bank.
3. Each Subcommittee may establish ad hoc working groups if and when the need arises.
4. Each Subcommittee shall be comprised of an equal number of representatives from Israel and from the Palestinian Authority and shall convene no less than once every two weeks.

C. General

1. Means of communication shall be set up with a view to ensuring efficient and direct contact 24 hours a day, in order to deal with any urgent matter arising in the civil affairs field.

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2. Each side shall inform the other of its representatives to each committee prior to a meeting. Meetings of the CAC and its subcommittees shall be organized and hosted by the two sides alternately unless otherwise agreed.
3. The provisions detailed above shall not impede daily contacts between representatives of Israel and of the Palestinian Authority in all matters of mutual concern.

Article II

Transfer of Powers and Responsibilities of the Civil Administration

- A. 1. The transfer of powers and responsibilities from the Israeli military government and its Civil Administration to the Palestinian Authority shall be coordinated through the CAC and implemented in accordance with the following arrangements in a smooth, peaceful and orderly manner.
2. Preparations for the transfer of such powers and responsibilities shall commence immediately upon the signing of this Agreement, and shall be completed within 21 days.
 - a. The Israeli authorities shall provide all necessary assistance to the Palestinian Authority, including access to offices, registers, records, systems and equipment and all necessary information, data and statistics required for the transfer of powers and responsibilities.
 - b. Israel shall provide the Palestinian Authority with all the details as described in subparagraph 38 below.

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3. On the date fixed for the transfer of powers and responsibilities, Israel shall transfer from the possession of the Israeli military government and its Civil Administration to the Palestinian Authority offices, budgetary allocations, financial funds and accounts, equipment, registers, files, computer programs and other movable property necessary for its functioning.
- B. All powers and responsibilities of the Civil Administration shall be transferred to the Palestinian Authority in the Gaza Strip and the Jericho Area, in accordance with the following provisions:
1. **Interior Affairs:**

This sphere includes, *inter alia*, municipal affairs, licensing of newspapers and publications, censorship of films and plays and appointment of Mukhtars. In the Gaza Strip, this sphere shall also include fire fighting and Ottoman Societies.
 2. **Fisheries:**
 - a. This sphere includes, *inter alia*, licensing of fishermen, marine agriculture and vessels' permits.
 - b. Security restrictions are dealt with in Annex I, Article XI.
 3. **Surveying:**

This sphere includes, *inter alia*, licensing of surveyors and performing surveys in areas falling within the Palestinian Authority's jurisdiction.
 4. **Statistics:**
 - a. The transfer of powers and responsibilities in this sphere includes *inter alia* transfer of research reports and publications prepared by the Department of Statistics.

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- b. The application and validity of censuses which may be conducted by the Palestinian Authority shall be subject to the provisions of subparagraph 27.1 below.
- c. Methods of cooperation regarding the collection of data on the movement of goods, services and labor between Israel and the Gaza Strip and the Jericho Area is dealt with in Annex IV.

5. **Comptrol**

6. **Civil Administration Employees:**

The Palestinian Authority assures that it shall keep employing the present Palestinian Civil Administration employees in the Gaza Strip and the Jericho Area and shall maintain their rights.

7. **Legal Administration:**

- a. This sphere includes, *inter alia*, administration of the Palestinian judiciary system in the Gaza Strip and the Jericho Area, licensing of lawyers, registration of companies and registration of patents and trademarks in these areas.
- b. Legal issues regarding commercial and civil jurisdiction, as well as legal assistance, are dealt with in Annex III.

8. **Labor:**

- a. Israel and the Palestinian Authority shall establish agreed procedures for mutual recognition of professional certificates and diplomas.
- b. Restrictions regarding supervision and licensing of the production and use of explosives and gunpowder shall be in accordance with Annex I, Article VIII, paragraph 8.

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9. **Education:**

Israel and the Palestinian Authority shall ensure that their respective education systems contribute to the peace between Israel and the Palestinian people and peace in the entire region.

10. **Social Welfare:**

This sphere includes, *inter alia*, registration and supervision of charitable societies.

11. **Assessments**

12. **Housing**

13. **Tourism:**

- a. This sphere includes, *inter alia*, the licensing of hotels, souvenir shops and travel agents.
- b. Tourism policy in general, and coordination between Israel and the Palestinian Authority, are dealt with in Annex IV.

14. **Parks:**

Transfer of powers and responsibilities in this sphere is without prejudice to the provisions applying to religious and archaeological sites.

15. **Religious Affairs:**

- a. The Palestinian Authority shall ensure free access to all holy sites in the Gaza Strip and the Jericho Area determined by the respective religious sects and shall protect these sites.
- b. The above is without prejudice to the arrangements with regard to archaeological sites as set out in subparagraph 30 below.
- c. Visitors to holy sites shall behave according to accepted rules of behavior in holy sites.

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- d. Religious sects shall inform the Palestinian Authority of their respective holy sites in the Gaza Strip and the Jericho Area. For the purposes of this paragraph, the relevant authority regarding Jewish holy sites shall be the Israeli Government.
 - e. A list of the existing Jewish holy sites is attached as Appendix A attached to this Annex.
 - f. Israel declares that no property (including lands, buildings and institutions) belonging to the Islamic Waqf in the Gaza Strip and the Jericho Area was taken by the military government or its Civil Administration, except such property that might have been put to use for public purposes such as schools and public roads.
 - g. Pending the entry into force of the Interim Agreement the holy site of Nebi Mousa shall be under the auspices of the Palestinian Authority for religious purposes.
 - h. During religious events that take place three times a year and other special occasions that shall be coordinated with the Israeli authorities, Palestinians shall have the right to religious pilgrimage to the al-Maghtas under the Palestinian flag.
 - i. Religious affairs in the "Shalom Al Israel" synagogue in Jericho shall be under the auspices of the Israeli authorities.
16. **Employee Pensions:**
- a. This sphere includes, *inter alia*, the pension rights of employees of the Civil Administration as well as employees of other bodies who are entitled to pensions from the Civil Administration in the Gaza Strip and the Jericho Area.
 - b. As part of its powers and responsibilities, the Palestinian Authority shall assume the Civil
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Administration's statutory and contractual obligations to Palestinian employees, regarding pensions and their payment.

- c. In the Gaza Strip, upon the transfer of powers and responsibilities, the Palestinian Authority shall assume prevailing powers and obligations, according to the existing pension system.

Israel shall transfer to the Palestinian Authority, or to a Pension and Insurance Fund if established, the net income of the Fund (all payments plus interest after deduction of pension payments and running expenses) as accumulated at the Israel Ministry of Finance.

- d. In the Jericho Area, the Palestinian Authority shall assume responsibility for payment of a budgetary pension.
- e. After the transfer of authorities in this sphere, if Israel is sued by any employee or his/her heirs for any sums due to him/her as a pension, the Palestinian Authority shall reimburse Israel the full amount awarded the employee or his/her heirs by any court or tribunal.
- f. Where legal proceedings are brought in respect of such a claim, Israel will notify the Palestinian Authority and enable it to participate in defending the claim.

17. Commerce and Industry:

- a. This sphere includes, *inter alia*, licensing of crafts and industries, supervision of commodities and services and of weights and measures, and the regulation of commerce.
- b. The Palestinian Authority shall make arrangements to ensure safety conditions for the production, use and transportation of fuel and gas.
- c. The production and use of weapons, ammunition or explosives are dealt with in Annex I, Article VIII, paragraph 8. /...

- d. The economic relations between Israel and the Gaza Strip and the Jericho Area, and questions relating to imports to and exports from the Gaza Strip and the Jericho Area, are dealt with in Annex IV.
- e. Matters regarding the environment are dealt with in subparagraph 35. below.

18. Health:

- a. This sphere includes, *inter alia*, the health insurance system.
- b. The Palestinian Authority shall apply the present standards of vaccination of Palestinians and shall improve them according to internationally-accepted standards in the field.
- c. The Palestinian Authority shall inform Israel of any Israeli hospitalized in a Palestinian hospital as outlined in Annex I, Article II. Arrangements for moving such hospitalized Israelis shall be agreed upon in the CAC.
- d. Israel and the Palestinian Authority shall agree on arrangements regarding treatment and hospitalization of Palestinians in Israeli hospitals.
- e. Israel and the Palestinian Authority shall exchange information regarding epidemics and contagious diseases and shall develop methods for exchange of medical files and documents.
- f. Import of pharmaceuticals to the Gaza Strip and the Jericho Area through Israeli sea ports and airports shall be in accordance with general arrangements concerning imports, as dealt with in Annex IV.

19. Transportation:

- a. This sphere includes, *inter alia*, licensing of public transportation.
- b. In exercising its powers and responsibilities, the Palestinian

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Authority shall make appropriate arrangements for the continued operation of existing Israeli public transportation lines to the Settlements.

- c. High and appropriate international transportation standards shall be applied in the Gaza Strip and the Jericho Area.
- d. Regulations in the transportation sphere shall continuously adapt to improvements in international standards due to the dynamics of technology and environmental considerations. Due consideration shall be given to compatibility between the standards of the Palestinian Authority and of Israel.
- e. Regulations in the transportation field, including traffic signalization, shall be applied with a view to assuring the safety of all persons, to contributing to economic growth and to protecting the common environment.
- f. Regarding meteorology, there shall be mutual assistance and cooperation between the Israeli and the Palestinian weather forecasting offices.
- g. The issue of establishing transport and communication lines to and from the Jericho Area and the Gaza Strip to Israel and the West Bank is dealt with in Appendix B attached to this Annex.
- h. The arrangements regarding the transfer of authorities concerning maritime activity and aviation are dealt with in Annex I.

20. **Agriculture:**

- a. Israel and the Palestinian Authority shall do their utmost to preserve and improve the veterinary standards.

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- b. Israel and the Palestinian Authority shall take all measures to reach equivalent and compatible standards regarding animal disease control, including mass vaccination of animals and avians, quarantines, "stamping out" measures and residue control standards.
- c. Mutual arrangements shall be made to prevent the introduction and spread of plant pests and diseases, for their eradication, as well as arrangements concerning residue control standards in plant products.
- d. The veterinary and the plant protection authorities of Israel and the Palestinian Authority shall coordinate and regularly exchange information regarding animal diseases, as well as plant pests and diseases, and shall establish a mechanism for immediate notification of the outbreak of such diseases.
- e. Economic relations in the agricultural sphere between Israel and the Palestinian Authority, including transfer of agricultural goods, are dealt with in Annex IV.
- f. Experts from both sides shall discuss the details of the arrangements regarding veterinary and plant protection within the CAC.

21. Employment:

- a. Procedures for distributing employment permits to work in Israel and in the Settlements shall be agreed upon between Israel and the Palestinian Authority.
- b. Arrangements concerning the rights of employees and workers from the Gaza Strip and the Jericho Area working in Israel are dealt with in Annex IV.

22. Land Registration:

All powers and responsibilities regarding land registration will be transferred to the

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Palestinian Authority, except the Settlements and the Military Installation Area.

23. Nature Reserves:

- a. Israel and the Palestinian Authority shall safeguard and preserve nature in general and shall protect species of animals, plants and flowers of special breeds.
- b. The Palestinian Authority shall respect the existing status of declared nature reserves and shall safeguard them.

24. Electricity:

- a. The Palestinian Authority shall continue, as appropriate, to buy electric power from the Jerusalem Electricity Company for the Jericho area.
- b. Pending the establishment by the Palestinian Authority of an alternative system for the Gaza Strip, it shall temporarily buy electric power from the Israel Electric Company (IEC), and to that end shall enter into a commercial agreement with the IEC. This Agreement shall relate to the settling of debts; to IEC property; and to the maintenance of lines to Palestinian customers.
- c. Without derogating from the powers and responsibilities transferred to the Palestinian Authority above, the Palestinian Authority shall enable the supply of electricity to the Gush Katif settlement area and the Kfar Darom settlement by the IEC, as well as the maintenance by the IEC of the electricity lines to these locations and of the electricity lines crossing the Jericho Area.

The means of supplying electricity and the modalities of maintenance of lines to the Gush Katif settlement area and the Kfar Darom settlement shall be arranged by means of a commercial agreement between the Palestinian Authority and the IEC.

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- d. Environmental matters relating to electricity shall be governed by the provisions regarding environmental protection as set forth in subparagraph 35. below.

25. Public Works:

- a. This sphere includes, *inter alia*, the Housing Department in the Gaza Strip.
- b. In principle, maintenance and repairs of the Lateral Roads leading to the Settlements and the Military Installation Area shall be carried out by the Palestinian Authority.
- c. Where such maintenance and repairs have not been effected by the Palestinian Authority within a reasonable time, the Palestinian Authority shall request, through the CAC, that Israel effect such maintenance and repairs.
- d. The Palestinian Authority shall notify and update Israel through the CAC of any activity which may disturb the regular flow of traffic on roads, including road works, repairs and large-scale construction in close proximity to roads.

26. Postal Services:

- a. This sphere includes, *inter alia*, the management of post offices and postal delivery in the Gaza Strip and the Jericho Area.
- b. The Palestinian Authority may issue postage stamps, postal stationery (hereinafter "stamps") and date stamps, subject to the following provisions:
 - (1) Stamps shall include only the term "the Palestinian Authority", the face value and the subject.
 - (2) The face value shall be stated only in the agreed legal currency circulating in the Gaza Strip and the Jericho Area as detailed in Annex IV.

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- (3) The design, symbols and subjects of stamps, postal stationery and date stamps issued by the Palestinian Authority will be in accordance with the principles outlined in Article XII of the Agreement.
 - (4) The date stamp shall include only the name of the office responsible for the cancelling of the stamp and the date of that operation.
 - c. Both sides will coordinate and cooperate in establishing postal rates for international postal services in such a way as to prevent mutual economic harm to each other.
 - d. The modalities and arrangements for sending and receiving all postal items, including parcels, between the Gaza Strip and the Jericho Area and Israel and the West Bank will be arranged by means of a commercial agreement between the Israel Postal Authority and the Civil Administration respectively on one side, and the Palestinian Authority on the other.
 - e. The modalities and arrangements for sending and receiving all postal items, including parcels, between the Gaza Strip and the Jericho Area and other countries will be arranged by means of a commercial agreement between the Israel Postal Authority and the Palestinian Authority, further modalities will be discussed in the CAC.
 - f. The customs principles detailed in Annex IV shall also apply to postal items, including parcels, transmitted to the Gaza Strip and the Jericho Area.
- 27. **Population Registry and Documentation:**
 - a. The Palestinian Authority shall receive the existing population registry in the Gaza Strip and the Jericho Area, as well as files pertaining to the residents of these areas.

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- b. The existing identity card of the present residents of the Gaza Strip and the Jericho Area, as well as of new residents therein, shall be substituted by a new identity card.
- c. Possession of the aforementioned identity card and, whenever necessary, of an Israeli entrance permit, shall be required for entry into Israel by residents of the Gaza Strip and the Jericho Area.
- d. Safe passage between the Gaza Strip and the Jericho Area of residents of these areas shall require the possession of the aforementioned identity card and any other necessary documents.
- e. In order to ensure efficient passage procedures and to avoid discrepancies, the Palestinian Authority shall update Israel on a regular basis, through the CAC, of every change in its registry, with a view to enabling Israel to maintain an updated and current registry.
- f. Exit abroad through the passages or through Israeli points of exit by residents of the Gaza Strip and the Jericho Area shall only be possible by means of an agreed passport/travel document.

This title shall be written on the cover in letters of equal size.

- g. (1) Persons from countries not having diplomatic relations with Israel who visit the Gaza Strip and Jericho Area shall be required to obtain a special visitor's permit to be issued by the Palestinian Authority and cleared by Israel. Requests for such permits shall be filed by a relative of the visitor residing in the areas, through the Palestinian Authority, or by the Palestinian Authority itself.

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- (2) Visitors to the Gaza Strip and the Jericho Area shall be permitted to remain in these areas for a period of up to three months granted by the Palestinian Authority and cleared by Israel.

The Palestinian Authority may extend this three month period for an additional period of up to four months and shall inform Israel about the extension. Any further extensions require the approval of Israel.

- h. Persons from countries having diplomatic relations with Israel who visit the Gaza Strip and the Jericho Area shall either be required to obtain the aforementioned visitor's permit or to hold a valid passport and an Israeli visa, when required.
- i. Entry into the Gaza Strip or the Jericho Area of non-resident Palestinians who are visitors to these areas shall be handled by the Palestinian Authority in accordance with subparagraphs g. and h. above.
- j. The Palestinian Authority shall ensure that visitors referred to above shall not overstay the duration of their entry permit and authorized extensions.
- k. Special VIP certificates may be issued as detailed in Annex I.
- l. The Palestinian Authority may grant permanent residency in the Gaza Strip and the Jericho Area with the prior approval of Israel.
- m. The format of the aforementioned identity card and passport/travel document as well as arrangements of the implementation of the provisions set forth in this Article are detailed in Appendix C attached to this Annex.

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**28. Government and Absentee Land and other
Immovables:**

- a. All powers and responsibilities of the Custodian of Absentee Land and Immovables and powers and responsibilities for governmental land and other immovables in the Gaza Strip and the Jericho Area shall be transferred to the Palestinian Authority in accordance with the following.
- b. During the interim period, the transfer of powers and responsibilities of the Custodians of Absentee and Government Property in the Gaza Strip and the Jericho Area, other than those relating to movable property, shall not apply to land and other immovables within the Settlements and the Military Installation Area. The issue shall be dealt with within the permanent status negotiations.
- c. The status of land and other immovables which, prior to June 1967, were in the custody of the Jordanian Custodian of Enemy Property in the West Bank or under the management of the Director General appointed in accordance with Order no. 25 of 31.3.50 in the Gaza Strip, shall be dealt with in the permanent status negotiations. Pending those negotiations, the status quo of such land and other immovables shall be maintained.

29. Telecommunications:

- a. The Electromagnetic Sphere
 - (1) The frequencies detailed in the telecommunications technical schedule attached to this Annex as Appendix D are assigned for the use of the Palestinian Authority in the Gaza Strip and the Jericho Area, to satisfy its present needs.
 - (2) Conditions for the use of these frequencies as well as details concerning power, timing, direction, antenna radiation pattern and

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transmission methods, are also formulated in the aforementioned Appendix.

- (3) The frequencies shall serve, **inter alia**, a television network and a radio network.
- (4) The Palestinian Authority shall ensure that only the above frequencies shall be used and that it shall not disturb or interfere with Israel radio communications activity, and Israel shall ensure that there shall be no disturbance or interference with those frequencies.
- (5) The compatibility of the standards of electromagnetic and telecommunications systems and equipment imported or installed for use in the Gaza Strip and the Jericho Area, as well as the standards of operation of such equipment, are as agreed upon and formulated in the attached Appendix D.
- (6) The CAC shall establish, as the need arises, a joint committee of technical experts from both sides to discuss and deal with any issue arising out of this Agreement including the fulfillment of future needs of the Palestinian Authority.

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b. Telecommunications

- (1) Pending the establishment by the Palestinian Authority of an alternative telecommunications system in the Gaza Strip and the Jericho Area, the existing system of telephone and other related communication services including international telecommunications in the Gaza Strip and the Jericho Area shall continue through "Bezeq - the Israel Telecommunications Corp. Ltd." (hereinafter "Bezeq") and to that end, the Palestinian Authority shall enter into a commercial agreement with Bezeq.
- (2) Without derogating from the powers and responsibilities of the Palestinian Authority, the Palestinian Authority shall enable the supply of telecommunications services to the Settlements and the Military Installation area by Bezeq, as well as the maintenance by Bezeq of the telecommunications infrastructure serving them or infrastructure crossing the Gaza Strip and the Jericho Area.

30. Archaeology:

- a. The Palestinian Authority shall protect and guard all archaeological sites in the Gaza Strip and the Jericho Area, respect academic freedom in particular the freedom publishing research work based on excavations and shall take all necessary steps against theft of archaeological artifacts and illegal trade in them.
- b. The CAC shall establish a joint committee of experts from both sides to deal with all archaeological issues of common interest. Actions which may affect the sites detailed in Appendix A shall also be referred to this committee for discussion and recommendation.

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The Palestinian Authority shall respect such recommendations.

Disagreements on this matter within the joint committee of experts shall be referred to the CAC to be dealt with in accordance with the provisions of this Agreement.

- c. Subject to academic considerations, and in accordance with the law, when the Palestinian Authority grants excavation licenses to archaeologists, researchers and academics interested in excavating in the Gaza Strip and Jericho Area, it shall do so without discrimination.
- d. The Palestinian Authority shall ensure free access to archaeological sites.
- e. With due consideration to the Palestinian demand that Israel shall return all archaeological artifacts found in the Gaza Strip and Jericho area since 1967, this issue shall be dealt with in the negotiations on the final status.

For this purpose, Israel shall provide a list of archaeological sites for which excavation licenses were granted since 1967, including, where available, a general description of the artifacts found therein, and their location.

31. Water and Sewage

- a. All water and sewage (hereinafter referred to as "water") systems and resources in the Gaza Strip and the Jericho Area shall be operated, managed and developed (including drilling) by the Palestinian Authority, in a manner that shall prevent any harm to the water resources.
- b. As an exception to subparagraph a., the existing water systems supplying water to the Settlements and the Military Installation Area, and the water systems and resources inside them continue to be operated and managed by Mekoroth Water Co.

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- c All pumping from water resources in the Settlements and the Military Installation Area, shall be in accordance with existing quantities of drinking water and agricultural water.

Without derogating from the powers and responsibilities of the Palestinian Authority, the Palestinian Authority shall not adversely affect these quantities.

Israel shall provide the Palestinian Authority with all data concerning the number of wells in the Settlements and the quantities and quality of the water pumped from each well, on a monthly basis.

- d. Without derogating from the powers and responsibilities of the Palestinian Authority, the Palestinian Authority shall enable the supply of water to the Gush Katif settlement area and the Kfar Darom settlement by Mekoroth, as well as the maintenance by Mekoroth of the water systems supplying these locations and of water lines crossing the Jericho Area.
- e. The Palestinian Authority shall pay Mekoroth for the cost of water supplied from Israel and for the real expenses incurred in supplying water to the Palestinian Authority.
- f. All relations between the Palestinian Authority and Mekoroth shall be dealt with in a commercial agreement.
- g. The Palestinian Authority shall take the necessary measures to ensure the protection of all water systems in the Gaza Strip and the Jericho Area.
- h. Upon the signing of this Agreement, the two Parties shall establish a subcommittee to deal with all issues of mutual interest including the exchange of all data relevant to the management and operation of the water resources and systems and mutual prevention of harm to water resources.

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- i. The subcommittee shall agree upon its agenda and upon the procedures and manner of its meetings, and may invite experts or advisers as it sees fit.

32. Planning and Zoning:

- a. Authorities, powers and responsibilities in this sphere, except in the Settlements and the Military Installation Area, shall be transferred to the Palestinian Authority subject to the following.
- b. Planning schemes, bylaws and regulations in effect in the Gaza Strip and the Jericho Area prior to the signing of this Agreement shall remain in force, unless amended or abrogated in accordance with this Agreement.
- c. The Palestinian Authority may amend, abrogate or promulgate planning schemes, and issue licenses and exemptions within its jurisdiction, provided that such acts are consistent with the provisions of this Agreement.
- d. As part of its procedure, the Palestinian Authority shall publish planning schemes in the form of law. The Palestinian Authority shall provide the CAC with a copy of it.
- e. If Israel considers such a plan to be inconsistent with the terms of this Agreement, including Annex I, it may, within thirty (30) days of the receipt by the CAC of such a plan, bring it for consideration by a special subcommittee of the CAC and/or request additional information regarding the plan.

The Palestinian Authority shall respect the recommendations of the subcommittee. Pending the completion of such a consideration process, and due settlement of the matter in accordance with the provisions of this Agreement, the planning procedures shall not be finalized.

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33. Direct Taxation:

This sphere includes, *inter alia*, income tax on individuals and corporations, property taxes, municipal taxes and fees, as formulated in Annex IV.

34. Indirect Taxation:

This sphere includes, *inter alia*, VAT, purchase taxes on local production and import taxes, as formulated in Annex IV.

35. Environmental Protection:

- a. Israel and the Palestinian Authority shall act for the protection of the environment and prevention of environmental risks, hazards and nuisances.
- b. Israel and the Palestinian Authority shall respectively adopt, apply and ensure compliance with internationally-recognized standards concerning acceptable levels of land, air, water and sea pollution, and acceptable levels of treatment and disposal of solid and liquid wastes; for the use and handling of hazardous substances, including pesticides, insecticides and herbicides, and standards for the prevention and abatement of noise, odor, pests and other nuisances which may affect each side and the Settlements and the Military Installation Area.
- c. The Palestinian Authority shall take the appropriate measures to prevent the uncontrolled discharge in the Gaza Strip and the Jericho Area of sewage and effluence to water sources including underground and surface water and rivers, and to promote the proper treatment of sanitary and industrial waste water.
- d. In the event that Israel or the Palestinian Authority considers that there might be a threat to its environment, any relevant information concerning the development activity and /...

its environmental impact shall be provided by the relevant side.

- e. Israel and the Palestinian Authority shall respectively operate an emergency warning system in order to respond to events or accidents which may generate environmental pollution, damage or hazards. A mechanism for mutual notification and coordination in cases of such events or accidents shall be established.
- f. Israel and the Palestinian Authority shall cooperate in implementing agreed principles and standards concerning the protection of the Mediterranean Sea, the protection of the ozone layer, the control of movement of hazardous wastes and their disposal, the restriction of trade in endangered species of wild fauna and flora, and the conservation of migratory species of wild animals.
- g. Israel and the Palestinian Authority shall establish within the CAC an Environmental Experts Committee for the coordination of environmental issues, to be convened when the need arises.

36. Gas and Petroleum:

- a. This sphere includes, *inter alia*, distribution, supply, licensing, sales, exploration and production of gas and petroleum in the Gaza Strip and the Jericho Area.
- b. In authorizing the construction or operation of gas and petroleum facilities (including gas and petrol stations), a safety distance from the Settlements and the Military Installation Area shall be observed by the Palestinian Authority.
- c. The color of all gas cylinders in use in the Gaza Strip and the Jericho Area shall be different than that in use in Israel.
- d. Israel and the Palestinian Authority agree to cooperate concerning the exploration and production of oil and gas in cases of joint geological structures- /...

lying partly in Israel or the West Bank and partly in the Gaza Strip or the Jericho Area.

- e. Transfer of gas or fuel products through or to Israel and the West Bank shall be in accordance with Israeli standards concerning safety, security and environmental protection, and in accordance with the arrangements regarding entry into Israel.
- f. Policies of pricing, taxation, import and marketing regarding gas and petroleum are dealt with in Annex IV.

37. **Insurance:**

- a. This sphere includes, *inter alia*, licensing of insurance companies, insurance agents and supervision of their activity.
- b. Arrangements regarding the compulsory insurance of motor vehicles and the compensation of road accident casualties, in view of transportation between the Gaza and the Jericho area, are dealt with in Annex IV.

38. **Treasury:**

- a. In view of the need for a smooth transfer of powers and responsibilities, Israel shall provide the Palestinian Authority, through a team of Palestinian auditors, with all the details concerning the Civil Administration budget allocated for the Gaza Strip and the Jericho Area and the revenues, expenses and accounts. It shall also provide details regarding the Civil Administration's existing financial system in the Gaza Strip and the Jericho Area.
- b. (1) Israel shall transfer to the Palestinian Authority all the Gaza Strip and the Jericho Area Civil Administration funds and bank accounts as well as movable property.

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- (2) Israel shall provide the Palestinian Authority with a list of the Civil Administration departments and their immovable offices, storerooms, warehouses, etc.
 - (3) Where such immovables are situated on private property, including property owned by absentees, Israel shall provide the Palestinian Authority with the contracts between the Civil Administration and the owners of such property.
- c. (1) Israel shall bring to an end all the Gaza Strip and the Jericho Area Civil Administration service contracts detailed in Appendix E attached to this Annex.

Upon the transfer of powers and responsibilities, Israel shall provide the Palestinian Authority with copies of confirmations from the contractors declaring that they have no claim or demand concerning these contracts.

- (2) Civil Administration development contracts, the duration of which extends beyond the transfer of powers and responsibilities, as detailed in Appendix E, shall be transferred to the Palestinian Authority and shall remain in force.
- (3) Civil Administration contracts concerning leasing or renting Waqf, absentee or private property shall be transferred to the Palestinian Authority and shall remain in force.
- (4) All contracts entered into by the Custodian of Absentee and Governmental Property for renting and leasing land shall be transferred to the Palestinian Authority, and Israel shall give notice of such to the tenants and lessees. It is understood that following the transfer of such contracts the Palestinian Authority /...

shall have full discretion to take any decision regarding these contracts.

- d. After the transfer of authorities, powers and responsibilities in this sphere, if Israel is sued with regard to the contracts and obligations referred to in subparagraph c. above, the Palestinian Authority shall reimburse Israel for the full amount awarded by any court or tribunal.
- e. Where legal proceedings are brought in respect of such a claim, Israel will notify the Palestinian Authority and enable it to participate in defending the claim.
- f. Upon the transfer of powers and responsibilities, the Palestinian Authority shall be solely responsible for any claim regarding its actions pursuant to the transfer.
- g. Israel shall provide the Palestinian Authority with copies of the contracts listed in Appendix E in order to enable it to make a decision on new contracts which it may conclude. If such contracts are not written in Arabic, Israel shall provide the Palestinian Authority with a translation into Arabic.

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Annex II

APPENDIX A

1. The Naaran Synagogue (Ein Diuk).
2. The Jewish Cemetery in Tel Sammarat.
3. "Shalom Al Israel" Synagogue in Jericho.
4. The Jewish Synagogue in Gaza city.

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Annex II

APPENDIX B

To be added in the future.

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Annex II

APPENDIX C

**Technical Schedule Regarding Population
Registry and Documentation**

Note: The following is only part of this Appendix. Other sections of this Appendix shall be added in the future.

1. Passport/travel document format

a. General specifications

- (1) Languages: Arabic and English.
- (2) External color: green.
- (3) Front cover titles will be Palestinian Authority, Passport/Travel Document (shall be written in letters of equal size).
- (4) Each person, without reference to age, will hold his/her own document.
- (5) The validity of the document shall be up to 3 years.
- (6) The number of pages: not less than 32 pages (to be checked by international standards).
- (7) Perforation of the Passport/Travel Document number shall be in at least half of the pages.

b. Internal page of external cover

- (1) The same title as external.
- (2) Text: in Arabic and English as follows:

"This Passport/Travel Document is issued pursuant to the Palestinian Self Government Agreement according to the Oslo Agreement signed in Washington on September 13, 1993."

/...

(3) The rest of the text: as usual.

(4) Bottom of page: < signature + seal > of the Palestinian Authority.

c. Page number 1

Number of the Passport/Travel Document.

d. Page number 2 - the sticker

(1) Same information as today. Format: to be discussed.

(2) Each name shall be titled for ease of reading (first name, family name, etc.).

e. Page number 3

(1) Address of holder.

(2) Text: "The bearer of this document ... "

f. Visa pages

No comments.

g. Last page (32 or other)

The text of paragraph 1 will be:

"This passport/travel document, as long as it is valid, will enable its bearer on return from abroad, to enter the Gaza Strip and the Jericho Area."

Note: The aforementioned is meant to enable passage through Israeli border control without the need of an entrance visa.

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Annex II

APPENDIX D

Technical Schedule: Telecommunications

Pursuant to the telecommunications principles agreed upon on February 23rd, 1994, the following modalities and technical details have been determined by the two sides:

1. General

The Palestinian Authority shall use or reassign within its jurisdiction sections of frequencies covering all its required services within the bands L.F., M.F., H.F., V.H.F. and U.H.F. up to 960 MHz, to satisfy its present and future needs, as specified in the principles referred to above. The growing communication needs of the Palestinian Authority in the spheres of administration, police and civilian sectors in the Gaza Strip and the Jericho Area will be satisfied within a framework of coordination and cooperation.

To that end, the Palestinian Authority shall present its requirements through the Joint Subcommittee of Technical Experts. Frequencies or sections of frequencies in the aforementioned bands will be assigned, or an alternative thereto providing the required service within the same band, or the best possible alternative thereto, acceptable by the Palestinian side and agreed upon by Israel in the Joint Subcommittee of Technical Experts.

2. Technical Details of the Initial Requirements

The following is the first batch of initial requirements of immediate concern coinciding with the entry of the Palestinian Police and establishment of the Palestinian Authority.

Further details and additional requirements will be presented through the Joint Subcommittee of Technical Experts at a later stage.

/...

a. Wireless:

(1) DCO - will operate frequencies within a
410 to 430 MHz band.

(2) PDPF

(3) Cellular telephones

b. Radio and Television

c. Microwave:

Palestinian requirements for microwave communications above the frequency 1 GHz will be satisfied using the same modality and will adhere to the technical parameters outlined in paragraph B.2 of the above principles of February 23rd, 1994.

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Annex II

APPENDIX E

Service Contracts

(Costs in thousands of shekels)

Name of Supplier	Type of Arrangement	Annual Cost
Gertner Gibor	Contract	145
Beersheva Technical College	Contract	50
Adnat Communications	Contract	150
	(Rolling Stone)	
Halwa	Contract	20
Hiram Landau	Contract	870
Telrad	Contract	5900
Beersheva Flour Mill	Contract	270
Isralift	Contract	40
Eurocom	Per service call	70
Yitzhak Shapira	Agreement	20
Hertz Fogel	Contract	34
Mahud	Contract	10
Margolin Ron	Contract	350
Moshe Ravid	Contract	10
Malal Software Industries	Contract	250
Malam Systems	Contract	1700
Magal Infrastructure	Contract	50
Ahskelon Mechanical Laundry	Contract	65
Nachman Nir - Engineer	Contract	40
Simona Bar Sagi	Contract	4
Pioneer Steel	Contract	517
Azata Flowers	Contract	32
Krawitz	Contract	180
R.N. Construction Engineering	Contract	250
Reshef Berder	Contract	3
Shorashim	Contract	33
Shavit Meshulam	Contract	2
Sha'atit	Contract	132
Tadiran	Contract	1200
Tenuva	Contract	80
Tim Computers	Contract	3500
Engineering Concrete Co.	Contract	1100

/...

Name of Supplier	Type of Arrangement	Annual Cost
Osma Haggan Alhadiri	Tender	750
Osma Bakar Alhazander	Tender	409
Ismail Mussa Asbed	Tender	1750
Agudat Hatzdaka Printers	Tender	260
Keutzer Trading Store	Tender	131
Alzafadi Trading Co.	Tender	480
Hamadi El Salem	Tender	15
Roters Co.	Tender	210
Akila Fuel Co.	Tender	7
Bus Co.	Tender	100
Morad Trading Co.	Tender	36
Beno Razek	Tender	1100
Mahmad Feisal Mahanna	Tender	312
El Sharek Library	Tender	26
Mahmad Rasmi Alkardi	Tender	32
Mahmad Hassin Ishmila	Contract	150
Nazer Ladbai Hamda	Contract	106
Sammi Saleiman Daoud	Contract	206
Salem Abu Dalal	Contract	1700
Aabed Abdalla Alpra	Contract	100
Mahana and Co.	Contract	5600
Jerusalem Medicine Co.	By order	108
Bir Zeir Co.	By order	580
Asmi Ltd.	By order	13
Plastin	By order	45
Eastern Chemical Co.	By order	19
Nables Dinat Nazmi	By order	3

Name of Supplier	Type of Arrangement	Annual Cost
Ackerstein	Reg. Commitments (orders)	42
Agis	" " "	1500
I.T.S.	" " "	40
Abic	" " "	130
CRS Assoc.	" " "	356
Isotope	" " "	17
Ilex	" " "	110
Astro	" " "	300
Ofek Nitzpeh Ramon	" " "	13
I.T.T. Macro	" " "	100
Ampa Ltd.	" " "	88
Ayalon Meromi	" " "	135
Yakobovitch	" " "	500
Elyakim Ben Ari	" " "	1000
Avraham Goldberg	" " "	35
Orda Print	" " "	203
Izodan	" " "	10
I.I.S.	" " "	81
Arka	" " "	1700
Bioferma	" " "	94
Balgar	" " "	11
Baktab Dragnosti	" " "	8
Burei Book Co.	" " "	13
Beeper Communications	" " "	120
Binat Communications	" " "	281
Bell Art Marketing Co.	" " "	78
Gamai Zur	" " "	5
Grafit	" " "	29

/...

Name of Supplier	Type of Arrangement	Annual Cost
John Bryce	Regular Tenders	332
Guttman Architects	" "	6
Zover Medical Equipment	" "	35
De Greit Equipment	" "	79
Denograf	" "	8
Difries	" "	6
Zerot Pictures	" "	13
Dekel Printers	" "	4
Digital	" "	403
Be'eri Printers	" "	203
Hamashbir	" "	73
Hamadaf	" "	206
Hagal Hahadash	" "	10
Lamesheh Co.	" "	77
Hyper Techni	" "	138
Balmut	" "	20
Electrical Engineering	" "	62
Zameret Curtains	" "	10
Zik Eish	" "	106

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Name of Supplier	Type of Arrangement	Annual Cost
Herut Elevators	Regular Orders	35
Hagim	" "	10
Chaimov	" "	70
Intermid	" "	920
Kartin	" "	460
Hagai	" "	330
Totenauer	" "	25
Teva	" "	50
Total Graphics	" "	10
Techno Realco	" "	470
Yaron Chemicals	" "	18
Yegev Ltd.	" "	33
Isramedcom	" "	45
Yediot Aharonot	" "	5
Yitzhak Benni	" "	504
Ifat Information Center	" "	51
Radet	" "	500
Livnat Ltd.	" "	33
Lahavot	" "	---
Ligad	" "	4
Laragent	" "	---
Logi	" "	14
Maksima	" "	581
Magen David	" "	100
Ma'atak	" "	12
Mad Technika	" "	1280
Chai Laboratories	" "	8
Maf'il	" "	6
Mizauk	" "	13
Pereg Works	" "	670
Mei Eden	" "	56
Suliman Levin	" "	136
Sigma Israel	" "	70
Sadan Safes	" "	16
Seat Carmel	" "	20
Super Pile	" "	13
Einav	" "	9
Alkades Newspaper	" "	65
Fudi Industries	" "	8
Pharma Best	" "	30
Pharmatud	" "	34
Zemel	" "	6
Katzko	" "	170
Rezenfal	" "	23
Rekah	" "	7
Rav Bariah	" "	58
Shmerling	" "	27
Shamrad Electronics	" "	13

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Development Contracts

The Beit Hanun Bridge - constructed by the Public Works Department. The total cost is 1 million NIS.

The Sheikh Radwan School - The constructor is the Public Works Department that has contracts with sub-contractors. The total Cost is 3.750 million NIS.

The Jericho Retirement Retirement Home

The constructor is the Housing Department that has contracts With sub-contractors.


SIDE LETTER TO THE PROTOCOL ON CIVIL AFFAIRS

1. The Transportation Appendix and the Technical Schedule regarding Registry and Documentation (Appendices B and C to Annex II of the Agreement on the Gaza Strip and the Jericho Area) will be completed within 21 days of the signing of this Agreement, pursuant to arrangements which have been finalized by the respective sub-committees.
2. Upon their completion these Appendices will constitute an integral part of this Agreement.

For the Government of Israel

for the PLO





May 4, 1994

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ANNEX III

PROTOCOL CONCERNING LEGAL MATTERS

/...

Annex III

PROTOCOL CONCERNING LEGAL MATTERS

Article I

Criminal Jurisdiction

1. The criminal jurisdiction of the Palestinian Authority covers all offenses committed in the areas under its territorial jurisdiction (hereinafter, for the purposes of this Annex, "the Territory") subject to the provisions of this Article.
2. Israel has sole criminal jurisdiction over the following offenses:
 - a. offenses committed in the Settlements and the Military Installation Area subject to the provisions of this Annex; and
 - b. offenses committed in the Territory by Israelis.
3. In exercising their criminal jurisdiction, each side shall have the power, *inter alia*, to investigate, arrest, bring to trial and punish offenders.
4. In addition, and without derogating from the territorial jurisdiction of the Palestinian Authority, Israel has the power to arrest and to keep in custody individuals suspected of having committed offenses which fall within Israeli criminal jurisdiction as noted in paragraphs 2 and 7 of this Article, who are present in the Territory, in the following cases:
 - a. The individual is an Israeli, in accordance with Article II of this Annex; or
 - b. (1) The individual is a non-Israeli suspected of having just committed an offense in a place where Israeli authorities exercise their security functions in accordance

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with Annex I, and is arrested in the vicinity in which the offense was committed. The arrest shall be with a view to transferring the suspect, together with all evidence, to the Palestinian Police at the earliest opportunity.

- (2) In the event that such an individual is suspected of having committed an offense against Israel or Israelis, and there is a need for further legal proceedings with respect to that individual, Israel may retain him or her in custody and the question of the appropriate forum for prosecuting such a suspect shall be dealt with by the Legal Committee on a case-by-case basis.
5. In the case of an offense committed in the Territory by a non-Israeli against Israel or an Israeli, the Palestinian Authority shall take measures to investigate and prosecute the case, and shall report to Israel on the result of the investigation and any legal proceedings.
6. a. Tourists in transit to or from Israel through the Gaza Strip or the Jericho Area, who are present on the Lateral Roads or on the main North-South road crossing the Jericho Area (Route No. 90), may be arrested and questioned only by the Israeli authorities which shall notify the Palestinian Authority. Where the Israeli authorities conclude that an offense under the prevailing law has been committed, and that further legal proceedings in respect of the tourist are required, such proceedings shall be taken by the Palestinian Authority.
b. Where such a tourist present outside these areas is detained or arrested by the Palestinian Authority, it shall notify the Israeli authorities immediately and shall enable them at the earliest opportunity to meet the detainee and to provide any necessary assistance, including consular notification, requested by the detainee.
7. Nothing in this Article shall derogate from Israel's criminal jurisdiction in accordance with its domestic laws over offenses committed outside Israel (including in the Territory) against Israel or an Israeli with due regard to the principle

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that no person can be tried twice for the same offense. The exercise of such jurisdiction shall be subject to the provisions of this Annex and without prejudice to the criminal jurisdiction of the Palestinian Authority.

Article II

Legal Assistance in Criminal Matters

1. General

- a. Israel and the Palestinian Authority shall cooperate and provide each other with legal assistance in criminal matters. Such cooperation shall include the arrangements detailed in this Article.
- b. For the purpose of this Article, "Israeli military forces" may include Israel Police and other Israeli security forces.
- c. Documents served by one Party in the territory under the responsibility of the other, shall be accompanied by a certified translation into the official language of the other Party.

2. Cooperation in Criminal Matters

- a. The Israel Police and the Palestinian Police shall cooperate in the conduct of investigations. Subject to detailed arrangements to be agreed upon, such cooperation shall include the exchange of information, records and fingerprints of criminal suspects, vehicle ownership registration records, etc.
- b. Where an offense is committed in the Territory by an Israeli acting jointly with an individual under Palestinian personal jurisdiction, the Israeli military forces and the Palestinian Police will cooperate in conducting an investigation.

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- c. The Palestinian authorities shall not arrest or detain Israelis or place them in custody. Israelis can identify themselves by presenting Israeli documentation.

However, where an Israeli commits a crime against a person or property in the Territory the Palestinian Police upon arrival at the scene of the offense shall immediately notify the Israeli authorities through the relevant DCO. Until the arrival of the Israeli military forces the Palestinian Police may, if necessary, detain the suspect in place while ensuring his protection and the protection of all those involved and shall prevent interference with the scene of the offense, collect the necessary evidence and conduct preliminary questioning.

- d. Without derogating from the jurisdiction of the Palestinian Authority over property located or transported within the Territory, where the property is being transported or carried by an Israeli, the following procedure shall apply: The Palestinian authorities have the power to take any measures necessary in relation to Israeli vehicles or personal belongings where such vehicle or belongings have been used in commission of a crime and present an immediate danger to public safety or health. When such measures are taken the Palestinian authorities shall immediately notify the Israeli authorities through the relevant DCO, and shall continue to take the necessary measures until their arrival.

3. a. When an Israeli is suspected of committing an offense and is present in the Territory, the Israeli military forces shall be able to arrest, search and detain the suspect as required, in the presence of and with the assistance of the Palestinian Police.

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- b. When an Israeli commits an offense and is present in the Yellow Areas or on the Lateral Roads and their adjacent sides as defined in Annex I, the Israeli military forces may, without derogating from the territorial jurisdiction of the Palestinian Authority, arrest, search and detain the offender and shall notify the Palestinian Police immediately, provide it with all necessary information, and coordinate wherever possible.
4. When an offense is committed inside a Settlement, and all those involved are Palestinians of the Gaza Strip or the Jericho Area or their visitors, the Israeli military forces shall notify the Palestinian Police immediately and shall hand over the offender and the collected evidence to the Palestinian Police unless the offense is security-related.
5. Restraining Orders

Each side shall execute orders issued by the competent organ of the other side restraining a person under the jurisdiction of that side from travelling abroad.
6. Summons and Questioning of Witnesses
 - a. Where the statement of a witness who is an Israeli or other person present in Israel is required for a Palestinian investigation, the statement shall be taken by the Israel Police in the presence of a Palestinian Police officer in an Israeli facility at an agreed location.
 - b. Where the statement of a non-Israeli witness present in the Territory is required for an Israeli investigation, the statement shall be taken by the Palestinian Police in the presence of an Israeli police officer in a Palestinian facility at an agreed location.
 - c. In exceptional cases, each side may take a statement requested by the other side itself, without the presence of the requesting side.

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7. Transfer of Suspects and Defendants

- a. Where a non-Israeli suspected of, charged with or convicted of an offense that falls within Palestinian criminal jurisdiction is present in Israel, the Palestinian Authority may request Israel to arrest and transfer the individual to the Palestinian Authority.
- b. Where an individual suspected of, charged with or convicted of an offense that falls within Israeli criminal jurisdiction is present in the Territory, Israel may request the Palestinian Authority to arrest and transfer the individual to Israel.
- c. Requests under subparagraphs a. and b. above shall specify the grounds for the request and shall be supported by an arrest warrant issued by a competent court.
- d. Where the request is for the transfer of a suspect who is not a Palestinian requested by the Palestinian Authority:
 - (1) the arrest warrant shall only be issued pursuant to an application made by or on behalf of the Attorney-General, confirming that there is reasonable evidentiary basis that the offense was committed by the suspect;
 - (2) the offense must be punishable by not less than 7 years' imprisonment under the law of the requesting side.
- e.
 - (1) Individuals suspected of offenses punishable by less than 7 years' imprisonment shall be interrogated by the investigating side in a facility of the other side or at an agreed location.
 - (2) Interrogation shall take place in the presence of a police officer of the other side.
 - (3) Upon the request of the investigating side the other side may detain the suspect in custody pending and during the questioning.

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- (4) Where the presence of the suspect is required for an objective reason such as confronting witnesses and identification of site, the suspect shall be transferred for that purpose only.
- f. (1) Both sides, upon receipt of a request in accordance with this Article, shall effect the arrest and transfer requested.
- (2) If the individual requested is detained in custody or is serving a prison sentence, the side receiving the request may delay the transfer to the requesting side for the duration of the detention or imprisonment.
- g. No person shall be transferred in respect of an offense punishable by capital punishment unless the requesting side undertakes that capital punishment shall not be imposed in the case.
- h. (1) Both sides shall take all necessary measures to ensure that the treatment of individuals transferred under this Article complies with the applicable legal arrangements in Israel and in the Territory and with internationally-accepted norms of human rights regarding criminal investigations.
- (2) Suspects transferred under this paragraph shall have the right to be assisted during the investigation period by an advocate of their own choice.
- i. Each side may, upon the request of the other side, detain, for no more than seven days, an individual in respect of whom a request for arrest and transfer is to be made, pending the submission of such a request.
- j. The transfer of foreigners by Israel to the Palestinian Authority under this Article shall be subject to the applicable conventions to which Israel is a party and in coordination with the foreigner's state of origin.

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- k. Both sides may agree that an individual convicted in the courts of one side shall serve his sentence in a prison of the other side, subject to arrangements and conditions to be agreed between the sides.

8. Assistance in the Execution of Court Orders for the Purposes of Investigation

- a. Israel and the Palestinian Authority shall execute orders issued by each others' courts for the purposes of investigations (e.g., search warrants, orders for the production of documents and seizure orders), subject to the provisions of local law.
- b. Where, for the purposes of an investigation, Israel or the Palestinian Authority requires that tests or examinations (such as fingerprinting or blood analysis) be effected in relation to an item situated in territory under the responsibility of the other side, that side shall effect the tests or examinations required and transfer the results to the side conducting the investigation. Where these results are not sufficient for the purposes of the investigation, arrangements shall be made for the transfer of the item to the side conducting the investigation.

9. Legal Assistance in the Conduct of Judicial Proceedings

- a. Summons and subpoenas issued by an Israeli court in respect of defendants and witnesses present in the Territory, shall be effected through the Palestinian Authority which shall be responsible for the service of summons, and the execution of subpoenas by the Palestinian Police. Subpoenas issued in respect of an Israeli defendant or witness shall be executed by the Israeli military forces in the presence of and with the assistance of the Palestinian Police.
- b. Summons or subpoenas issued by a Palestinian court in respect of defendants and witnesses present in Israel shall be effected through the Israel Police who shall be responsible for the service of summons and the execution of subpoenas.

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- c. Where the evidence of an Israeli witness is required in connection with proceedings conducted by a Palestinian court, the evidence of the witness shall be taken at a Palestinian court situated at an agreed location close to one of the crossing points, and the witness shall be accompanied by representatives of the Israeli military forces together with the Palestinian Police.
- d. Where the evidence of a witness is required in connection with proceedings conducted by a court of one side, such a request will be notified to the authorities of the other side to summon the witness.

Article III

Civil Jurisdiction

1. The Palestinian courts and judicial authorities have jurisdiction in all civil matters, subject to this Agreement.
2. Israelis conducting commercial activity in the Territory are subject to the prevailing civil law in the Territory relating to that activity.

Nevertheless, any enforcement of judicial and administrative judgments and orders issued against Israelis and their property shall be effected by Israel. Israel undertakes to execute such judgments and orders within a reasonable time.
3. The Palestinian courts and judicial authorities have no jurisdiction over civil actions in which an Israeli is a party, except for the following cases:
 - a. the subject matter of the action is an ongoing Israeli business situated in the Territory (the registration of an Israeli company as a foreign company in the Territory being evidence of the fact that it has an ongoing business situated in the Territory);
 - b. the subject matter of the action is real property located in the Territory;

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- c. the Israeli party is a defendant in the action and has consented to such jurisdiction by notice in writing to the Palestinian court or judicial authority;
 - d. the Israeli party is a defendant in an action the subject matter of which is a written agreement, and the Israeli party has consented to such jurisdiction by a specific provision in this agreement;
 - e. the Israeli party is a plaintiff who has filed an action in the Territory. If the defendant in the action is an Israeli, his consent to such jurisdiction in accordance with subparagraphs c. or d. above shall be required; or
 - f. actions concerning other matters as agreed between the Parties.
4. The jurisdiction of the Palestinian courts and judicial authorities does not cover actions against the State of Israel including its statutory entities, organs and agents.

Article IV

Legal Assistance in Civil Matters

1. Service of Legal Documents

Israel and the Palestinian Authority will be responsible, in the areas under their respective territorial responsibility, for the service of legal documents, including subpoenas, issued by the judicial organs under the responsibility of the other Party.

2. Interim Orders

- a. Interim orders (e.g., temporary orders of attachment, the appointment of a receiver, restraining orders) issued by judicial organs under the responsibility of either Party will not have effect in the areas under the territorial responsibility of the other Party.

/...

- b. Judicial organs under the responsibility of both Parties will be authorized to issue interim orders which shall apply in the areas under their territorial responsibility, even in cases in which the primary action was filed with the judicial organs under the responsibility of the other Party.
- c. The judicial organs of each side may issue orders restraining an individual from travelling abroad when the order relates to a matter being tried by that organ, subject to the relevant provisions of the domestic laws.

3. Taking of evidence

Israel and the Palestinian Authority will make arrangements for taking evidence from witnesses, when necessary, within the areas under their territorial responsibility, when such evidence is sought in connection with proceedings conducted by the judicial organs under the responsibility of the other side.

4. Enforcement of judgements

- a. Israel and the Palestinian Authority will enforce judgements rendered by the judicial organs under the responsibility of the other Party, provided that the judicial organ concerned had the jurisdiction to render the judgement and further provided that the enforcement is not contrary to public policy. The execution office under the responsibility of Israel and the Palestinian Authority shall execute such judgements as if rendered by their own judicial organs.
- b. In executing any judgement against Israelis the Palestinian execution offices will be authorized to issue orders (e.g., attachments, receivership, eviction) against Israeli property within the Territory.
- c. Orders against the freedom of Israelis (e.g., imprisonment orders, restraining orders) shall only be issued by Israeli execution offices.

/...

- d. All orders issued by execution offices against Israelis or Israeli property within the Territory will be executed by the Israel Police with the assistance of the Palestinian Authority, or where the Israel Police notifies the Palestinian Authority that it has no objection, by the Palestinian Police.

/...

ANNEX IV

PROTOCOL ON ECONOMIC RELATIONS

/...

CERTIFICATION OF TRUE COPY

Arab Republic of Egypt
Governorate of Cairo
Embassy of the United States
of America

ss.

I certify that the following copy of the Protocol on Economic Relations signed in Paris on 29 April 1994 and the Appendices thereto is a true and faithful copy of the original, and has been carefully examined by me, compared with the said original, and found to agree with it word for word and figure for figure.



Charles J. Wintheiser
Consul of the United States

May 3, 1994

Seal

/...

PROTOCOL ON ECONOMIC RELATIONS

between

the Government of the State of Israel

and

the P.L.O., representing the Palestinian people

PREAMBLE

The two parties view the economic domain as one of the cornerstone in their mutual relations with a view to enhance their interest in the achievement of a just, lasting and comprehensive peace. Both parties shall cooperate in this field in order to establish a sound economic base for these relations, which will be governed in various economic spheres by the principles of mutual respect of each other's economic interests, reciprocity, equity and fairness.

This protocol lays the groundwork for strengthening the economic base of the Palestinian side and for exercising its right of economic decision making in accordance with its own development plan and priorities. The two parties recognise each other's economic ties with other markets and the need to create a better economic environment for their peoples and individuals.

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Article I

FRAMEWORK AND SCOPE OF THIS PROTOCOL

1. This protocol establishes the contractual agreement that will govern the economic relations between the two sides and will cover the West Bank and the Gaza Strip during the interim period. The implementation will be according to the stages envisaged in the Declaration of Principles on Interim Self Government Arrangements signed in Washington D.C. on September 13, 1993 and the Agreed Minutes thereto. It will therefore begin in the Gaza Strip and the Jericho Area and at a later stage will also apply to the rest of the West Bank, according to the provisions of the Interim Agreement and to any other agreed arrangements between the two sides.
2. This Protocol, including its Appendixes, will be incorporated into the Agreement on the Gaza Strip and the Jericho Area (in this Protocol - the Agreement), will be an integral part thereof and interpreted accordingly. This paragraph refers solely to the Gaza Strip and the Jericho Area.
3. This Protocol will come into force upon the signing of the Agreement.
4. For the purpose of this Protocol, the term "Areas" means the areas under the jurisdiction of the Palestinian Authority, according to the provisions of the Agreement regarding territorial jurisdiction.
The Palestinian jurisdiction in the subsequent agreements could cover areas, spheres or functions according to the Interim Agreement. Therefore, for the purpose of this Protocol, whenever applied, the term "Areas" shall be interpreted to mean functions and spheres also, as the case may be, with the necessary adjustments.

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Article II

THE JOINT ECONOMIC COMMITTEE

1. Both parties will establish a Palestinian-Israeli Joint Economic Committee (hereinafter- the JEC) to follow up the implementation of this Protocol and to decide on problems related to it that may arise from time to time. Each side may request the review of any issue related to this Agreement by the JEC.
2. The JEC will serve as the continuing committee for economic co-operation envisaged in Annex III of the Declaration of Principles.
3. The JEC will consist of an equal number of members from each side and may establish sub-committees as it deems necessary, in addition to the sub-committees specified in this Protocol.
A sub-committee may include experts as necessary.
4. The JEC and its sub-committees shall reach their decisions by agreement and shall determine their rules of procedure and operation, including the frequency and place or places of their meetings.

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Article III

IMPORT TAXES AND IMPORT POLICY

1. The import and customs policies of both sides will be according to the principles and arrangements detailed in this Article.
2. a. The Palestinian Authority will have all powers and responsibilities in the sphere of import and customs policy and procedures with regard to the following:
 - (1) Goods on List A1, attached hereto as Appendix I, locally-produced in Jordan and in Egypt particularly and in the other Arab countries, which the Palestinians will be able to import in quantities agreed upon by the two sides up to the Palestinian market needs as estimated according to para 3 below
 - (2) Goods on List A2, attached hereto as Appendix II, from the Arab, Islamic and other countries, which the Palestinians will be able to import in quantities agreed upon by the two sides up to the Palestinian market needs as estimated according to para 3 below
- b. The import policy of the Palestinian Authority for Lists A1 and A2 will include independently determining and changing from time to time the rates of customs, purchase tax, levies, excises and other charges, the regulation of licensing requirements and procedures and of standard requirements. The valuation for custom purposes will be based upon the GATT 1994 agreement as of the date it will be introduced in Israel, and until then - on the Brussels Definition of Valuation (BDV) system. The classification of goods will be based on the principles of "the Harmonized Commodity Description and Coding System". Concerning imports referred to in Article VII of this Protocol (Agriculture), the provisions of that Article will apply
3. For the purposes of para 2(a) above, the Palestinian market needs for 1994 will be estimated by a sub-committee of experts. These estimates will be based on the best available data regarding past consumption, production, investment and external trade of the Areas. The sub-committee will submit its estimate within three months from the signing of the Agreement. These estimates will be reviewed and updated every six months by the sub-committee, on the basis of the best data available regarding the latest period for which relevant data are available, taking into consideration all relevant economic and social indicators.
Pending an agreement on the Palestinian market needs, the previous period's estimates adjusted for population growth and rise in per-capita GNP in the previous period, will serve as provisional estimates

4. The Palestinian Authority will have all powers and responsibilities to independently determine and change from time to time the rates of customs, purchase taxes, levies, excises and other charges on the goods on List B, attached hereto as Appendix III, of basic food items and other goods for the Palestinian economic development program, imported by the Palestinians to the Areas.
5.
 - a. With respect to all goods not specified in Lists A1, A2 and B, and with respect to quantities exceeding those determined in accordance with paras 2(a) & 3 above (hereinafter - the Quantities), the Israeli rates of customs, purchase tax, levies, excises and other charges, prevailing at the date of signing of the Agreement, as changed from time to time, shall serve as the minimum basis for the Palestinian Authority. The Palestinian Authority may decide on any upward changes in the rates on these goods and exceeding quantities when imported by the Palestinians to the Areas.
 - b. With respect to all goods not specified in Lists A1 and A2, and with respect to quantities exceeding the Quantities, Israel and the Palestinian Authority will employ for all imports the same system of importation, as stipulated in para 10 below, including inter alia standards, licensing, country of origin, valuation for customs purposes etc.
6. Each side will notify the other side immediately of changes made in rates and in other matters of import policy, regulations and procedures, determined by it within its respective powers and responsibilities as detailed in this Article. With regard to changes which do not require immediate application upon decision, there will be a process of advance notifications and mutual consultations which will take into consideration all aspects and economic implications.
7. The Palestinian Authority will levy VAT at one rate on both locally produced goods and services and on imports by the Palestinians (whether covered by the three Lists mentioned above or not), and may fix it at the level of 15% to 16%.
8. Goods imported from Jordan, Egypt and other Arab countries according to para 2(a)(1) above (List A1) will comply with rules of origin agreed upon by a joint sub-committee within three months of the date of the signing of the Agreement. Pending an agreement, goods will be considered to have been "locally produced" in any of those countries if they conform with all the following:
 - a.
 - (i) They have been wholly grown, produced, or manufactured in that country, or have been substantially transformed there into new or different goods, having a new name, character, or use, distinct from the goods or materials from which they were so transformed,
 - (ii) They have been imported directly from the said country,
 - (iii) The value or the costs of the materials produced in that country, plus the direct processing costs in it, do not fall short of 30 percent of the export value of the goods. This rate may be reviewed by the joint committee mentioned in para 16 a year after the signing of the Agreement

- (iv) The goods are accompanied by an internationally recognized certificate of origin;
 - (v) No goods will be deemed as substantially new or different goods, and no material will be eligible for inclusion as domestic content, by virtue of having merely undergone simple combining or packaging, or dilution with water or other substances, which do not materially alter the characteristics of the said goods.
9. Each side will issue import licences to its own importers, subject to the principles of this Article and will be responsible for the implementation of the licensing requirements and procedures prevailing at the time of the issuance of the licenses. Mutual arrangements will be made for the exchange of information relevant to licensing matters.
10. Except for the goods on Lists A1 and A2 and their Quantities - in which the Palestinian Authority has all powers and responsibilities, both sides will maintain the same import policy (except for rates of import taxes and other charges for goods in List B) and regulations including classification, valuation and other customs procedures, which are based on the principles governing international codes, and the same policies of import licensing and of standards for imported goods, all as applied by Israel with respect to its importation. Israel may from time to time introduce changes in any of the above, provided that changes in standard requirements will not constitute a non-tariff barrier and will be based on considerations of health, safety and the protection of the environment in conformity with Article 2.2. of the Agreement on Technical Barriers to trade of the Final Act of the Uruguay Round of Trade Negotiations. Israel will give the Palestinian Authority prior notice of any such changes, and the provisions of para 6 above will apply.
11. a. The Palestinian Authority will determine its own rates of customs and purchase tax on motor vehicles imported as such, to be registered with the Palestinian Authority. The vehicle standards will be those applied at the date of the signing of the Agreement as changed according to para 10 above. However, the Palestinian Authority may request, through the sub-committee on transportation, that in special cases different standards will apply. Used motor vehicles will be imported only if they are passenger cars or dual-purpose passenger cars of a model of no more than three years prior to the importation year. The sub-committee on transportation will determine the procedures for testing and confirming that such used cars comply with the standards' requirements for that model year. The issue of importing commercial vehicles of a model prior to the importation year will be discussed in the joint sub-committee mentioned in para 16 below.
- b. Each side may determine the terms and conditions for the transfer of motor vehicles registered in the other side to the ownership or use of a resident of its own side, including the payment of the difference of import taxes, if any, and the vehicle having been tested and found compatible with the standards required at that time by its own registration administration, and may prohibit transfer of vehicles.

12. a. Jordanian standards, as specified in the attached Appendix I, will be acceptable in importing petroleum products into the Areas, once they meet the average of the standards existing in the European Union countries, or the USA standards, which parameters have been set at the values prescribed for the geographical conditions of Israel, the Gaza Strip and the West Bank.

Cases of petroleum products which do not meet these specifications will be referred to a joint experts' committee for a suitable solution. The committee may mutually decide to accept different standards for the importation of gasoline which meet the Jordanian standards even though, in some of their parameters, they do not meet the European Community or USA standards. The committee will give its decision within six months.

Pending the committee's decision, and for not longer than six months of the signing of the Agreement, the Palestinian Authority may import to the Areas, gasoline for the Palestinian market in the Areas, according to the needs of this market, provided that:

- (1) this gasoline is marked in a distinctive colour to differentiate it from the gasoline marketed in Israel ; and
- (2) the Palestinian Authority will take all the necessary steps to ensure that this gasoline is not marketed in Israel.

- b. The difference in the final price of gasoline to consumers in Israel and to consumers in the Areas, will not exceed 15% of the official final consumer price in Israel. The Palestinian Authority has the right to determine the prices of petroleum products, other than gasoline, for consumption in the Areas .
- c. If Egyptian gasoline standards will comply with the conditions of sub-para (a) above, the importation of Egyptian gasoline will also be allowed.

13. In addition to the points of exit and entry designated according to the Article regarding Passages in Annex I of the Agreement for the purpose of export and import of goods, the Palestinian side has the right to use all points of exit and entry in Israel designated for that purpose. The import and export of the Palestinians through the points of exit and entry in Israel will be given equal trade and economic treatment.

14. In the entry points of the Jordan River and the Gaza Strip:

a. Freight shipment

The Palestinian Authority will have full responsibility and powers in the Palestinian customs points (freight-area) for the implementation of the agreed upon customs and importation policy as specified in this protocol, including the inspection and the collection of taxes and other charges, when due.

Israeli customs officials will be present and will receive from the Palestinian customs officials a copy of the necessary relevant documents related to the specific shipment and will be entitled to ask for inspection in their presence of both goods and tax collection.

The Palestinian customs officials will be responsible for the handling of the customs procedure including the inspection and collection of due taxes.

In case of disagreement on the clearance of any shipment according to this Article, the shipment will be delayed for inspection for a maximum period of 48 hours during which a joint sub-committee will resolve the issue on the basis of the relevant provisions of this Article. The shipment will be released only upon the sub-committee's decision.

b. Passengers customs lane

Each side will administer its own passengers customs procedures, including inspection and tax collection. The inspection and collection of taxes due in the Palestinian customs lane will be conducted by customs officials of the Palestinian Authority.

Israeli customs officials will be invisibly present in the Palestinian customs lane and entitled to request inspection of goods and collection of taxes when due. In the case of suspicion, the inspection will be carried out by the Palestinian official in a separate room in the presence of the Israeli customs official.

15. The clearance of revenues from all import taxes and levies, between Israel and the Palestinian Authority, will be based on the principle of the place of final destination. In addition, these tax revenues will be allocated to the Palestinian Authority even if the importation was carried out by Israeli importers when the final destination explicitly stated in the import documentation is a corporation registered by the Palestinian Authority and conducting business activity in the Arcas. This revenue clearance will be effected within six working days from the day of collection of the said taxes and levies.
16. The Joint Economic Committee or a sub-committee established by it for the purposes of this Article will deal inter alia with the following:
 - (1) Palestinian proposals for addition of items to Lists A1, A2 and B. Proposals for changes in rates and in import procedures, classification, standards and licensing requirements for all other imports;
 - (2) Estimate the Palestinian market needs, as mentioned in para 3 above;
 - (3) Receive notifications of changes and conduct consultations, as mentioned in para 6 above;
 - (4) Agree upon the rules of origin as mentioned in para 8 above, and review their implementation;
 - (5) Co-ordinate the exchange of information relevant to licensing matters as mentioned in para 9 above.
 - (6) Discuss and review any other matters concerning the implementation of this Article and resolve problems arising therefrom.

17. The Palestinian Authority will have the right to exempt the Palestinian returnees who will be granted permanent residency in the Areas from import taxes on personal belongings including house appliances and passenger cars as long as they are for personal use.
18. The Palestinian Authority will develop its system for temporary entry of needed machines and vehicles used for the Palestinian Authority and the Palestinian economic development plan.

Concerning other machines and equipment, not included in Lists A1, A2 and B, the temporary entry will be part of the import policy as agreed in para 10 above, until the joint sub-committee mentioned in para 16 decides upon a new system proposed by the Palestinian Authority. The temporary entry will be co-ordinated through the joint sub-committee.

19. Donations in kind to the Palestinian Authority will be exempted from customs and other import taxes if destined and used for defined development projects or non-commercial humanitarian purposes.

The Palestinian Authority will be responsible exclusively for planning and management of the donors' assistance to the Palestinian people. The Joint Economic Committee will discuss issues pertaining to the relations between the provisions in this Article and the implementation of the principles in the above paragraph.

Article IV

MONETARY AND FINANCIAL ISSUES

1. The Palestinian Authority will establish a Monetary Authority (PMA) in the Areas. The PMA will have the powers and responsibilities for the regulation and implementation of the monetary policies within the functions described in this Article.
2. The PMA will act as the Palestinian Authority's official economic and financial advisor.
3. The PMA will act as the Palestinian Authority's and the public sector entities' sole financial agent, locally and internationally.
4. The foreign currency reserves (including gold) of the Palestinian Authority and all Palestinian public sector entities will be deposited solely with the PMA and managed by it.
5. The PMA will act as the lender of last resort for the banking system in the Areas.
6. The PMA will authorize foreign exchange dealers in the Areas and will exercise control (regulation and supervision) over foreign exchange transactions within the Areas and with the rest of the world.
7.
 - a. The PMA will have a banking supervision department that will be responsible for the proper functioning, stability, solvency and liquidity of the banks operating in the Areas.
 - b. The banking supervision department will predicate its supervision on the international principles and standards reflected in international conventions and especially on the principles of the "Basle Committee"
 - c. The supervision department will be charged with the general supervision of every such bank, including:
 - The regulation of all kinds of banking activities, including their foreign activities ;
 - The licensing of banks formed locally and of branches, subsidiaries, joint ventures and representative offices of foreign banks and the approval of controlling shareholders ;
 - The supervision and inspection of banks.
8. The PMA will relicense each of the five branches of the Israeli banks operating at present in the Gaza Strip and the West Bank, as soon as its location or the authorities regarding it come under the jurisdiction of the Palestinian Authority. These branches will be required to comply with the general rules and regulations of the PMA concerning foreign banks, based on the "Basle Concordat". Para 10 d, e, and f below will apply to these branches.

9. a. Any other Israeli bank wishing to open a branch or a subsidiary in the Areas will apply for a license to the PMA and will be treated equally to other foreign banks, provided that the same will apply to the Palestinian banks wishing to open a branch or a subsidiary in Israel.
- b. Granting of a license by both authorities will be subject to the following arrangements based on the "Basle Concordat" valid on the date of signing of the Agreement and to the host authority's prevailing general rules and regulations concerning opening of branches and subsidiaries of foreign banks.

In this para 10 "host authority" and "home authority" apply only to the Bank of Israel (BOI) and the PMA.

- c. A bank wishing to open a branch or establish a subsidiary will apply to the host authority, having first obtained the approval of its home authority. The host authority will notify the home authority of the terms of the license, and will give its final approval unless the home authority objects.
- d. The home authority will be responsible for the consolidated and comprehensive supervision of banks, inclusive of branches and subsidiaries in the area under the jurisdiction of the host authority. However, the distribution of supervision responsibilities between the home and the host authorities concerning subsidiaries will be according to the "Basle Concordat"
- e. The host authority will regularly examine the activities of branches and subsidiaries in the area under its jurisdiction. The home authority will have the right to conduct on site examinations in the branches and subsidiaries in the host area. However, the supervision responsibilities of the home authority concerning subsidiaries will be according to the "Basle Concordat".
Accordingly, each authority will transfer to the other authority copies of its examination reports and any information relevant to the solvency, stability and soundness of the banks, their branches and subsidiaries
- f. The BOI and the PMA will establish a mechanism for co-operation and for the exchange of information on issues of mutual interest
10. a. The New Israeli Sheqel (NIS) will be one of the circulating currencies in the Areas and will legally serve there as means of payment for all purposes including official transactions. Any circulating currency, including the NIS, will be accepted by the Palestinian Authority and by all its institutions, local authorities and banks, when offered as a means of payment for any transaction.
- b. Both sides will continue to discuss, through the JEC, the possibility of introducing mutually agreed Palestinian currency or temporary alternative currency arrangements for the Palestinian Authority.
11. a. The liquidity requirements on all deposits in banks operating in the Areas will be determined and announced by the PMA

- b. Banks in the Areas will accept NIS deposits. The liquidity requirements on the various kinds of NIS deposits (or deposit linked to the NIS) in banks operating in the Areas will not be less than 4% to 8%, according to the type of deposits. Changes of over 1% in the liquidity requirements on NIS deposits (or deposits linked to the NIS) in Israel will call for corresponding changes in the above mentioned rates.
 - c. The supervision and inspection of the implementation of all liquidity requirements will be carried out by the PMA
 - d. The reserves and the liquid assets required according to this paragraph will be deposited at the PMA according to rules and regulations determined by it. Penalties for non compliance with the liquidity requirements will be determined by the PMA.
12. The PMA will regulate and administer a discount window system and the supply of temporary finance for banks operating in the Areas.
13. a. The PMA will establish or license a clearing house in order to clear money orders between the banks operating in the Areas, and with other clearing houses.
- b. The clearing of money orders and transactions between banks operating in the Areas and banks operating in Israel will be done between the Israeli and the Palestinian clearing houses on same working day basis, according to agreed arrangements.
14. Both sides will allow correspondential relations between each others' banks.
15. The PMA will have the right to convert at the BOI excess NIS received from banks operating in the Areas into foreign currency, in which the BOI trades in the domestic inter-bank market, up to the amounts determined per period, according to the arrangements detailed in para 16 below
16. a. The excess amount of NIS, due to balance of payments flows, that the PMA will have the right to convert into foreign currency, will be equal to:
- (1) Estimates of all Israeli "imports" of goods and services from the Areas, valued at market prices (inclusive of taxes), which were paid for in NIS, less:
 - (i) the taxes collected by the Palestinian Authority on all Israeli "imports" from the Areas and rebated to Israel in NIS, and
 - (ii) the taxes collected by Israel on all Israeli "imports" from the Areas and included in their market value, and not rebated to the Palestinian Authority,
 - minus
 - (2) Estimates of all Israeli "exports" of goods and services to the Areas, valued at market prices (inclusive of taxes), which were paid for in NIS, less :
 - (i) the taxes collected by Israel on such "exports" and rebated to the Palestinian Authority, and
 - (ii) the taxes collected by the Palestinian Authority on such "exports" and included in their market value, and not rebated to Israel ,

plus

- (3) The accumulated net amounts of foreign currency converted previously into NIS by the PMA, as recorded in the BOI Dealing Room.
- b. The said flows and amounts will be calculated as of the date of the signing of the Agreement.

Notes to para 16:

- (i) The estimates of the said "exports and imports" of goods and services will include inter alia labor services, NIS expenditure of tourists and Israelis in the Areas and NIS expenditure of Palestinians of the Areas in Israel.*
 - (ii) Taxes and pension contributions on "imports" of labor services, paid to the "importing" side and rebated to the "exporting" one, will not be included in the estimates of the sums to be converted, as the "exports" earnings of labor services are recorded in the statistics inclusive of them, although they do not accrue to the individuals supplying them.*
17. The PMA and the BOI will meet annually to discuss and determine the annual amount of convertible NIS during the following calendar year and will meet semi-annually to adjust the said amount. The amounts determined annually and adjusted semi-annually will be based on data and estimates regarding the past and on forecasts for the following period, according to the formula mentioned in para 16. The first meeting will be as soon as possible within three months after the date of the signing of the Agreement.
 18. a. The exchange of foreign currency for NIS and vice-versa by the PMA will be carried out through the BOI Dealing Room, at the market exchange rates
b. The BOI will not be obliged to convert in any single month more than 1/5 of the semi-annual amount, as mentioned in para 17.
 19. There will be no ceiling on the annual foreign currency conversions by the PMA into NIS. However, in order to avoid undesirable fluctuations in the foreign exchange market, monthly ceilings of such conversions will be agreed upon in the annual and semi-annual meetings referred to in para 17.
 20. Banks in the Areas will convert NIS into other circulating currencies and vice-versa.
 21. The Palestinian Authority will have the authorities, powers and responsibilities regarding the regulation and supervision of capital activities in the Areas, including the licensing of capital market institutions, finance companies and investment funds

Article V

DIRECT TAXATION

1. Israel and the Palestinian Authority will each determine and regulate independently its own tax policy in matters of direct taxation, including income tax on individuals and corporations, property taxes, municipal taxes and fees
2. Each tax administration will have the right to levy the direct taxes generated by economic activities within its area.
3. Each tax administration may impose additional taxes on residents within its area on (individuals and corporations) who conduct economic activities in the other side's area.
4. Israel will transfer to the Palestinian Authority a sum equal to:
 - a. 75% of the income taxes collected from Palestinians from the Gaza Strip and the Jericho Area employed in Israel
 - b. The full amount of income taxes collected from Palestinians from the Gaza Strip and Jericho Area employed in the settlements
5. The two sides will agree on a set of procedures that will address all issues concerning double taxation.

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Article VI

INDIRECT TAXES ON LOCAL PRODUCTION

1. The Israel and the Palestinian tax administrations will levy and collect VAT and purchase taxes on local production, as well as any other indirect taxes, in their respective areas.
2. The purchase tax rates within the jurisdiction of each tax administration will be identical as regards locally produced and imported goods.
3. The present Israeli VAT rate is 17%. The Palestinian VAT rate will be 15% to 16%.
4. The Palestinian Authority will decide on the maximum annual turnover for businesses under its jurisdiction to be exempt from VAT, within an upper limit of 12,000 US \$.
5. The VAT on purchases by businesses registered for VAT purposes will accrue to the tax administration with which the respective business is registered.

Businesses will register for VAT purposes with the tax administration of the side of their residence, or on the side of their ongoing operation

There will be clearance of VAT revenues between the Israeli and Palestinian VAT administrations on the following conditions :

- a. The VAT clearance will apply to VAT on transactions between businesses registered with the VAT administration of the side in which they reside.
- b. The following procedures will apply to clearance of VAT revenues accruing from transactions by businesses registered for VAT purposes :
 - (1) To be acceptable for clearance purposes, special invoices, clearly marked for this purpose, will be used for transactions between businesses registered with the different sides.
 - (2) The invoices will be worded either in both Hebrew and Arabic or in English and will be filled out in any of these three languages, provided that the figures are written in "Arabic" (not Hindi) numerals.
 - (3) For the purpose of tax rebates, such invoices will be valid for six months from their date of issue

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- (4) Representatives of the two sides will meet once a month, on the 20th day of the month, to present each other with a list of invoices submitted to them for tax rebate, for VAT clearance. This list will include the following details regarding each invoice
 - (a) The number of the registered business issuing it ;
 - (b) The name of the registered business issuing it ;
 - (c) The number of the invoice ,
 - (d) The date of issue ;
 - (e) The amount of the invoice ;
 - (f) The name of the recipient of the invoice.
 - (5) The-clearance claims will be settled within 6 days from the meeting, through a payment by the side with the net balance of claims against it, to the other side.
 - (6) Each side will provide the other side, upon demand, with invoices for verification purposes. Each tax administration will be responsible for providing invoices for verification purposes for 6 months after receiving them.
 - (7) Each side will take the necessary measure to verify the authenticity of the invoices presented to it for clearance by the other side.
 - (8) Claims for VAT clearance which will not be found valid will be deducted from the next clearance payment.
 - (9) Once an inter-connected computer system for tax rebates to businesses and for VAT clearance between the two sides is operational, it will replace the clearance procedures specified in sub-paras (4) - (8).
 - (10) The two tax administrations will exchange lists of the businesses registered with them and will provide each other with the necessary documentation, if required, for the verification of transactions.
 - (11) The two sides will establish a sub-committee which will deal with the implementation arrangements regarding the clearance of VAT revenues set above.
6. VAT paid by not-for-profit Palestinian organizations and institutions, registered by the Palestinian Authority, on transactions in Israel, will accrue to the Palestinian tax administration. The clearance system set out in para 5 will apply to these organizations and institutions.

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Article VII

LABOR

1. Both sides will attempt to maintain the normality of movement of labor between them, subject to each side's right to determine from time to time the extent and conditions of the labor movement into its area. If the normal movement is suspended temporarily by either side, it will give the other side immediate notification, and the other side may request that the matter be discussed in the Joint Economic Committee.

The placement and employment of workers from one side in the area of the other side will be through the employment service of the other side and in accordance with the other sides' legislation. The Palestinian side has the right to regulate the employment of Palestinian labor in Israel through the Palestinian employment service, and the Israeli Employment Service will cooperate and coordinate in this regard.

2. a. Palestinians employed in Israel will be insured in the Israeli social insurance system according to the National Insurance Law for employment injuries that occur in Israel, bankruptcy of employers and maternity leave allowance.
 - b. The National Insurance fees deducted from the wages for maternity insurance will be reduced according to the reduced scope of maternity insurance, and the equalization deductions transferred to the Palestinian Authority, if levied, will be increased accordingly.
 - c. Implementation procedures relating thereto will be agreed upon between the Israeli National Insurance Institute and the Palestinian Authority or the appropriate Palestinian social insurance institution.
3. a. Israel will transfer to the Palestinian Authority, on a monthly basis, the equalization deductions as defined by Israeli legislation, if imposed and to the extent levied by Israel. The sums so transferred will be used for social benefits and health services, decided upon by the Palestinian Authority, for Palestinians employed in Israel and for their families.

The equalization deductions to be so transferred will be those collected after the date of the signing of the Agreement from wages of Palestinians employed in Israel and from their employers.

These sums will not include

- (1) Payments for health services in places of employment
- (2) 2/3 of the actual administrative costs in handling the matters related to the Palestinians employed in Israel by the Payments Section of the Israeli Employment Service.

4. Israel will transfer, on a monthly basis, to a relevant pension insurance institution to be established by the Palestinian Authority, pension insurance deductions collected after the establishment of the above institution and the completion of the documents mentioned in para 6.

These deductions will be collected from wages of Palestinians employed in Israel and their employers, according to the relevant rates set out in the applicable Israeli collective agreements. 2/3 of the actual administrative costs in handling these deductions by the Israeli Employment Service will be deducted from the sums transferred. The sums so transferred will be used for providing pension insurance for these workers.

Israel will continue to be liable for pension rights of the Palestinian employees in Israel, to the extent accumulated by Israel before the entry into force of this para 4.

5. Upon the receipt of the deductions, the Palestinian Authority and its relevant social institutions will assume full responsibility in accordance with the Palestinian legislation and arrangements, for pension rights and other social benefits of Palestinians employed in Israel, that accrue from the transferred deductions related to these rights and benefits. Consequently, Israel and its relevant social institutions and the Israeli employers will be released from, and will not be held liable for any obligations and responsibilities concerning personal claims, rights and benefits arising from these transferred deductions, or from the provisions of paras 2-4 above.
6. Prior to the said transfers, the Palestinian Authority or its relevant institutions, as the case may be, will provide Israel with the documents required to give legal effect to their aforesaid obligations, including mutually agreed implementation procedures of the principles agreed upon in paras 3-5 above.
7. The above arrangements concerning equalization deductions and/or pension deductions may be reviewed and changed by Israel if an authorized court in Israel will determine that the deductions or any part thereof must be paid to individuals, or used for individual social benefits or insurance in Israel, or that it is otherwise unlawful. In such a case the liability of the Palestinian side will not exceed the actual transferred deductions related to the case.
8. Israel will respect any agreement reached between the Palestinian Authority, or an organization or trade-union representing the Palestinians employed in Israel, and a representative organization of employees or employers in Israel, concerning contributions to such organization according to any collective agreement.
9.
 - a. The Palestinian Authority may integrate the existing health insurance scheme for Palestinians employed in Israel and their families in its health insurance services. As long as this scheme continues, whether integrated or separately, Israel will deduct from their wages the health insurance fees ("health stamp") and will transfer them to the Palestinian Authority for this purpose.
 - b. The Palestinian Authority may integrate the existing health insurance scheme for Palestinians who were employed in Israel and are receiving pension payments through the Israeli Employment Service, in its health insurance services. As long as this scheme continues, whether integrated or separately, Israel will deduct the necessary sum of health insurance fees ("health stamp") from the equalization payments and will transfer them to the Palestinian Authority for this purpose.

10. The JEC will meet upon the request of either side and review the implementation of this Article and other issues concerning labor, social insurance and social rights.
11. Other deductions not mentioned above, if any, will be jointly reviewed by the JEC. Any agreement between the two sides concerning these deductions will be in addition to the above provisions.
12. Palestinians employed in Israel will have the right to bring disputes arising out of employee - employer relationships and other issues before the Israeli Labor Courts, within these courts' jurisdiction.
13. This Article governs the future labor relations between the two sides and will not impair any labor rights prior to the date of signing of the Agreement.

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Article VIII

AGRICULTURE

1. There will be free movement of agricultural produce, free of customs and import taxes between the two sides, subject to the following exceptions and arrangements.
2. The official veterinary and plant protection services of each side will be responsible, within the limits of their respective jurisdiction, for controlling animal health, animal products, and plants and parts thereof, as well as their importation and exportation.
3. The relations between the official veterinary and plant protection services of both sides will be based on mutuality in accordance with the following principles, which will be applied in all the areas under their respective jurisdiction:
 - a. Israel and the Palestinian Authority will do their utmost to preserve and improve the veterinary standards.
 - b. Israel and the Palestinian Authority will take all measures to reach equivalent and compatible standards regarding animal disease control, including mass vaccination of animals and avians, quarantines, "stamping out" measures and residue control standards.
 - c. Mutual arrangements will be made to prevent the introduction and spread of plant pests and diseases, for their eradication and concerning residue control standards in plant products.
 - d. The official veterinary and plant protection services of Israel and the Palestinian Authority will co-ordinate and regularly exchange information regarding animal diseases, as well as plant pests and diseases, and will establish a mechanism for immediate notification of the outbreak of such diseases.
4. Trade between the two sides in animals, animal products and biological products will be in keeping with the principles and definitions set out in the current edition of the OIE International Animal Health Code as updated from time to time (hereinafter I.A.H.C.).
5. Transit of livestock, animal products and biological products from one side through the area under the jurisdiction of the other side, should be conducted in a manner aimed at the prevention of diseases spreading to or from the consignment during its movement. For such a transit to be permitted, it is a prerequisite that the veterinary conditions agreed upon by both sides will be met in regard to importation of animals, their products and biological products from external markets. Therefore the parties agree to the following arrangements.

6. The official veterinary services of each side have the authority to issue veterinary import permits for import of animals, animal products and biological products to the areas under its jurisdiction. In order to prevent the introduction of animal diseases from third parties, the following procedures will be adopted:

- a. The import permits will strictly follow the professional veterinary conditions for similar imports to Israel as prevailing at the time of their issuance. The permits will specify the country of origin and the required conditions to be included in the official veterinary certificates which should be issued by the veterinary authorities in the countries of origin and which should accompany each consignment.

Each side may propose a change in these conditions. The change will come into force 10 days after notice to the other side, unless the other side requested that the matter be brought before the Veterinary Sub-Committee specified in para 14 (hereinafter - VSC). If it is more stringent than the prevailing conditions - it will come into force 20 days after the request, unless both sides decide otherwise through the VSC, and if more lenient - it will come into force only if agreed upon by both sides through the VSC.

However, if the change is urgent and needed for the protection of animal and public health, it will come into force immediately after notice by the other side and will remain in force unless and until both sides agree otherwise through the VSC.

- b. The official veterinary certificates will include the provisions regarding OIE Lists A & B Diseases as specified in the I.A.H.C. When the I.A.H.C. allows alternative requirements regarding the same disease, the most stringent one will be adopted unless otherwise agreed upon by the VSC.
- c. When infectious diseases which are not included in Lists A & B of the I.A.H.C. exist or are suspected, on scientific grounds, to exist in the exporting country, the necessary veterinary import conditions that will be required and included in the official veterinary certificates, will be discussed in the VSC, and in the case of different professional opinions, the most stringent ones will be adopted.
- d. The import of live vaccines will be permitted only if so decided by the VSC.
- e. Both sides will exchange, through the VSC, information pertaining to import licensing, including the evaluation of the disease situation and zoosanitary capability of exporting countries, which will be based upon official information as well as upon other available data.
- f. Consignments which do not conform with the above mentioned requirements will not be permitted to enter the areas under the jurisdiction of either side.

7. Transportation of livestock and poultry and of animal products and biological products between areas under the jurisdiction of one side through areas under the jurisdiction of the other side, will be subject to the following technical rules:

- a. The transportation will be by vehicles which will be sealed with a seal of the official veterinary services of the place of origin and marked with a visible sign "Animal Transportation" or "Products of Animal Origin" in Arabic and Hebrew, in coloured and clearly visible letters on white background.

- b. Each consignment will be accompanied by a veterinary certificate issued by the official veterinary services of the place of origin, certifying that the animals or their products were examined and are free of infectious diseases and originate from a place which is not under quarantine or under animal movement restrictions.
8. Transportation of livestock and poultry, animal products and biological products destined for Israel from the Areas and vice versa will be subject to veterinary permits issued by the official veterinary services of the recipient side, in keeping with the OIE standards used in international traffic in this field. Each such consignment will be transported by a suitable and marked vehicle, accompanied by a veterinary certificate in the form agreed upon between the official veterinary services of both sides. Such certificates will be issued only if permits of the recipient side are presented.
9. In order to prevent the introduction of plant pests and diseases to the region, the following procedures will be adopted :
 - a. The transportation between the Areas and Israel, of plants and parts thereof (including fruits and vegetables), the control of pesticide residues in them and the transportation of plant propagation material and of animal feed, may be inspected without delay or damage by the plant protection services of the recipient side.
 - b. The transportation between the Areas through Israel of plants and parts thereof (including fruits and vegetables) as well as of pesticides, may be required to pass a phytosanitary inspection without delay or damage.
 - c. The official Palestinian plant protection services have the authority to issue permits for the import of plants and parts thereof as well as of pesticides from external markets. The permits will be based on the prevailing standards and requirements.

The permits will specify the required conditions to be included in the official Phytosanitary Certificates (hence P.C.) based upon the standards and the requirements of the International Plant Protection Convention (I.P.P.C.) and those of the European and Mediterranean Plant Protection Organization (E.P.P.O.) which should accompany each consignment.

The P.C.'s will be issued by the plant protection services in the countries of origin. Dubious or controversial cases will be brought before the sub-committee on plant protection.
10. The agricultural produce of both sides will have free and unrestricted access to each others' markets, with the temporary exception of sales from one side to the other side of the following items only: poultry, eggs, potatoes, cucumbers, tomatoes and melons. The temporary restrictions on these items will be gradually removed on an increasing scale until they are finally eliminated by 1998, as listed below

Year	Poultry (In tons)	Eggs (In millions)	Potatoes (In tons)	Cucumbers (In tons)	Tomatoes (In tons)	Melons (In tons)
1994	5,000	30	10,000	10,000	13,000	10,000
1995	6,000	40	13,000	13,000	16,000	13,000
1996	7,000	50	15,000	15,000	19,000	15,000
1997	8,000	60	17,000	17,000	22,000	17,000
1998	unlimited	unlimited	unlimited	unlimited	unlimited	unlimited

Note: The above figures refer to the combined quantities marketed from the West Bank and Gaza Strip to Israel and vice-versa. The Palestinian Authority will notify Israel the apportioning of these quantities between these areas concerning the quantities pertaining to the Palestinian produce.

11. The Palestinians will have the right to export their agricultural produce to external markets without restrictions, on the basis of certificates of origin issued by the Palestinian Authority.
12. Without prejudice to obligations arising out of existing international agreements, the two sides will refrain from importing agricultural products from third parties which may adversely affect the interests of each other's farmers.
13. Each side will take the necessary measures in the area under its jurisdiction to prevent damage which may be caused by its agriculture to the environment of the other side.
14. The two sides will establish sub-committees of their respective official veterinary and plant protection services, which will update the information and review issues, policies and procedures in these fields. Any changes in the provisions of this Article will be agreed upon by both sides.
15. The two sides will establish a sub-committee of experts in the dairy sector in order to exchange information, discuss and co-ordinate their production in this sector so as to protect the interests of both sides. In principle, each side will produce according to its domestic consumption.

Article IX

INDUSTRY

1. There will be free movement of industrial goods free of any restrictions including customs and import taxes between the two sides, subject to each side's legislation.
2.
 - a. The Palestinian side has the right to employ various methods in encouraging and promoting the development of the Palestinian industry by way of providing grants, loans, research and development assistance and direct-tax benefits. The Palestinian side has also the right to employ other methods of encouraging industry resorted to in Israel.
 - b. Both sides will exchange information about the methods employed by them in the encouragement of their respective industries
 - c. Indirect tax rebates or benefits and other subsidies to sales shall not be allowed in trade between the two sides
3. Each side will do its best to avoid damage to the industry of the other side and will take into consideration the concerns of the other side in its industrial policy
4. Both sides will cooperate in the prevention of deceptive practices, trade in goods which may endanger health, safety and the environment and in goods of expired validity.
5. Each side will take the necessary measures in the area under its jurisdiction to prevent damage which may be caused by its industry to the environment of the other side.
6. The Palestinians will have the right to export their industrial produce to external markets without restrictions, on the basis of certificates of origin issued by the Palestinian Authority.
7. The JEC will meet and review issues pertaining to this Article

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Article X

TOURISM

1. The Palestinian Authority will establish a Palestinian Tourism Authority which will exercise, inter alia, the following powers in the Areas.
 - a. Regulating, licensing, classifying and supervising tourist services, sites and industries.
 - b. Promoting foreign and domestic tourism and developing the Palestinian tourist resources and sites.
 - c. Supervising the marketing, promotion and information activities related to foreign and domestic tourism.
2. Each side shall, under its respective jurisdiction, protect, guard and ensure the maintenance and good upkeep of historical, archaeological, cultural and religious sites and all other tourist sites, to fit their status as well as their purpose as a destination for visitors.
3. Each side will determine reasonable visiting hours and days for all tourist sites in order to facilitate visits at a wide variety of days and hours, taking into consideration religious and national holidays. Each side shall publicize such opening times. Meaningful changes in the opening times will take into consideration tourist programs already committed to.
4. Tourist buses or any other form of tourist transport authorized by either side, and operated by companies registered and licensed by it, will be allowed to enter and proceed on their tour within the area under the jurisdiction of the other side, provided that such buses or other vehicles conform with the international standards, which have also been adopted today. All such vehicles will be clearly marked as tourist vehicles.
5. Each side will protect the environment and the ecology around the tourist sites under its jurisdiction. In view of the importance of beaches and maritime activities for tourism, each side will do its best efforts to ensure that development and construction on the Mediterranean coast, and especially at ports (such as Ashqelon or Gaza) will be planned and carried out in a manner that will not adversely affect the ecology, environment or the functions of the coastline and beaches of the other side.

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6. Tourism companies and agencies licensed by either side shall enjoy equal access to tourism - related facilities and amenities in border points of exit and entry according to the regulations of the authority operating them.
- 7.a. Each side will license, according to its own rules and regulations, travel agents, tour companies, tour guides and other tourism businesses (hereinafter 0 tourism entities) within its jurisdiction.
- b. Tourism entities authorized by either side, will be allowed to conduct tours that include the area under the jurisdiction of the other side, provided that their authorization as well as their operation will be in accordance with rules, professional requirements and standards agreed upon by both sides in the sub-committee mentioned in para 9.

Pending that agreement, existing tourism entities in the Areas which are currently allowed to conduct tours that include Israel, will be allowed to continue to do so, and Israeli authorized tourism entities will continue to be allowed to conduct tours that include the Areas.

In addition, any tourism entity of one side that the tourism authorities of the other side will certify as fulfilling all its rules, professional requirements and standards, will be allowed to conduct tours that include the other side.

8. Each side will make its own arrangements for compensation of tourists for bodily injury and property damages caused by political violence in the areas under its respective jurisdiction.
9. The JEC or a tourism sub-committee established by it shall meet upon the request of either side in order to discuss the implementation of the provisions of this Article and resolve problems that may arise.
The sub-committee will also discuss and consider tourist issues of benefit to both sides, and will promote educational programs for tourism entities of both sides in order to further their professional standards and their ethics. Complaints of one side against the behaviour of tourism entities of the other side will be channelled through the committee.

Article XI

INSURANCE ISSUES

1. The authorities, powers and responsibilities in the insurance sphere in the Areas, including inter alia the licensing of insurers, insurance agents and the supervision of their activities, will be transferred to the Palestinian Authority
2. a. The Palestinian Authority will maintain a compulsory absolute liability system for road accident victims with a ceiling on the amount of compensation based upon the following principles:
 - (1) Absolute liability for death or bodily injury to road accident victims, it being immaterial whether or not there was fault on the part of the driver and whether or not there was fault or contributory fault on the part of others, each driver being responsible for persons travelling in his vehicle and for pedestrians hit by his vehicle.
 - (2) Compulsory insurance for all motor vehicles, covering death or bodily injury to all road accident victims, including drivers.
 - (3) No cause of action in tort for death or bodily injury resulting from road accidents.
 - (4) The maintenance of a statutory fund (hereinafter - the Fund) for compensation of road accident victims who are unable to claim compensation from an insurer for the following reasons
 - (i) the driver liable for compensation is unknown;
 - (ii) the driver is not insured or his insurance does not cover the liability involved; or
 - (iii) the insurer is unable to meet his liabilities
- b. Terms in this Article will have the same meaning as in the legislation prevailing at the date of signing of the Agreement concerning compulsory motor vehicle insurance and compensation of road accident victims
- c. Any change by either side in the rules and regulations regarding the implementation of the above mentioned principles will require prior notice to the other side. A change which might substantially affect the other side will require prior notice of at least three months.

3. a. Upon the signing of the Agreement the Palestinian Authority will establish a Fund for the Areas (hereinafter - the Palestinian Fund) for the purposes detailed in para 2(a)(4) above and for the purposes detailed below. The Palestinian Fund will assume the responsibilities of the statutory Road Accident Victims Compensation Fund in the West Bank and the Gaza Strip (hereinafter - the Existing Fund) regarding the Areas, according to the prevailing law at that time. Accordingly, the Existing Fund will cease to be responsible for any liability regarding accidents occurring in the Areas from the date of signing of the Agreement.
- b. The Existing Fund will transfer to the Palestinian Fund, after the assumption of the above mentioned responsibilities by it, the premiums paid to the Existing Fund by the insurers for vehicles registered in the Areas, pro-rata to the unexpired period of each insurance policy.
4. a. Compulsory motor vehicle insurance policies issued by insurers licensed by either side will be valid in the territories of both sides. Accordingly, a vehicle registered in one side covered by such a policy will not be required to have an additional insurance coverage for travel in the areas under the other side's jurisdiction. These insurance policies will cover all the liabilities according to the legislation of the place of the accident.
- b. In order to cover part of the liabilities which may incur due to road accidents in Israel by uninsured vehicles registered in the Palestinian Authority, the Palestinian Fund will transfer to the Israeli Fund, on a monthly basis, for each insured vehicle, an amount equal to 30% of the amount paid to the Israeli Fund by an insurer registered in Israel, for the same type of vehicle, for the same period of insurance (which will not be less than 90 days)
5. In cases where a victim of a road accident wishes to claim compensation from an insurer registered by the other side or from the Fund of the other side or in cases where a driver or an owner of a car is sued by a victim, by an insurer or by the Fund of the other side, he may nominate the Fund of his side as his proxy for this purpose. The Fund so nominated may address any relevant party from the other side directly or through the other sides' Fund
6. In the case of a road accident in which neither the registration number of the vehicle nor the identity of the driver are known, the Fund of the side which has jurisdiction over the place of the accident will compensate the victim, according to its own legislation.
7. The Fund of each side will be responsible towards the victims of the other side for any liability of the insurers of its side regarding the compulsory insurance and will guarantee their liabilities
8. Each side will guarantee its Fund's liabilities according to this Article.

9. The two sides will negotiate within three months from the date of the signing of the Agreement a cut-off agreement between the Existing Fund and the Palestinian Fund concerning accidents which occurred in the Areas prior to the date of the signing of the Agreement, whether claims have been reported or not.
The cut-off agreement will not include compensation for Israeli victims involved in accidents which occurred in the Areas prior to the date of the signing of the Agreement.
10. a. The two sides will establish immediately upon the signing of the Agreement, a sub-committee of experts (hereinafter - the Sub-Committee) which will deal with issues regarding the implementation of this Article, including
- (1) Procedures concerning the handling of claims of victims of the one side from insurers or from the Fund of the other side,
 - (2) Procedures concerning the transfer of the amounts between the Funds of both sides as mentioned in para 4(b) above,
 - (3) The details of the cut-off agreement between the Existing Fund and the Palestinian Fund, as set out in para 9 above,
 - (4) Any other relevant issue raised by either side.
- b. The Sub-Committee will act as a continuous committee for issues regarding this Article.
- c. The two sides will exchange, through the Sub-Committee, the relevant information regarding the implementation of this Article, including police reports, medical information, relevant statistics, premiums, etc.
The two sides will provide each other with any other assistance required in this regard.
11. Each side may require the re-examination of the arrangements set out in this Article a year after the date of the signing of the Agreement
12. Insurers from both sides may apply for a license to the relevant authorities of the other side, according to the rules and regulations regarding foreign insurers in the latter side. The two sides agree not to discriminate against such applicants

Done in Paris, this twenty ninth day of April, 1994

For the Government of Israel

For the P.L.O.

A. Harel

[Signature]

[Signature]

(according to LIST A1 ^{1/}
Article III, para 2.a.(1))

TARIFF ITEM *	DESCRIPTION
17.01	Cane or beet sugar and chemically pure sucrose, in solid form -
1100/9	Cane sugar
1200/7	Beet sugar
9100/1	Other, containing added flavouring or colouring matter
9990/5	Other
10.06	Rice
1000/5	Rice in the husk (paddy or rough)
2000/4	Husked (brown) rice
3000/3	Semi-milled or wholly milled rice, whether or not polished or glazed
4000/2	Broken rice
07.13	Dried leguminous vegetables, shelled, whether or not skinned or split
3000	Beans (Vigna spp., Phaseolus spp)
3100/3	Beans of the species Vigna mungo (.) Hepper or Vigna radiata (L.) Wilczek
3200/1	Small red (Adzuki) beans (Phaseolus or Vigna angularis)
3300/9	Kidney beans, including white pea beans (Phaseolus vulgaris)
3900/6	Other
4000/4	Lentils
07.13.5000/3	Broad beans and horse beans
52.01/9	Cotton, not carded or combed
10.05.9000/9	Maize (corn)
ex04.06.9000/0	Dried yoghurt
01.04.1000/9	Live sheep
25.05.1000/5	Silica sands and quartz sands
10.02/5	Rye
10.03/3	Barley

* Items marked JE may be imported only from Jordan and Egypt

^{1/} Lists A1 and A2 and attached schedules and List B and appendix I are circulated in the language of submission only.

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LIST A1 (cont.)

TARIFF ITEM *	DESCRIPTION
76.01	Unwrought aluminium -
1000/7	Aluminium, not alloyed
2000/6	Aluminium alloys
76.02/6	Aluminium waste and scrap
76.03	Aluminium powders and flakes -
1000/3	Powders of non-lamellar structure
2000/2	Powders of lamellar structure; flakes
18.01/0	Cocoa beans, whole or broken, raw or roasted.
25.23	Cement
JE 1090/9	Cement clinker, not white
JE 2900	Portland cement, not white
	Bars and rods of iron or non-alloy steel:
JE 72.13.1000/1	Containing indentations, ribs, grooves or other deformations produced during the rolling process
JE 72.14.2000/8	Containing indentations, ribs, grooves or other deformations produced during the rolling process
JE 31.03	Mineral or chemical fertilisers, phosphatic
1000/8	Superphosphates
2000/7	Basic slag
9000/0	Other
JE 31.04	Mineral or chemical fertilisers, potassic
1000/6	Carnallite, sylvite and other crude natural potassium salts
2000/5	Potassium chloride
3000	Potassium sulphate
9010	Magnesium sulphate
9090/9	Other
JE 31.05.6000/8	Mineral or chemical fertilisers containing the two fertilising elements phosphorus and potassium
15.13.2000	Palm kernel oil or babassu oil
2110/6	babassu oil and their fractions
2911/7	Crude edible oil
2921/6	Hardened or solidified edible oil
	Other edible oil

* Items marked JE may be imported only from Jordan and Egypt

LIST A1 (cont.)

TARIFF ITEM *	DESCRIPTION
JE 57.02.1000/5	Carpets and other textile floor coverings, woven, not tufted or flopped, whether or not made up, of the type of "kelem" "Schumacks", "karamanie" and similar hand-woven rugs-
JE 84.22.1100/5	Dish washing machines of the household type
JE 84.51.4091/2	Washing machines of the household type
JE 73.21.8131/8	Gas and fuel heating stoves
JE 73.21.8210/0	Liquid fuel heating stoves
85.16.2000	Electric space heating apparatus and electric soil heating apparatus
JE 2190/4	Storage heating radiators, non industrial
JE 2990/4	Other heating apparatus, having a capacity of less than 5000 watts
JE 85.16.6090/2	Electric ovens, cookers, cooking plates, plates, boiling rings, grillers of the household type
JE 73.21.1111/7	Gas and fuels cooking appliances of the household type
JE 85.28.1000	Colour television receivers
JE 85.28.2000	Black and white or other monochrome
JE 84.15.	Air conditioners of the household type
1090/2	
8190/3	
JE 84.18.	Refrigerators and freezers of the household type
1020	
2000	
3010/2	
4010/1	

PRODUCTS TO BE DISCUSSED BY THE JOINT SUB-COMMITTEE

Milk powder
Animal feedstuff
Sanitary installation
Glass sheets
Alluminium profiles

(*) Items marked JE may be imported only from Jordan and Egypt

With reference to ~~Annex IV~~, Article III, para 3 of the ^{Protocol} Agreement, the Palestinians will be able to import the above goods to the Areas during the three months after the signing of the Agreement according to quantities detailed in the attached schedule.

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LIST A2
 (according to Article III, para 2.a.(2))

TARIFF ITEM	DESCRIPTION
17.01	Cane or beet sugar and chemically pure sucrose, in solid form
1100/9	Cane sugar
1200/7	Beet sugar
9100/1	Other, containing added flavouring or colouring matter
9990/5	Other
10.06	Rice
1000/5	Rice in the husk (paddy or rough)
2000/4	Husked (brown) rice
3000/3	Semi-milled or wholly milled rice, whether or not polished or glazed
4000/2	Broken rice
07.13	Dried leguminous vegetables, shelled, whether or not skinned or split
3000	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp)
3100/3	Beans of the species <i>Vigna mungo</i> (L) Hepper or <i>Vigna radiata</i> (L.) Wilczek
3200/1	Small red (Adzuki) beans (<i>Phaseolus</i> or <i>Vigna angularis</i>)
3300/9	Kidney beans, including white pea beans (<i>Phaseolus vulgaris</i>)
3900/6	Other
4000/4	Lentils
07.13.5000/3	Broad beans and horse beans
52.01/9	Cotton, not carded or combed
10.01	Wheat and meslin
11.01/5	Wheat and meslin flour
10.05.9000/9	Maize (corn)

LIST A2 (cont.)

TARIFF ITEM	DESCRIPTION
01.04.1000/9	Live sheep
25.05.1000/5	Silica sands and quartz sands
10.02/5	Rye
10.03/3	Barley
09.01.1000	Coffee, not roasted
1120/4	Not decaffeinated, not ground
1220/2	Decaffeinated, not ground
09.02.	Tea, in packages exceeding 3 kg.
2000/5	
4000/3	
18.01/0	Cocoa beans, whole or broken, raw or roasted.
15.13.2000	Palm kernel oil or babassu oil
	babassu oil and their fractions
2110/6	Crude edible oil
2911/7	Hardened or solidified edible oil
2921/6	Other edible oil
02.01	Meat of bovine animals, fresh or chilled
02.02	Meat of bovine animals, frozen
12.07.4000/6	Sesame seeds

With reference to Annex IV, Article II, para 3 of the Agreement, the Palestinians will be able to import the above goods to the Areas during the three months after the signing of the Agreement according to quantities detailed in the attached schedule.

SCHEDULE
Attached to
LIST A1
(according to Article III, para 2.a.(1))

TARIFF ITEM *	DESCRIPTION	QUANTITIES (TONS)	
		Annual	3 Months
17.01	Cane or beet sugar and chemically pure sucrose, in solid form	25,000	6,300
1100/9	Cane sugar		
1200/7	Beet sugar		
9100/1	Other, containing added flavouring or colouring matter		
9990/5	Other		
10.06	Rice	20,000	5,000
1000/5	Rice in the husk (paddy or rough)		
2000/4	Husked (brown) rice		
3000/3	Semi-milled or wholly milled rice, whether or not polished or glazed		
4000/2	Broken rice		
07.13	Dried leguminous vegetables, shelled, whether or not skinned or split	2,000	500
3000	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp)		
3100/3	Beans of the species <i>Vigna mungo</i> (L) Hepper or <i>Vigna radiata</i> (L.) Wilczek		
3200/1	Small red (Adzuki) beans (<i>Phaseolus</i> or <i>Vigna angularis</i>)		
3300/9	Kidney beans, including white pea beans (<i>Phaseolus vulgaris</i>)		
3900/6	Other		
4000/4	Lentils		
07.13.5000/3	Broad beans and horse beans	4,500	1,100
52.01/9	Cotton, not carded or combed	(a)	(a)
10.05.9000/9	Maize (corn)	1,200	300
ex04.06.9000/0	Dried yoghurt	500	125
01.04.1000/9	Live sheep	(b) 5,000 hds	3000 hds
25.05.1000/5	Silica sands and quartz sands	(a)	(a)
10.02/5	Rye	(a)	(a)
10.03/3	Barley	36,000	9,000

* Items marked JE may be imported only from Jordan and Egypt

LIST A1 (cont.)

TARIFF ITEM *	DESCRIPTION	QUANTITIES (TONS)	
		Annual	3 Months
76.01	Unwrought aluminium -)		
1000/7	Aluminium, not alloyed)		
2000/6	Aluminium alloys)		
76.02/6	Aluminium waste and scrap)	4,000	1,000
76.03	Aluminium powders and flakes -)		
1000/3	Powders of non-lamellar structure)		
2000/2	Powders of lamellar structure; flakes)		
18.01/0	Cocoa beans, whole or broken, raw or roasted.	(a)	(a)
25.23	Cement	(c)	150,000
JE 1090/9	Cement clinker, not white		50,000
JE 2900	Portland cement, not white		
JE 72.13.1000/1	Bars and rods of iron or non-alloy steel:)	(c)	24,000
	Containing indentations, ribs, grooves or other deformations produced during the rolling process		8,000
JE 72.14.2000/8	Containing indentations, ribs, grooves or other deformations produced during the rolling process		
JE 31.03	Mineral or chemical fertilisers, phosphatic)		
1000/8	Superphosphates)		
2000/7	Basic slag)		
9000/0	Other)		
JE 31.04	Mineral or chemical fertilisers, potassic)		
1000/6	Carnallite, sylvite and other crude natural potassium salts)	(c)	6,000
2000/5	Potassium chloride)		2,000
3000	Potassium sulphate)		
9010	Magnesium sulphate)		
9090/9	Other)		
JE 31.05.6000/8	Mineral or chemical fertilisers containing the two fertilising elements phosphorus and potassium)		
15.13.2000	Palm kernel oil or babassu oil)		
	babassu oil and their fractions)	5,600	1,400
2110/6	Crude edible oil)		
2911/7	Hardened or solidified edible oil)		
2921/6	Other edible oil)		

* Items marked JE may be imported only from Jordan and Egypt

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LIST A1 (cont.)

TARIFF ITEM *	DESCRIPTION	QUANTITIES (TONS)	
		Annual	3 Months
JE 57.02.1000/5	Carpets and other textile floor coverings, woven, not tufted or flopped, whether or not made up, of the type of "kelem" "Schumacks", "karamanie" and similar hand-woven rugs-	(b)	(b)
		UNITS (d)	
JE 84.22.1100/5	Dish washing machines of the household type	3,000	750
JE 84.51.4091/2	Washing machines of the household type		
JE 73.21.8131/8	Gas and fuel heating stoves		
JE 73.21.8210/0	Liquid fuel heating stoves		
85.16.2000	Electric space heating apparatus and electric soil heating apparatus	2,000	750
JE 2190/4	Storage heating radiators, non industrial		
JE 2990/4	Other heating apparatus, having a capacity of less than 5000 watts		
JE 85.16.6090/2	Electric ovens, cookers, cooking plates, plates, boiling rings, grillers of the household type	2,000	500
JE 73.21.1111/7	Gas and fuels cooking appliances of the household type		
JE 85.28.1000	Colour television receivers	3,000	750
JE 85.28.2000	Black and white or other monochrome		
JE 84.15.1090/2	Air conditioners of the household type	1,000	250
8190/3			
JE 84.18.1020	Refrigerators and freezers of the household type	1,000	250
2000			
3010/2			
4010/1			

(*) Items marked JE may be imported only from Jordan and Egypt

(a) Quantities will be approved according to Palestinian proved needs.

(b) To be discussed by the Joint Sub-Committee

(c) 50% of estimated market need.

(d) Agreed absolute numbers.

SCHEDULE
Attached to
LIST A2
(according to Article III, para 2.a.(2))

TARIFF ITEM	DESCRIPTION	QUANTITIES (Tons)	
		Annual	3 Months
17.01	Cane or beet sugar and chemically pure sucrose, in solid form -	25,000	6,300
1100/9	Cane sugar		
1200/7	Beet sugar		
9100/1	Other, containing added flavouring or colouring matter		
9990/5	Other		
10.06	Rice	20,000	5,000
1000/5	Rice in the husk (paddy or rough)		
2000/4	Husked (brown) rice		
3000/3	Semi-milled or wholly milled rice, whether or not polished or glazed		
4000/2	Broken rice		
07.13	Dried leguminous vegetables, shelled, whether or not skinned or split	2,000	500
3000	Beans (Vigna spp., Phaseolus spp)		
3100/3	Beans of the species Vigna mungo (L) Hepper or Vigna radiata. (L.) Wilczek		
3200/1	Small red (Adzuki) beans (Phaseolus or Vigna angularis)		
3300/9	Kidney beans, including white pea beans (Phaseolus vulgaris)		
3900/6	Other		
4000/4	Lentils		
07.13.5000/3	Broad beans and horse beans	4,500	1,100
52.01/9	Cotton, not carded or combed	(a)	(a)
10.01	Wheat and meslin	(c)	(c)
11.01/5	Wheat and meslin flour	(c)	(c)
10.05.9000/9	Maize (corn)	1,200	300
ex04.06.9000/0	Dried yoghurt	500	125

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LIST A2 (cont.)

TARIFF ITEM	DESCRIPTION	QUANTITIES (Tons)	
		Annual	3 Months
01.04.1000/9	Live sheep	(b) 5,000 hds	3,000 hds
25.05.1000/5	Silica sands and quartz sands	(a)	(a)
10.02/5	Rye	(a)	(a)
10.03/3	Barley	36,000	9,000
09.01.1000	Coffee, not roasted	2,200	550
1120/4	Not decaffeinated, not ground		
1220/2	Decaffeinated, not ground		
09.02.	Tea, in packages exceeding 3 kg.	400	100
2000/5			
4000/3			
18.01/0	Cocoa beans, whole or broken, raw or roasted.	(a)	(a)
15.13.2000	Palm kernel oil or babassu oil	5,600	1,500
	babassu oil and their fractions		
2110/6	Crude edible oil		
2911/7	Hardened or solidified edible oil		
2921/6	Other edible oil		
02.01	Meat of bovine animals, fresh or chilled) 5,000) 1,500
02.02	Meat of bovine animals, frozen		
12.07.4000/6	Sesame seeds	2,000	1,000

(a) Quantity will be approved according to Palestinian proved needs.

(b) To be discussed by the Joint Sub-Committee

(c) To be raised with the United States and subsequently discussed by the Joint Sub-Committee

LIST B

(according to Article III, para 4)

Heading Number	Product
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1. Equipment for building and sand work

84.29	Bulldozers
1000	Bulldozers and angledozers:
1100/0	Track laying
1900/3	Other
2000/1	Graders and levellers
3000/0	Scrapers
4000/9	Tamping machines and road rollers:
5000	Mechanical shovels, excavators and shovel loaders:
5100/6	Front-end shovel loaders

/...

2. Equipment for the textile industry

Heading Number	Product
84.46	Weaving machines heading
1000/6	For weaving fabrics of a width not exceeding 30 cm
2000	For weaving fabrics of a width exceeding 30 cm, shuttle type:
2100/3	Power looms
2900/6	Other
3000/4	For weaving fabrics of a width excee
84.52	Sewing machines
1000	Sewing machines of the household type:
1010/7	Machines including heads of a weight not exceeding 16 kg.
1020/2	Machines including heads of a weight exceeding 16 kg. and not exceeding 18.5 kg.
1030/1	Machines of a weight not exceeding 500 grams. hand-held while in use
1090/5	Other
2000	Other sewing machines:
2100	Automatic units:
2110/0	Machines and their heads of the kind used exclusively for sewing on buttons, button-hole preparation hat manufacture, glove manufacture or sewing up bags, also machines and their heads which have been certified by the Dir.Gen. of the Ministry of Industry and Trade to be designed for a definite operation only
2120/9	Machines including heads of a weight not exceeding 16 kg.
2130/8	Machines including heads of a weight exceeding 16 kg. and not exceeding 18.5 kg
2190/2	Other

Heading Number	Product
-------------------	---------

84.52

- 2900 Other
- 2910/3 Machines and their heads of the kind used exclusively for sewing on buttons, button-hole preparation hat manufacture, glove manufacture or sewing up bags, also machines and their heads which have been certified by the Dir.Gen. of the Ministry of industry and Trade to be designed for a definite operation only
- 2920/2 Machines including heads of a weight not exceeding 16 kg.
- 2930/1 Machines including heads of a weight exceeding 16 kg. and not exceeding 18.5 kg.
- 2940/0 Machines of a weight not exceeding 500 grams. hand-held while in use
- 2940/0 Other
- 3000/2 Sewing machine needles
- 4000/1 Furniture bases and covers for sewing machines and parts thereof
- 9000 Other parts of sewing machines:
 - 9010 Pressure-cast aluminium arms, for machines or heads in sub-headings 1010.2120 and 2920 and inner parts thereof, and provided that the arms have not undergone any further processing after casting -
 - 9011/3 Arms, without their inner parts
 - 9019/6 Parts
 - 9020/4 Other parts of sewing machines and their heads, for sewing textiles and textile products
 - 9040/2 Heads of a weight not exceeding 16 kg. and parts thereof
 - 9090/7 Other

04.45 Machines for preparing
 textile fibres

Heading Number	Product
1000	Machines for preparing textile fibers
1100/6	Carding machines
1200/4	Combing machines
1300/4	Drawing or roving machines
1900/9	Other
2000/7	Textile spinning machines
3000/6	Textile doubling or twisting machines
4000/5	Textile winding (including well-winding) or reeling machines
9000/0	Other
03.00	Clasps and buckles
1000	Hooks, eyes and eyelets:
1020/6	Hooks
1090/9	Other
2000	Tubular or bifurcated rivets -
2010/6	Tubular rivets
2090/8	Other
9000	Other, including parts
3. Commercial refrigerators	
04.18	Refrigerators and freezers
1010	commercial or industrial
1090	Other non-domestic
6950	
6991	
6992	
6993	
6994	
6996	
6997	

4. Farm machinery

Heading Number	Product
----------------	---------

82.01	Farming handtools (excluding pruning shears)
2000/4	Forks
3000/3	Mattocks, picks, hoes and rakes
4000	Axes, bill hooks and similar hewing tools: -
4010/1	Scythes, sickles and hay knives
4090/3	Other
6000	Hedge shears, two-handed pruning shears band similar two-handed shears: -
6010/9	Blanks of catting tools of the kind used for shears, not further worked after forging
6090	Other
6099/2	Other
9000/7	Other hand tools of a kind used in agriculture, horticulture or forestry
84.33	Harvesting and threshing machines
1000	Mowers for lawns, parks or sports-grounds:
1100/2	Powered, with the cutting device rotating in a horizontal plane
1900	Other: -
1910/4	Lawn mowers, hand-operated
1990/6	Other
2000/3	Other mowers, including cutter bars for tractor mounting
3000/2	Other haymaking machinery
4000/1	Straw or fodder balers, including
5000	Other harvesting machinery: threshing machinery:
5100/8	Combine harvester-threshers
5200/6	Other threshing machinery
5300/4	Root or tuber harvesting-threshers
5900/1	Other
6000/9	Machines for cleaning, sorting or grading aggs. fruit or other agricultural produce
9000/6	Parts

/...

Heading Number	Product
----------------	---------

84.36	Machines for poultry keeping
2100	
2900	
84.36	Automatic poultry pluckers
8010	
84.36	Other farming machinery and parts
8090	
9100	
9900	
84.32	Ploughs
84.32	Harrows, cultivators, weeders and hoes
2100	
2900	
84.32	Seeders and planters
3000	
84.32	Manure spreaders and fertilizer distributors
4000	
84.32	Other machines and parts
8000	
9000	

5. Electrical equipment

85.01 Electric motors and generators

a. Motors Weight to 600 gr

1091/7	Of a weight of up to 0.600 kg
2091/6	Of a weight of up to 0.600 kg
5191/0	Of a weight of up to 0.600 kg
6191/0	Of a weight of up to 0.600 kg

Heading Number	Product
-------------------	---------

85.01

Weight over 8 tons

- 2092/4 Of a weight exceeding 4 tons
- 5210/9 Of a weight exceeding 4 tons
- 5320/6 Of a weight exceeding 4 tons

II. Generators

3220/0

- 3310
- 3411
- 6120
- 6211
- 6410
- 3130
- 3230
- 6110

- 3120
- 3260
- 3419
- 6219
- 6310
- 6419

6. Equipment for stone works

84.64 Machine-tools for working stone

- 1000 Sawing machines: -
 - 1010/8 Where the weight of each exceeds 750 kg (including for disc cutting)
 - 1090/0 Other
- 2000 Grinding or polishing machines: -
 - 2030/5 For wording cold glass
 - 2090/9 Other
- 9000 Other:
 - 9010 Drilling machines -
 - 9011/8 Where the weight of each exceeds 750 kg
 - 9019/1 Other
 - 9020/9 Hydraulic presses, including hydro-pneumatic presses
 - 9030 For cold-wording glass -
 - 9031/6 for working lens rims

Heading Number	Product
----------------	---------

84.64

- 9039/9 Other
- 9040/7 For cutting or polishing asphalt or concrete surfaces or polishing till floors
- 9090/2 Other

7. Conveyance equipment

84.27 heading

- 1000 Self-propelled trucks powered by an electric motor:-
 - 1010 Fork-lift trucks -
 - 1011/3 Of a lifting power exceeding 5 tons
 - 1019/6 Other
 - 1090/7 Other
- 2000 Other self-propelled trucks: -
 - 2010 Fork-lift trucks -
 - 2011/2 Of a lifting power exceeding 5 tons
 - 2019/5 Other
 - 2090/6 Other
- 9000/8 Other trucks

84.28 Lifting and conveying machines

- 1000 Lifts and skip hoists:
 - 1010/3 For temporary installation in construction
 - 1090/5 Other
- 2000 Pneumatic elevators and conveyors
 - 2010/2 Pneumatic conveyors
 - 2090/4 Elevators
- 3000 Other continuous-action elevators and conveyors, for goods or materials:

Heading Number	Product
-------------------	---------

84.28

3100	Specially designed for underground use:
3110/9	Elevators
3190/1	Conveyors
3200	Other, bucket type:
3210/7	Elevators
3290/9	Conveyors
3300	Other, belt type:
3310/5	Elevators
3390/7	Conveyors
3900	Other:
3910/2	Elevators
3990/4	Conveyors
4000/1	Escalators and moving walkways
5000	Mine wagon pushers, locomotive or wagon traversers, wagon tippers and similar railway wagon handling equipment
5010/9	Hydraulically operated
5090/1	Other
6000/9	Teleferics, chair-lifts, ski-draglines, traction mechanisms for funiculars
9000	Other machinery:
9010/5	Dollies for mounting and operating cinematographic cameras
9020/4	Hydraulically operated
9090	Other
9091/5	Of a kind used for earth, stone, road-making or building work
9099/8	Other

Product	Heading Number
---------	-------------------

84.30	Other machinery for moving and grading heading
1000/0	Pile-drivers and pile-extractors
2000/9	Snow-ploughs and snow-blowers
3000	Coal or rock cutters and tunnelling machinery:
3100/6	Self-propelled
3900/9	Other
4000	Other boring or sinking machinery:
4100/5	Self-propelled
4900/8	Other
5000/6	Other machinery, self-propelled:
6000	Other machinery, not self-propelled:
6100/3	Tamping or compacting machinery
6200/1	Scrapers
6900/6	Other
84.67	Pneumatic or motorized tools for handwork heading
1000	Pneumatic:
1100/0	Rotary type (including combined rotary-percussion)
1900/3	Other
8000	Other tools:
8100/3	Chain saws
8900/6	Other
9000	Parts:

Heading Number	Product
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8. Pharmaceutical products

30.01	Glands and other organs for organo-therapeutic uses, dried, whether or not powdered; extracts of glands or other organs or of their secretions for organo-therapeutic uses; heparin and its salts; other human or animal substances prepared for therapeutic or prophylactic uses, not elsewhere specified or included -
1000/4	Glands and other organs, dried, whether or not powdered
2000/3	Extracts of glands or other organs or of their secretions
9000	Other
9010/5	Other human bone, organs or tissue for transplant
9090/7	Other
30.02	Human blood; animal blood prepared for therapeutic, prophylactic or diagnostic uses; antisera and other blood fractions; vaccines, toxins, cultures of micro organisms (excluding yeasts) and similar products-
1000	Antisera and other blood fractions:
1010/1	Tetanus immune globine human
1090/3	Other
2000/1	Vaccines for human medicine
3000	Vaccines for veterinary medicine:
3100/8	Vaccines against foot and mouth disease
3900/1	Other
9000	Other:
9010/3	Not put up in measured dosages or packages of a kind sold by retail, imported with the approval of the Dir-Gen of the Ministry of Health
9020/2	Anti-toxins, tuberculin and rat virus
9090/5	Other

Heading Number	Product
-------------------	---------

30.03 Medicaments (excluding goods of heading No. 30.03, 30.05 or 30.06) consisting of two or more constituents which have been mixed together for therapeutic or prophylactic uses, not put up in measured doses or in forms or packings for retail sale-

1010 Medicaments certified by the Dir-
2010 Gen of the Ministry of Health or
3110 the Ministry of Agriculture not to
3910 be of a kind produced in Israel nor
4010 to be substitutes thereof
9010

30.04 Medicaments (excluding goods of heading No. 30.02, 30.05 or 30.06) consisting of mixed or unmixed products for therapeutics or prophylactic uses, put up in measured doses or in forms or packings for retail sale-

1010 Medicaments certified by the Dir-Gen
2010 of the Ministry of Health or the
3110 Dir-Gen of the Ministry of Agriculture
3210 not to be of a kind produced in
3910 Israel nor to be substitutes
4010 thereof
5010
9010

Heading Number	Product
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9. Other equipment

84.25	Pully tackle and hoists other than skip hoists
1000	Pulley tackle and hoists other than skip hoists or hoists of a kind used for raising vehicles:
1100/0	Powered by electric motor
1900/1	Other
2000/9	Pit-head winding gear; winches specially designed for use underground
3000	Other winches; capstans
3100	Powered by electric motor
3110	Where the load is balanced by a counterweight
3190	Other
3900/9	Other
4000	Jacks; hoists of a kind used for raising vehicles
4100/5	Built-in jacking systems of a type used in garages
4200	Other jacks and hoists, hydraulic:
4210/2	For tipping truck bodies
4290/4	Other
4900/0	Other
84.17.8000/0	Non-electric industrial ovens
85.14	Electric industrial ovens, weighing 1000 kg. or more
1090/2	
2010/9	
3010/0	
4010/7	

Heading Number	Product
-------------------	---------

84.06	Turbines
1000	Turbines
1100/8	For marine propulsion
1900/1	Other
9000/2	Parts
84.10	Hydraulic turbines
1000	Hydraulic turbines and water wheels
1100/0	Of a power not exceeding 1,000 kW
1200/8	Of a power exceeding 1,000 kW but not exceeding 10,000kW
1300/6	Of a power exceeding 10,000 kW
9000/4	Parts
84.14	Air pumps, except fans and parts sub-items
1000/4	Vacuum pumps
2000/3	Hand or foot-operated air pumps
3000	Compressors of a kind used in refrigerating equipment
3010/1	Sealed or semi-sealed compressors
3090	Other, including open-type compressors
3091/1	Of a net weight (without a starting device) exceeding 100 kg. to be installed in an industrial enterprise and used in the manufacturing process, provided that compressors operated by electric motors shall be imported without such electric motors (Cond)
3092/9	Installed in cold-storage buildings or warehouses, of a capacity of 1000 m3 or more, and provided that the following conditions have been met: 1. The compressors will be used exclusively for cold-storage buildings or warehouses; 2. The net weight of each (without device) exceeds 300 kg; 3. The compressors are not equipped with electric starting devices (Cond)

Heading Number	Product
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84.14

- 3093/7 The net weight of each (without starting device) exceeds 500 kg., excluding those specified in sub-headings 3091 or 3092
- 3099/4 Other
- 4000/1 Air compressors mounted on a wheeled chassis for towing
- 5000 Fans
 - 5910/0 Air mixing towers of the kind used for protecting crops from frost
 - 5920/9 Where the weight of each does not exceed 500 gm
 - 5930/8 Where the weight of each exceeds 1000 kg
 - 5990 Other
 - 5991/0 Of the kind used for cooling vehicle engines, excluding tractors, fork-lift trucks, concrete mixers, vehicles running on tracks and armoured military vehicles
 - 5992 Powered by a 12 volt DC motor and not of the kind used for cooling motor vehicle engines
 - 5999/3 Other
- 6000 Hoods having a maximum horizontal side not exceeding 120 cm
 - 6010/0 Steam collectors or kitchen odour absorbers, of the domestic kind
 - 6090/0 Other
- 8000 Other
 - 8010 For internal combustion engines
 - 8011/4 Specially for tractors, fork-lift trucks, vehicles running on tracks or armoured military vehicles
 - 8019/7 Other
 - 8020 Equipped with a starting device (for example an electric motor)
 - 8021/3 Of a total weight exceeding 600kg.
 - 8022/1 Of a total weight exceeding 600 kg. but not exceeding 6000 kg. excluding those specified in subheading 8023 or 8024

Heading Number	Product
9000	Other
9100	Of oak
9130/9	Veneer sheets
9190	Other
9191/1	Finger-jointed
9199/4	Other
9200	Of beech
9240/6	Veneer sheets
9250/5	Sticks used for the assembly by stiching of "Bruce' boxes (Cond)
9290	Other
9291/9	Finger-jointed
9299/2	Other
9900	Other
9940/1	Veneer sheets
9950/0	Sticks used for the assembly by stiching of "Bruce' boxes (Cond)
9990	Other
9991/4	Finger-jointed
9999/7	Other

Heading Number	Product
84.14	
8023/9	Of a total weight exceeding 3000 kg. and not exceeding 6000 kg. to be installed in an industrial plant and used in the manufacturing process (Cond)
8024/7	Air compressors equipped with electric starting motors, of a total weight exceeding 650 kg., provided that the compression takes place in three stages and the outlet pressure exceeds 200 atmospheres
8025/4	Other
8090	Other
8091/6	Where the net weight does not exceed 450 kg.
8092/4	Where the net weight exceeds 450 kg. and does not exceed 3000 kg.
8099/9	Other
9000	Parts:
9010/5	Cast parts of sealed or semi-sealed compressors which have not undergone any process after casting
9020/4	Specially for goods of subheading 5910
9030/3	Blades of artificial plastic material, each weighing not more than 100 grams
9040/2	Specially for goods of sub-heading 5991, 8019
9090/7	Other

Heading Number	Product
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84.39	
1000/1	Machinery for making pulp of fibrous cellulosic material
2000/0	Machinery for making paper or paperboard
3000/9	Machinery for finishing paper or paperboard
9000	Parts
9100/1	Of machinery for making pulp of fibrous cellulosic material
9900/4	Other
85.00	
	Electro-mechanical tools for working in the hand, with self-contained electric motor
1000	Drills, of all kinds:
1010/2	Drills, including those, which by means of interchangeable accessories, can be transformed into
	other tools, such as sawing, polishing or planing tools, and provided that the weight of the drill without the stand, holder or interchangeable parts does not exceed 5 kg
1090/4	Other
2000/2	Saws
84.22	
	Dish washing machines; machinery for cleaning or drying bottles or other containers; machinery for filling, closing, sealing, capsuling or labeling bottles, cans, boxes, bags or other containers; other packing or wrapping machinery; machinery for aerating beverages
1000	Dish washing machines
1900/0	Other (not of the household type)

Heading Number	Product
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84.51	Machinery (other than machines of heading 84.500 for washing, cleaning wringing, drying, ironing, pressing (including fusing presses), bleaching, dyeing dressing, finishing, coating or impregnating textile yarns, fabrics or made up textile articles and machines for applying the paste to the base fabric or other support used in the manufacture of floor coverings such as linoleum; machines for reeling, unreeling, folding, or pinking textile fabrics
1000/6	Dry-cleaning machines
2000	Drying machines
2900	Other
2910/5	Of a laundry container capacity of 250 litres or more, if the heating is done by means of steam or oil
3000	Ironing machines and presses (including fusing presses)
3010/3	Specially for the production process in a textile factory
3090/5	Other
4000	Washing, bleaching or dyeing machines
4010/2	Washing machines specially for the production process in a textile factory
4090	Other
4099/5	Other
5000/2	Machines for reeling, unreeling, folding, cutting or pinking textile fabrics
8000	Other machinery
8010	Wringers and machines of the shaker tumbler kind
8019/9	Other
8090/0	Other
9000	Parts
9010/7	For machines of sub-headings 1000, 2000, 3000 and 8010
9030/5	Metal cylinders coated with plastic or rubber of the kind used

Heading Number	Product
10. Wood	
44.01	Fuel wood, in logs, in billets, in twigs, in faggots or in similar forms; wood in chips or particles; sawdust and wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms
1000	Fuel wood, in logs, in billets, in twigs or in similar forms
1010/4	In logs
1090/6	Other
2000	Wood in chips or particles
2100/2	Coniferous
2200/0	Non-coniferous
3000	Sawdust and wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms
3010/2	Logs
3090/4	Other
44.03	Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared
1000	Treated with paint, stain, creosote or other preservatives
1010/0	Wooden poles, impregnated with creosote or with preparations containing copper and arsenic salts, if used for electrical lines or telecommunication lines
1090/2	Other
2000	Other of pine wood
2010/9	Used for the manufacture of peeled sheets (Cond)
2090/1	Other
3000	Other, of the following tropical woods
3100	Dark Red Meranti, Light Red Meranti and Meranti Bakau
3110/6	Used for the manufacture of peeled sheets (Cond)
3190/8	Other

Heading Number	Product
3200	White Lauan, White Meranti, White Seraya, Yellow Meranti and Alan
3210/4	Used for the manufacture of peeled sheets (Cond)
3290/6	Other
3300	Keruing, Ramin, Kapur, Teak, Jonkung, Merbau, Jelutong and Keruing
3310/2	Used for the manufacture of peeled sheets (Cond)
3390/4	Other
3400	Okouma, Obeche, Sapelli, Sapi, Acajou of Afrique, Makore and Iraka
3410/0	Used for the manufacture of peeled sheets (Cond)
3490/2	Other
3500	Tiama, Mansonia, Ilomba, Dibetou, Limb and Azove
3510/7	Used for the manufacture of peeled sheets (Cond)
3590/9	Other
9000	Other
9100	Of oak (quercus spp.)
9110/0	Used for the manufacture of peeled sheets (Cond)
9190/2	Other
9200	Of beech
9210/9	Used for the manufacture of peeled sheets (Cond)
9290/0	Other
9900	Other
9910/3	Used for the manufacture of peeled sheets (Cond)
9990/5	Other
44.04	Hoopwood; split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise; wooden sticks, roughly trimmed but but not turned, bent or otherwise worked, suitable for the manufacture of walking-sticks, umbrellas, tool handles or the like; chipwood and the like
1000/9	Coniferous
2000/0	Non-coniferous

Heading Number	Product
44.07	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6 mm
1000	Coniferous
1030/9	Veneer sheets
1040/8	Sticks used for the assembly by stitching of "Bruce" boxes (Cond)
1090	Other
1091/1	Finger-jointed
1099/4	Other
2000	Of the following tropical woods
2100	Dark Red Meranti, Light Red Meranti, and Meranti Bakau, White Lauan, White Meranti, White Seraya, Yellow Meranti, Alan, Keruing, Ramin, Kapur, Teak, Jongkong, Merbau, Jelutong and Kempas
2130/6	Veneer sheets
2190	Other
2191/8	Finger-jointed
2199/1	Other
2200	Okoumw, Obeche, Sapelli, Sipo, Acajou d'Afrique, Makore, Iroka, Tiama, Mansonia, Ilomba, Dibetou, Limba and Azobe
2240/3	Veneer sheets
2290	Other
2291/6	Finger-jointed
2299/9	Other
2300	Baboen, Mahogany, Imbuia and Balsa
2340/1	Veneer sheets
2390	Other
2391/4	Finger-jointed
2392/2	Balsa wood in sizes not exceeding 16x23x166cm unplanned
2399/7	Other

APPENDIX I

JORDAN PETROLEUM REFINERY CO. LTD.

LABORATORY

Certificate No. _____
 Date Issued _____
 Tank No. _____
 Sampling Date _____

SPECIFICATIONS

Gasoline
 Royal

TESTS	RESULTS	METHODS
Distillation		ASTM D-88
Fuel Recovered		
10% Vol. @ °C	70 Max.	
50% Vol. @ °C	120 Max.	
90% Vol. @ °C	180 Max.	
and Point °C	205 Max.	
Vapor Pressure @ 100 °P kg/cm ²	0.7 Max.	ASTM D-323
Color	Yellow	
Total Sulfur % wt	0.2 Max.	ASTM D-1266
Corrosion. Copper (3hr. at 50°C) Classification	NO. 1 Strip.	ASTM D-130
Oxidation Stability Minutes	360 Min.	ASTM D-525
Existent Gum mg/100cc	4.0 Max.	ASTM D-381
TBL Content CC/USG	3.0 Max.	ASTM D-3341
Octane No. R. M.	98	ASTM D-2699
Remarks :	_____ _____ _____ _____	

Chief Chemist

Magid
 31.10.

1...

JORDAN PETROLEUM REFINERY CO. LTD.

LABORATORY

Certificate No. _____
 Date Issued _____
 Tank No. _____
 Sampling Date: _____

SPECIFICATIONS

Gasoline
 Super

TESTS	RESULTS	METHODS
Distillation		ASTM D-86
Fuel Recovered		
10% Vol. @ °C	70 Max.	
60% Vol. @ °C	120 Max.	
90% Vol. @ °C	180 Max.	
End Point °C	205 max.	
Vapor Pressure @ 100 °F kg/cm ²	0.7 Max.	ASTM D-323
Color	Yellow	
Total Sulfur % wt	0.2 Max.	ASTM D-1288
Consolub. Copper (3hr. at 50°C) Classification	NO. 1 Strip.	ASTM D-130
Oxidation Stability Minutes	360 Min.	ASTM D-525
Existent Gum mg/100cc.	4.0 Max.	ASTM D 381
TBL Content CC/USG	3.0 Max.	ASTM D9341
Octane No. R. M.	96	ASTM D-2699
Remarks :		

Chief Chemist

Mays
 31/1/94

T. (G.M. OFF.) TEL: 962-6-647791

10 Apr '94

13:01 No. 005 P. 01

12/143

NO. 6 PAGE 24

JORDAN PETROLEUM REFINERY CO. LTD.

LABORATORY

Certificate No.:
Date Issued:
Tank No.:
Sampling Date:

SPECIFICATIONS

Fuel Oil

TESTS	RESULTS	METHODS
Density @ 15 °C	1.0 Max.	ASTM D-1200
Total Sulfur	4.6 Max.	ASTM D-129
Flash point P.M.	66 Min.	ASTM D-93
Viscosity @ 100 °F Sec. (Redwood I)	700 - 4000	IP-70
Pour Point	15 Max.	ASTM D-97
Ash	0.1 Max.	ASTM D-402
Water & sediment (centrif.)	0.5 Max.	ASTM D-1708
Water by distillation	0.5 Max.	ASTM D-95

Remarks:

Chief Chemist

meajed

TEL: 962-6-647791

10 Apr '94

13:02 No. 005 P. 03
 NO. 6 PAGE 12

JORDAN PETROLEUM SERVICES CO. LTD.

LABORATORY

Customer's No.:
 Date issued:
 Order No.:
 Sampling Date:

SPECIFICATION
 Liquid Asphalt
 PC - 250

TESTS	RESULTS	METHODS
Viscosity :		
Kinematic @140 ^o F, cSt	250 - 500	ASTM D-2170
Saybolt Furol @140 ^o F, Sec.	(23) - 250	ASTM D-88
Flash Point (Tag Open-cup), °F	80 Min.	ASTM D-1810
Distillation test :		ASTM D-402
Distillate, Percent by volume of total distillate to 300 °C		
to 225 °C	35 Min.	
to 260 °C	60 Min.	
to 316 °C	80 Min.	
Residue from distillation to 360 °C, Percent volume by difference:	65 Min.	
Test on residue from distillation :		
Penetration @ 25 °C 100 gm 10 sec	100 Min.	ASTM D-5
Ductility @ 25 °C cm	100 Min.	ASTM D-113
Solubility in trichloroethylene, Percent	99 Min.	ASTM D-2042
Water, Percent	0.2 Max.	ASTM D-95
Remarks :		

(Lab.) Chief Chemist

Muzjed
 3.11.94

JPT. (G.M. OFF.) TEL: 962-6-647791

10 Apr '94

13:02 No. 005 P. 13
PAGE 13

JORDAN PETROLEUM REFINERY CO. LTD.

LABORATORY

Certificate No. _____
Date Issued _____
Tank No. _____
Sampling Date _____

SPECIFICATION:
Liquid Asphalt
PC - 800

TESTS	RESULTS	METHODS
Viscosity :		
Kinematic @ 140 °F, cSt	800 - 1600	ASTM D-3170
Saybolt Furol @ °F, Sec.		ASTM D-88
Flash Point (Tag Open-cup), °F	80 Min.	ASTM D-1310
Distillation test :		ASTM D-407
Distillate, Percent by volume of total distillate to 380 °C		
to 225 °C	15 Min.	
to 260 °C	45 Min.	
to 316 °C	75 Min.	
Residue from distillation to 380 °C, Percent volume by difference	75 Min.	
Test on residue from distillation :		
Penetration @ 25 °C, 100 gm, 5 sec.	80 - 120	ASTM D-5
Ductility @ 25 °C cm	100 Min.	ASTM D-113
Solubility in trichloroethylene, Percent	99 Min.	ASTM D-2042
Water, Percent	0.2 Max.	ASTM D-93
Remarks :		

(Lab.) Chief Chemist

Majid
31.1.94

DPT. (6.11 OFF.) TEL: 962-45-047731 (SUN) 19. 194 12:38 15105 Ho 000 1994 NO. 6 PAGE 11

JORDAN PETROLEUM REFINERY CO. LTD.
LABORATORY

Certificate No. _____
 Date Issued _____
 Tank No. _____
 Sampling Date _____
SPECIFICATION
 Liquid Asphalt
 MC - 70

TESTS	RESULTS	METHODS
Viscosity :		
Kinematic @ 100° F, cSt	120 - 140	ASTM D-2170
Saybolt Furol @ 122° F, Sec.	60 - 120	ASTM D-88
Flash Point (Tag Open - cup), °F	100	ASTM D-1810
Distillation test :		ASTM D-402
Distillate, Percent by volume of total distillate to 360 °C		
to 225 °C	20	Max.
to 300 °C	20	60
to 316 °C	65	90
Residue from distillation to 360 °C, Percent volume by difference	55	Min.
Test ex residue from distillation :		
Penetration @ 25 °C, 100 gm, 5 sec.	120 - 250	ASTM D-5
Ductility @ 25 °C cm.	100	Min. ASTM D-113
Solubility in trichloroethylene, Percent	99	Min. ASTM D-2047
Water, Percent	0.2	Max. ASTM D-95
Remarks :		

(Lab.) Chief Chemist

Wajid
 31/1/94

DPT. (G.M. OFF.) TEL: 962-6-647791

10 Apr '94 13:03 No. 005 P. 00
NO. 6 PAGE 1A

JORDAN PETROLEUM REFINERY CO. LTD.

LABORATORY

Certificate No. :
Date issued :
Tank No. :
Sampling Date :

SPECIFICATION

Asphalt
90/100

TESTS	RESULTS	METHODS
Ductility @ 25 °C cm	100 MIN.	ASTM D-113
Penetration @ 25 °C 0.1 mm	80 - 100	ASTM D-5
Softening Point, °C	45.8 - 48	ASTM D-36
Specific Gravity @ 25°/25°C	1.0 MIN.	ASTM D-70
Loss on Heating to 163°C %wt.	1.0 MAX.	ASTM D-8
Penetration of residue from loss on heating test at 25°C as compared to penetration before heating %	75 MIN.	ASTM D-5
Solubility in Trichloroethylene, %wt.	22.5 MIN.	ASTM D-2042
Ash Content, %wt.	1.0 MAX.	ASTM D-462
Flash point (Cleveland Open Cup), °C	225 MIN.	ASTM D-92
Remarks :		

(Lab.) Chief Chemist

Signature

3/1/19x

1...

PT. (G.N. OFF.) TEL: 962-6-647791

10 HPT 194 13:07 No. 005 P. 12
 HU. 6 PAGE 4

JORDAN PETROLEUM REFINERY CO. LTD.
 LABORATORY

Certificate No. _____
 Date Issued : _____
 Tank No. : _____
 Sampling Date : _____

SPECIFICATION
Gasoil

TESTS	RESULTS	METHODS
Distillation		ASTM D-86
90% recovered at °C	357 Max.	
Density @ 15 °C gm/ml	0.82 - 0.870	ASTM D-1298
Color ASTM	2.5 Max.	ASTM D-1500
Total Sulfur %wt	1.5 Max.	ASTM D-1266
Flash point P.M. °C	55 Min.	ASTM D-93
Viscosity Red wood at 100 °F Sec.	45 Max.	IP - 70
Pour point °C	+5 Max. -9 Max.	ASTM D-97
Corrosion, copper discoloration	NO. 1 Strip	ASTM D-130
Carbon residue on 10% residue, %wt	0.1 Max.	ASTM D-189
Total acid number mg KOH/gr	1.0 Max.	ASTM D-974
Strong acid number mg. KOH/gr	NIL	ASTM D-974
Ash %wt	0.01 Max.	ASTM D-482
Water by distillation %vol	0.05 Max.	ASTM D-95
Sediment by extraction %wt	0.01 Max.	ASTM D-473
Diesel Index	50 Min.	IP - 21
Remarks : _____ _____ _____		

(Lab.) Chief Chemist

Muzel
 31/1/94

1...

JORDAN PETROLEUM REFINERY CO. LTD.

LABORATORY

Batch No.	
Certificate No.	
Date Issued	
Task Number	
Sampling Date	

AVIATION TURBINE
KEROSENE
AVTUR/FBII

TESTS	RESULTS	SPECIFICATIONS		METHODS
		min.	max.	
Appearance		Bright & clear		
Specific Gravity @ 60°/60 °F		0.775	0.030	ASTM D-1298/IP-160
API Gravity @ 80 °F		39	51	
Distillation				ASTM D-88/IP-123
Initial Boiling Point °C		Report		
Fuel Recovered, % Vol @ 200 °C		20		
Fuel Recovered, % Vol @ 10% Vol		Report		
20% Vol		Report		
50% Vol		Report		
80% Vol		Report		
End Point °C			288	
Residue, % Vol			1.5	
Loss, % Vol			1.5	
Flash Point °C		38		ASTM D - 56
Sulfur, Total % WL			0.20	ASTM D-1266/IP-107
Doctor Test				IP-30
Sulfur, Mercaptan % WL			0.002	ASTM D-3227
Corrosion, Copper, Classification			1	ASTM D-130/IP-154
Corrosion, Silver, Classification			1	IP-227
Existent Gum mg/100 ml			7.0	ASTM D-381/IP-131
Aromatics % Vol			20	ASTM D-1319/IP-150
Olefins % Vol			5	ASTM D-1319/IP-158
Freezing Point °C			-60	ASTM D-2386/IP-12
Water Reaction				ASTM D-1094
Interfacial Rating			1b	
Separation Rating			2	
Calorific Value, net Btu/lb		18400		ASTM D-1405
Aniline Gravity Product		5750		ASTM D-611 & D-1298
Viscosity @ 30 °F (-34.4 °C), cSt			15	ASTM D-445/IP-74
Smoke Point mm		20		ASTM D-1322
Thermal Stability JFTOT				ASTM D-3241/IP-323
Filter pressure Differential mm Hg			25	
Tube Deposit Rating			3	
Total Acidity mg KOH/g			0.10	ASTM D-974/IP-138
Strong Acid Number mg KOH/g				ASTM D-974/IP-139
Additives:				
Inhibitor, Oxidation mg/lit		8.6	24	
Metal Deactivator mg/lit			57	
Stadis 450 Antistatic ppm			3.0	
Inhibitor, Corrosion mg/lit		11.6	14.3	
Inhibitor, Icing (FBII) % Vol		0.10	0.15	IP-277
Water Content ppm				
Particulate Matter:				
FOB Origin Deliveries mg/USG				ASTM D-2776
Electrical Conductivity pS/m		50	300	ASTM D-2624
Water Separator Index Modified (WBI-M)		70		ASTM D-2550

Remarks:

TEL: 962-6-647791

10 Hpt 94 13:09 No.005 P.14

JORDAN PETROLEUM REFINERY CO. LTD.

LABORATORY

Certificate No.:	SPECIFICATION Liquefied Petroleum Gas
Date Issued :	
Tank No. :	
Sampling Date:	

TESTS	RESULTS	METHODS
Vapor Pressure @ 100 °F kg/cm ²	8 MAX.	ASTM D-1267
Volatile residue: Evaporated temp, % % °C	2.2 Max.	ASTM D-1037
Corrosion, copper strip	No. 1	ASTM D-1838
Sulfur grains/100 Cu. ft.	15 Max.	ASTM D-2044
Free water content	None	—

Remarks:

meys
5/18/84
Chief Chemi

PT. (G.M. OFF.) TEL: 962-6-647791

10 Apr '94 13:09 No.005 P.15

JORDAN PETROLEUM REFINERY CO. LTD.

LABORATORY

Certificate No.:	
Date Issued:	
Track No.:	
Sampling Date:	

SPECIFICATION

Kerosene

TESTS	RESULTS	METHODS
Distillation		ASTM D-86
Recovered at 170 °C	50 %vol.	
Recovered at 200 °C	20 %vol.	
Recovered at 210 °C	90 %vol.	
Final boiling point	300 °C	
Density at 15 °C	0.820 gm/ml	ASTM D-155
Color Saybolt	20	ASTM D-156
Total Sulfur	0.3 %wt.	ASTM D-129
RSB	20	ASTM D-33
Flash point	17.0 °C	ASTM D-86
Corrosion, Copper (3hr at 50 °C)	No. 1 strip	ASTM D-38
Smoke point	24 mm.	ASTM D-181
Remarks		

(Lab) Chief Ob

Maged
 3/11/94

SIDE LETTER TO THE PROTOCOL ON ECONOMIC RELATIONS

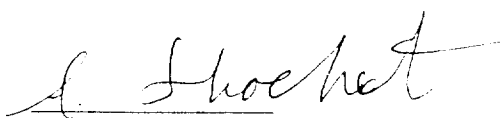
SIGNED IN PARIS ON APRIL 29, 1994

("THE PROTOCOL")

The two sides to this Protocol agree to continue discussion through the Joint Economic Committee of the following issues with the view of conclusions agreed arrangement within three months:

1. The mutual recognition and protection of patents, designs and trade marks, and other intellectual property.
2. The procedures for the set-off of mutual financial obligations between the two sides, including legal entities under their control or management.
3. The prevention of Trade Restrictions

For the Government of Israel



For the P.L.O.



/...

SIDE LETTER TO THE PROTOCOL ON ECONOMIC RELATIONS

SIGNED IN PARIS ON APRIL 19, 1994

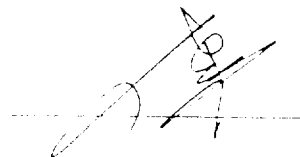
("THE PROTOCOL")

The two parties to the Protocol agree that the issue of contradiction between the Agreement on the Gaza Strip and the Jericho Area and the Protocol will be decided by the Prime Minister of the Government of Israel and the Chairman of the P.L.O.

For the Government of Israel

A handwritten signature in cursive script, appearing to read 'Y. Rabin', written over a horizontal line.

For the P.L.O.

A handwritten signature in cursive script, appearing to read 'Y. Arafat', written over a horizontal line.

/...

EXCHANGE OF LETTERS BETWEEN

THE PLO AND

THE GOVERNMENT OF THE STATE OF ISRAEL

12

/...

May 4, 1994

Mr. Prime Minister,

With regard to the Agreement on the Gaza Strip and the Jericho Area, signed in Cairo on May 4, 1994 (hereinafter "the Agreement"), the PLO hereby confirms the following:

1. The PLO undertakes to ensure that the Palestinian Authority, including the Palestinian Police and other Palestinian Authority agencies, will function in accordance with the Agreement, and that the Palestinian Authority will activate the coordination and cooperation mechanism in a timely manner.
2. The PLO undertakes to cooperate with Israel, and to assist it, in its efforts to locate and to return to Israel Israeli soldiers who are missing in action and the bodies of killed soldiers which have not been recovered.
3. The PLO undertakes to submit to the next meeting of the Palestinian National Council for formal approval the necessary changes in regard to the Palestinian Covenant, as undertaken in the letter dated September 9, 1993 signed by the Chairman of the PLO and addressed to the Prime Minister of Israel.
4. When Chairman Arafat enters the Gaza Strip and the Jericho Area, he will use the title "Chairman (Ra'ees in Arabic) of the Palestinian Authority" or "Chairman of the PLO", and will not use the title "President of Palestine."
5. Neither side shall initiate or take any step that will change the status of the Gaza Strip and the Jericho Area pending the outcome of the permanent status negotiations.

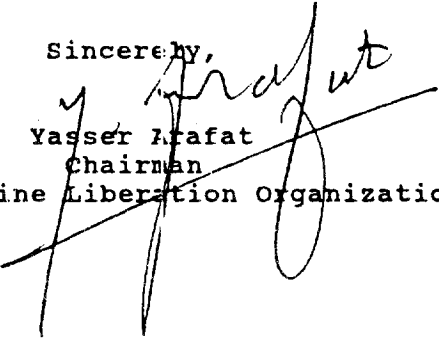
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6. Pursuant to Article IV, paragraph 3, of the Agreement, the PLO shall inform the Government of Israel of the names of the members of the Palestinian Authority in a letter that shall be provided within a week of signing the Agreement. The appointment of these members to the Palestinian Authority shall take effect upon an exchange of letters between the PLO and the Government of Israel. Changes in the membership of the Palestinian Authority will take effect upon an exchange of letters between the PLO and the Government of Israel.
7. Immediately after the conclusion of the Agreement, early empowerment negotiations will commence pursuant to Article VI of the Declaration of Principles, and the two sides will explore possible expansion of the scope of these negotiations beyond the five spheres.
8. The two sides will intensify the negotiations on the interim arrangements consistent with the Declaration of Principles and guided by its target date.
9. The two sides reiterate their commitment to commence permanent status negotiations as soon as possible, but not later than the beginning of the third year of the interim period, as provided for in Article V of the Declaration of Principles.
10. As regards the relations between Israel and the PLO, and without derogating from the commitments contained in the letters dated September 9, 1993 signed by and exchanged between the Prime Minister of Israel and the Chairman of the PLO, the two sides will apply between them the provisions contained in Article XII, paragraph 1, with the necessary changes.
11. The two Parties shall, within one month of signing the Agreement, invite the Governments of Jordan and Egypt to establish the Continuing Committee referred to in Article XII of the Declaration of Principles and in Article XVI of the Agreement.

/...

12. The Government of Israel and the Palestinian Authority shall pass all necessary legislation to implement the Agreement.
13. The two Parties shall continue discussions on the following issues:
 - a. the size of the Jericho Area;
 - b. the positioning of a Palestinian official at the bridge;
 - c. additional arrangements in the Rafah passage; and
 - d. all outstanding issues specified in the Agreement.

Sincerely,


Yasser Arafat
Chairman

The Palestine Liberation Organization

Yitzhak Rabin
Prime Minister of Israel

May 4, 1994

Mr. Chairman,

The Government of the State of Israel has the honor to acknowledge receipt of your letter of today's date which reads as follows:

"With regard to the Agreement on the Gaza Strip and the Jericho Area, signed in Cairo on May 4, 1994 (hereinafter "the Agreement"), the PLO hereby confirms the following:

1. The PLO undertakes to ensure that the Palestinian Authority, including the Palestinian Police and other Palestinian Authority agencies, will function in accordance with the Agreement, and that the Palestinian Authority will activate the coordination and cooperation mechanism in a timely manner.
2. The PLO undertakes to cooperate with Israel, and to assist it, in its efforts to locate and to return to Israel Israeli soldiers who are missing in action and the bodies of killed soldiers which have not been recovered.
3. The PLO undertakes to submit to the next meeting of the Palestinian National Council for formal approval the necessary changes in regard to the Palestinian Covenant, as undertaken in the letter dated September 9, 1993 signed by the Chairman of the PLO and addressed to the Prime Minister of Israel.
4. When Chairman Arafat enters the Gaza Strip and the Jericho Area, he will use the title "Chairman (Ra'ees in Arabic) of the Palestinian Authority" or "Chairman of the PLO", and will not use the title "President of Palestine."

/...

5. Neither side shall initiate or take any step that will change the status of the Gaza Strip and the Jericho Area pending the outcome of the permanent status negotiations.
6. Pursuant to Article IV, paragraph 3, of the Agreement, the PLO shall inform the Government of Israel of the names of the members of the Palestinian Authority in a letter that shall be provided within a week of signing the Agreement. The appointment of these members to the Palestinian Authority shall take effect upon an exchange of letters between the PLO and the Government of Israel. Changes in the membership of the Palestinian Authority will take effect upon an exchange of letters between the PLO and the Government of Israel.
7. Immediately after the conclusion of the Agreement, early empowerment negotiations will commence pursuant to Article VI of the Declaration of Principles, and the two sides will explore possible expansion of the scope of these negotiations beyond the five spheres.
8. The two sides will intensify the negotiations on the interim arrangements consistent with the Declaration of Principles and guided by its target date.
9. The two sides reiterate their commitment to commence permanent status negotiations as soon as possible, but not later than the beginning of the third year of the interim period, as provided for in Article V of the Declaration of Principles.
10. As regards the relations between Israel and the PLO, and without derogating from the commitments contained in the letters dated September 9, 1993 signed by and exchanged between the Prime Minister of Israel and the Chairman of the PLO, the two sides will apply between them the provisions contained in Article XII, paragraph 1, with the necessary changes.
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/...

12. The Government of Israel and the Palestinian Authority shall pass all necessary legislation to implement the Agreement.
13. The two Parties shall continue discussions on the following issues:
 - a. the size of the Jericho Area;
 - b. the positioning of a Palestinian official at the bridge;
 - c. additional arrangements in the Rafah passage; and
 - d. all outstanding issues specified in the Agreement."

The Government of the State of Israel acknowledges and confirms the undertakings and commitments contained in this letter.

Sincerely,



Yitzhak Rabin
Prime Minister of Israel

Yasser Arafat
Chairman
The Palestine Liberation Organization

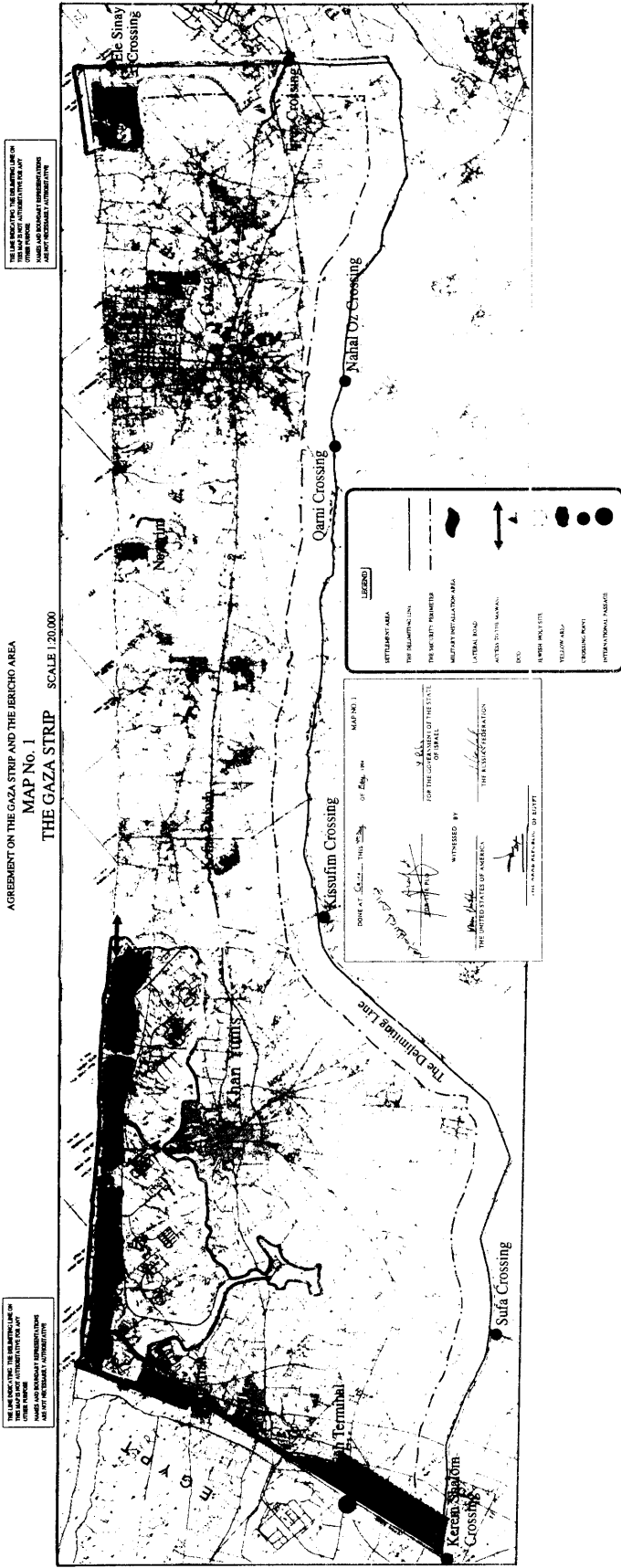
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MAPS

Originals of the attached maps, referred to in the letters dated 27 May 1994 to the Secretary-General from the Permanent Representatives of the United States of America and the Russian Federation, the Permanent Representative of Israel and the Permanent Observer of Palestine, are available for review in the Treaty Section of the Office of Legal Affairs (Room S-3200, X-5047).

It will be noted that the Chairman of the Executive Committee of the Palestine Liberation Organization, Mr. Yasser Arafat, has added the following inscription in Arabic beside his signature on each of the maps: "Under negotiation in accordance with the attached letter."

/...



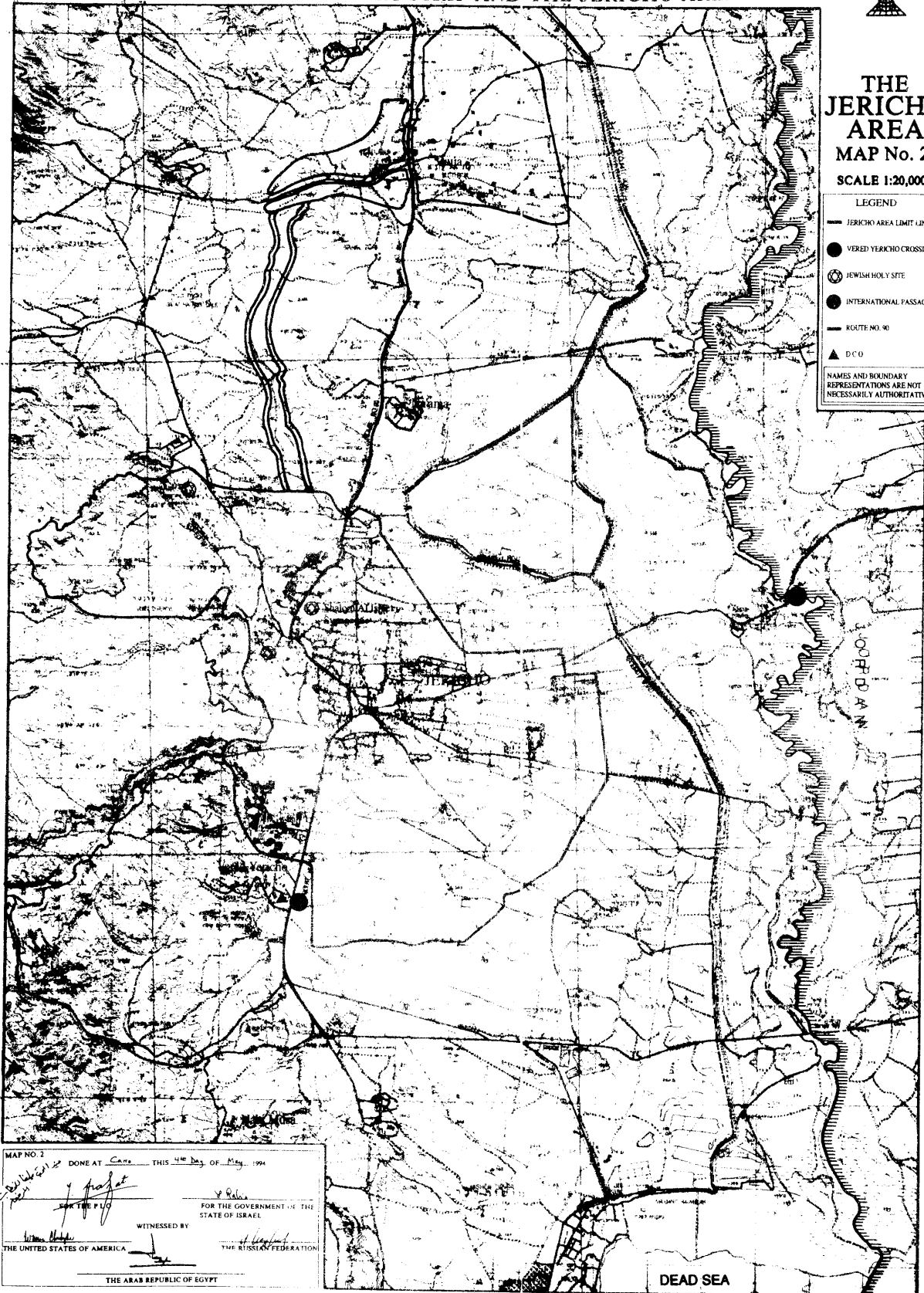
AGREEMENT ON THE GAZA STRIP AND THE JERICO AREA

**THE
 JERICO
 AREA**
 MAP No. 2
 SCALE 1:20,000

LEGEND

- JERICO AREA LIMIT LINE
- VERED YERCHO CROSSING
- ⊙ JEWISH HOLY SITE
- INTERNATIONAL PASSAGE
- ROUTE NO. 90
- ▲ D.C.O.

NAMES AND BOUNDARY REPRESENTATIONS ARE NOT NECESSARILY AUTHORITYATIVE



MAP NO. 2
 DONE AT Cairo THIS 10th DAY OF May 1994

[Signature]
 FOR THE GOVERNMENT OF THE STATE OF ISRAEL

WITNESSED BY
[Signature]
 THE UNITED STATES OF AMERICA

[Signature]
 THE RUSSIAN FEDERATION

THE ARAB REPUBLIC OF EGYPT

DEAD SEA

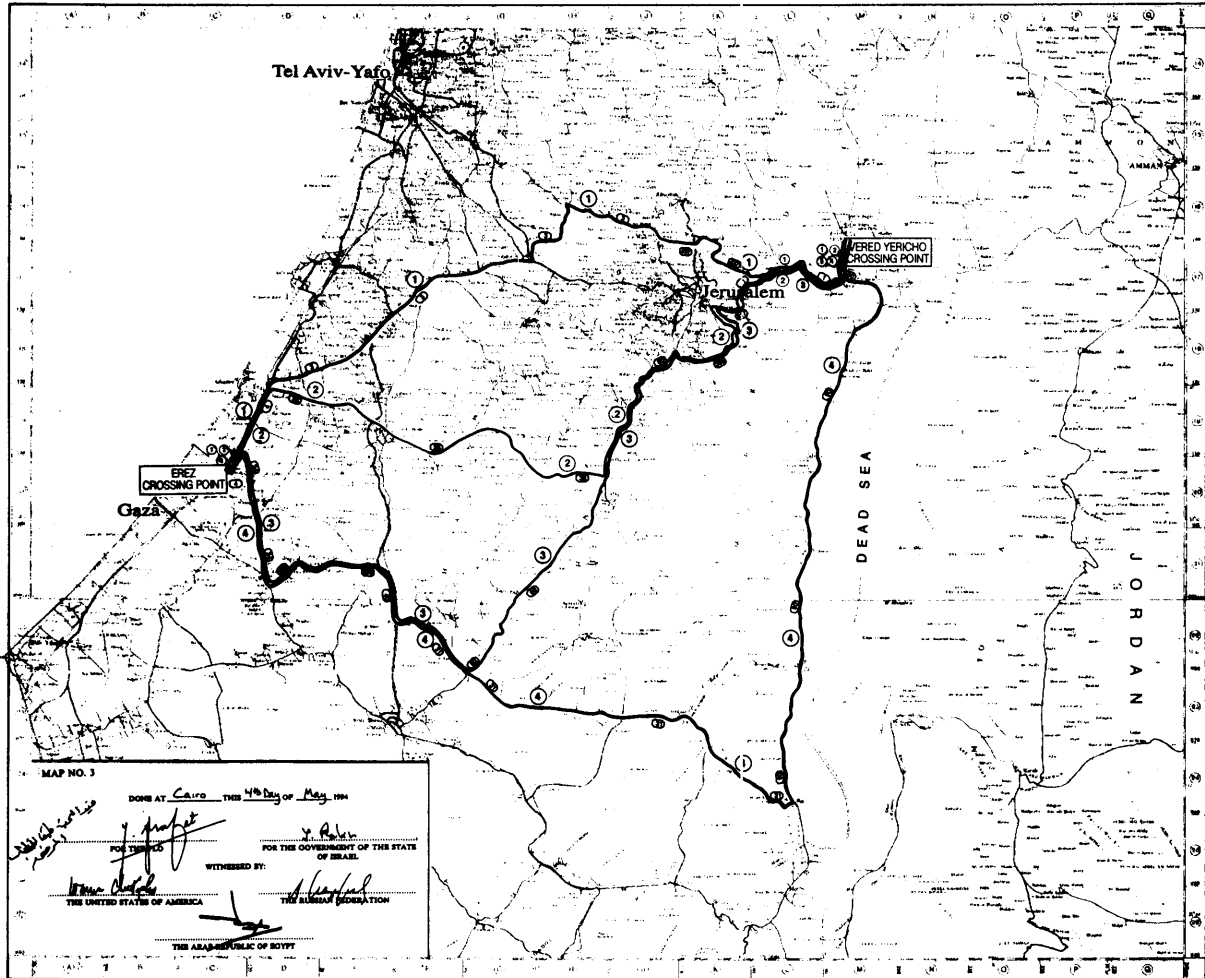
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AGREEMENT ON THE GAZA STRIP AND THE JERICO AREA

MAP NO. 3

SAFE PASSAGE ROUTES BETWEEN THE GAZA STRIP AND THE JERICO AREA.

SCALE 1:250,000



MAP NO. 3
DONE AT CAIRO THE 14th Day of May 1994
FOR THE GOVERNMENT OF THE STATE OF ISRAEL
WITNESSED BY:
THE UNITED STATES OF AMERICA
THE ARAB REPUBLIC OF EGYPT

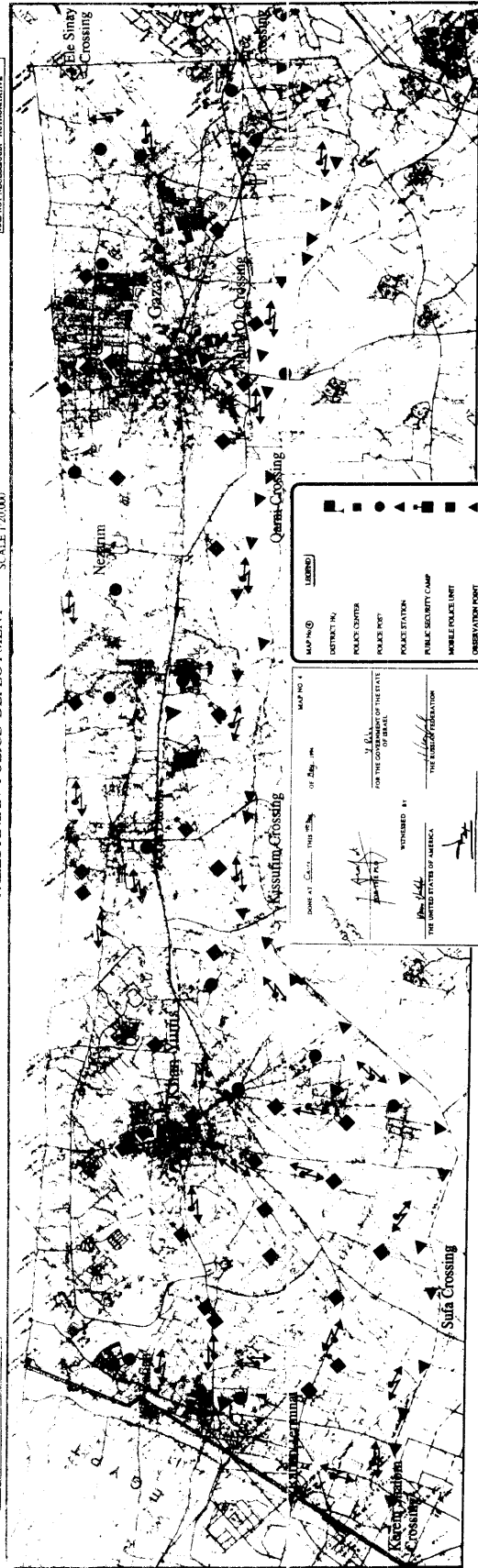
NAMES AND BOUNDARY REPRESENTATIONS
ARE NOT NECESSARILY AUTHORITY

AGREEMENT ON THE GAZA STRIP AND THE JERICO AREA
MAP No. 4 THE GAZA STRIP
PALESTINIAN POLICE DEPLOYMENT

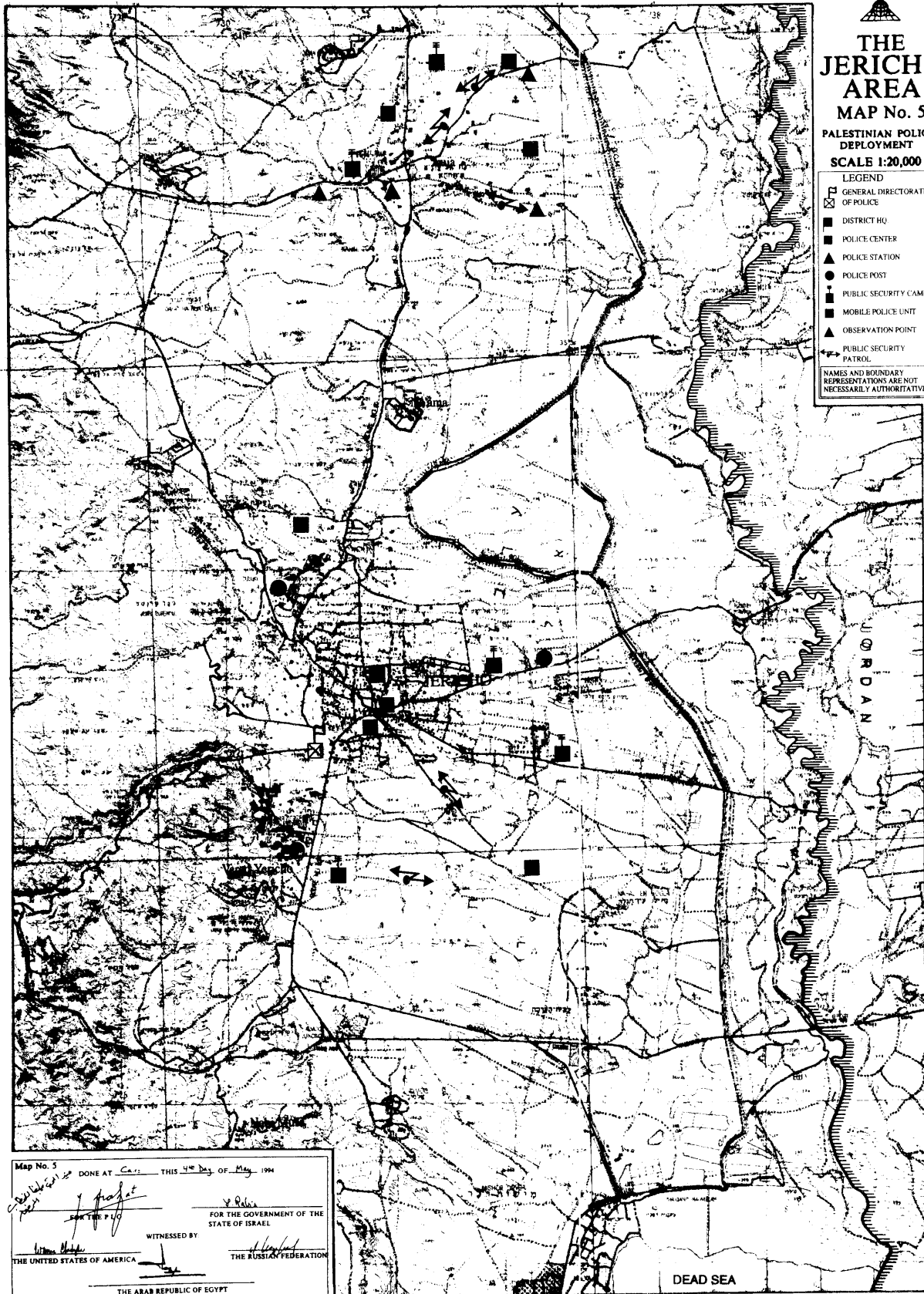
BOUNDARIES AND TERRITORY REPRESENTATIONS
ARE NOT NECESSARILY AUTHENTICATIVE

SCALE 1:20,000

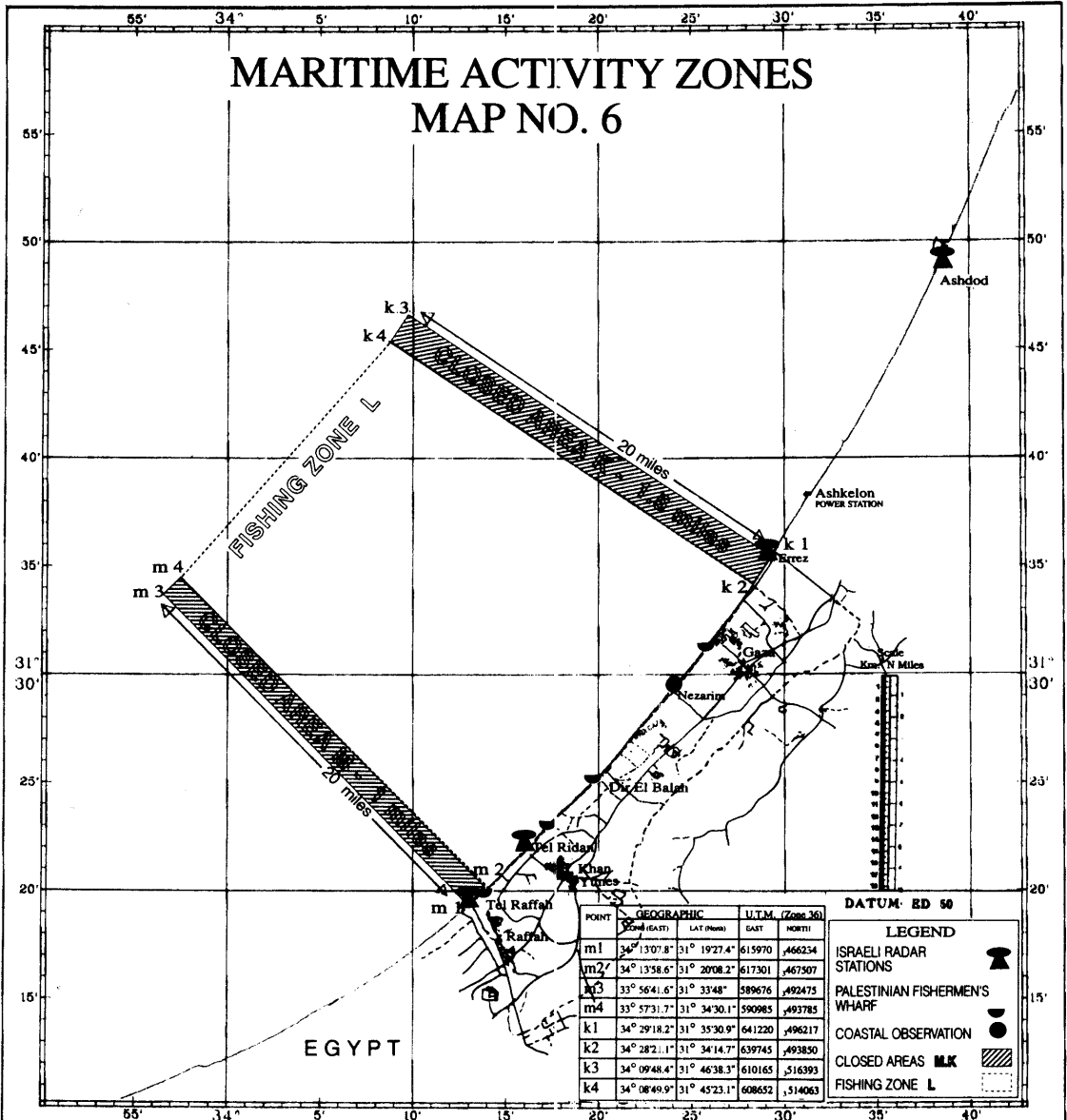
BOUNDARIES AND TERRITORY REPRESENTATIONS
ARE NOT NECESSARILY AUTHENTICATIVE



AGREEMENT ON THE GAZA STRIP AND THE JERICO AREA



AGREEMENT ON THE GAZA STRIP AND THE JERICHO AREA



MAP NO. **6**

Done at CAIRO this 4th day of May 1994

Y. Shafiq
 For the PLO

Y. Rahin
 For the Government of the State of Israel

Witnessed by

William Christopher
 The United States of America

A. Lukatskiy
 The Russian Federation

[Signature]
 The Arab Republic of Egypt



Security Council

Distr.
GENERAL

S/PRST/1995/3*
30 May 1995

ORIGINAL: ENGLISH

STATEMENT BY THE PRESIDENT OF THE SECURITY COUNCIL

After consultations of the Security Council held on 24 January 1995, the President of the Council made the following statement to the media on behalf of the members of the Council:

"The members of the Security Council strongly condemn the terrorist attack which took place in Nordiya, Israel last Sunday, 22 January 1995, with the clear purpose of trying to undermine the Middle East peace efforts.

"The members of the Security Council extend their condolences to the families of those who died as a consequence of the explosions and wish a speedy recovery of the wounded.

"The members of the Security Council call upon all parties to continue their efforts to consolidate the peace process. The members of the Security Council believe that common ground can only be found through the practice of dialogue, respect and tolerance."

* Reissued for technical reasons.



General Assembly
Security Council

Distr.
GENERAL

A/51/889
S/1997/357
5 May 1997

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-first session
Agenda item 10
REPORT OF THE SECRETARY-GENERAL
ON THE WORK OF THE ORGANIZATION

SECURITY COUNCIL
Fifty-second year

Letter dated 27 December 1995 from the Permanent Representatives
of the Russian Federation and the United States of America to
the United Nations addressed to the Secretary-General

As co-sponsors of the peace process launched at Madrid in October 1991, and witnesses to the signing at Washington, D.C., on 28 September 1995, of the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, by the Government of Israel and the Palestine Liberation Organization, we have the honour to enclose the above document (see annex).

We would be grateful if you would have the present letter and its attachment circulated as an official document of the General Assembly, under agenda item 10, and of the Security Council.

(Signed) Madeleine K. ALBRIGHT
Ambassador
Permanent Representative
of the United States of
America to the United Nations

(Signed) Sergey V. LAVROV
Ambassador
Permanent Representative
of the Russian Federation
to the United Nations

A/51/889
S/1997/357
English
Page 2

Letter dated 28 December 1995 from the Permanent Representative of
Israel to the United Nations addressed to the Secretary-General

I have the honour to enclose the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, signed at Washington, D.C., on 28 September 1995, by the Government of the State of Israel and the Palestine Liberation Organization and witnessed by the United States of America, the Russian Federation, Egypt, Jordan, Norway and the European Union (see annex).

I would be grateful if you would have the present letter and its attachment circulated as an official document of the General Assembly, under agenda item 10, and of the Security Council.

(Signed) Gad YAACOBI
Ambassador
Permanent Representative of
Israel to the United Nations

/...

Letter dated 19 December 1995 from the Permanent Observer
of Palestine to the United Nations addressed to the
Secretary-General

I have the honour to enclose the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, signed at Washington, D.C., on 28 September 1995, by the Government of the State of Israel and the Palestine Liberation Organization and witnessed by the United States of America, the Russian Federation, Egypt, Jordan, Norway and the European Union (see annex).

I would be grateful if you would have the present letter and its attachment circulated as an official document of the General Assembly, under agenda item 10, and of the Security Council.

(Signed) Dr. Nasser AL-KIDWA
Permanent Observer of
Palestine to the United Nations



ANNEX

Israeli-Palestinian Interim Agreement on the West Bank
and the Gaza Strip*

Washington, D.C., 28 September 1995

* The original annexes to the Agreement, including the maps, have been placed in the Treaty Section of the Office of Legal Affairs, and are available for consultation by interested Member States.

/...

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The Government of the State of Israel and the Palestine Liberation Organization (hereinafter "the PLO"), the representative of the Palestinian people;

PREAMBLE

- WITHIN** the framework of the Middle East peace process initiated at Madrid in October 1991;
- REAFFIRMING** their determination to put an end to decades of confrontation and to live in peaceful coexistence, mutual dignity and security, while recognizing their mutual legitimate and political rights;
- REAFFIRMING** their desire to achieve a just, lasting and comprehensive peace settlement and historic reconciliation through the agreed political process;
- RECOGNIZING** that the peace process and the new era that it has created, as well as the new relationship established between the two Parties as described above, are irreversible, and the determination of the two Parties to maintain, sustain and continue the peace process;
- RECOGNIZING** that the aim of the Israeli-Palestinian negotiations within the current Middle East peace process is, among other things, to establish a Palestinian Interim Self-Government Authority, *i.e.* the elected Council (hereinafter "the Council" or "the Palestinian Council"), and the elected Ra'ees of the Executive Authority, for the Palestinian people in the West Bank and the Gaza Strip, for a transitional period not exceeding five years from the date of signing the Agreement on the Gaza Strip and the Jericho Area (hereinafter "the Gaza-Jericho Agreement") on May 4, 1994, leading to a permanent settlement based on Security Council Resolutions 242 and 338;
- REAFFIRMING** their understanding that the interim self-government arrangements contained in this Agreement are an integral part of the whole peace process, that the negotiations on the permanent status, that will start as soon as possible but not later than May 4, 1996, will lead to the implementation of Security Council Resolutions 242 and 338, and that the Interim Agreement shall settle all the issues of the interim period and that no such issues will be deferred to the agenda of the permanent status negotiations;
- REAFFIRMING** their adherence to the mutual recognition and commitments expressed in the letters dated September 9, 1993, signed by and

exchanged between the Prime Minister of Israel and the Chairman of the PLO;

DESIROUS

of putting into effect the Declaration of Principles on Interim Self-Government Arrangements signed at Washington, DC on September 13, 1993, and the Agreed Minutes thereto (hereinafter "the DOP") and in particular Article III and Annex I concerning the holding of direct, free and general political elections for the Council and the Ra'ees of the Executive Authority in order that the Palestinian people in the West Bank, Jerusalem and the Gaza Strip may democratically elect accountable representatives;

RECOGNIZING

that these elections will constitute a significant interim preparatory step toward the realization of the legitimate rights of the Palestinian people and their just requirements and will provide a democratic basis for the establishment of Palestinian institutions;

REAFFIRMING

their mutual commitment to act, in accordance with this Agreement, immediately, efficiently and effectively against acts or threats of terrorism, violence or incitement, whether committed by Palestinians or Israelis;

FOLLOWING

the Gaza-Jericho Agreement; the Agreement on Preparatory Transfer of Powers and Responsibilities signed at Erez on August 29, 1994 (hereinafter "the Preparatory Transfer Agreement"); and the Protocol on Further Transfer of Powers and Responsibilities signed at Cairo on August 27, 1995 (hereinafter "the Further Transfer Protocol"); which three agreements will be superseded by this Agreement;

HEREBY AGREE as follows:

CHAPTER 1 - THE COUNCIL

ARTICLE I

Transfer of Authority

1. Israel shall transfer powers and responsibilities as specified in this Agreement from the Israeli military government and its Civil Administration to the Council in accordance with this Agreement. Israel shall continue to exercise powers and responsibilities not so transferred.
2. Pending the inauguration of the Council, the powers and responsibilities transferred to the Council shall be exercised by the Palestinian Authority established in accordance with the Gaza-Jericho Agreement, which shall also have all the rights, liabilities and obligations to be assumed by the Council in this regard. Accordingly, the term "Council" throughout this Agreement shall, pending the inauguration of the Council, be construed as meaning the Palestinian Authority.
3. The transfer of powers and responsibilities to the police force established by the Palestinian Council in accordance with Article XIV below (hereinafter "the Palestinian Police") shall be accomplished in a phased manner, as detailed in this Agreement and in the Protocol concerning Redeployment and Security Arrangements attached as Annex I to this Agreement (hereinafter "Annex I").
4. As regards the transfer and assumption of authority in civil spheres, powers and responsibilities shall be transferred and assumed as set out in the Protocol Concerning Civil Affairs attached as Annex III to this Agreement (hereinafter "Annex III").
5. After the inauguration of the Council, the Civil Administration in the West Bank will be dissolved, and the Israeli military government shall be withdrawn. The withdrawal of the military government shall not prevent it from exercising the powers and responsibilities not transferred to the Council.
6. A Joint Civil Affairs Coordination and Cooperation Committee (hereinafter "the CAC"), Joint Regional Civil Affairs Subcommittees, one for the Gaza Strip and the other for the West Bank, and District Civil Liaison Offices in the West Bank shall be established in order to provide for coordination and cooperation in civil affairs between the Council and Israel, as detailed in Annex III.
7. The offices of the Council, and the offices of its Ra'ees and its Executive Authority and other committees, shall be located in areas under Palestinian territorial jurisdiction in the West Bank and the Gaza Strip.

ARTICLE II

Elections

1. In order that the Palestinian people of the West Bank and the Gaza Strip may govern themselves according to democratic principles, direct, free and general political elections will be held for the Council and the Ra'ees of the Executive Authority of the Council in accordance with the provisions set out in the Protocol concerning Elections attached as Annex II to this Agreement (hereinafter "Annex II").
2. These elections will constitute a significant interim preparatory step towards the realization of the legitimate rights of the Palestinian people and their just requirements and will provide a democratic basis for the establishment of Palestinian institutions.
3. Palestinians of Jerusalem who live there may participate in the election process in accordance with the provisions contained in this Article and in Article VI of Annex II (Election Arrangements concerning Jerusalem).
4. The elections shall be called by the Chairman of the Palestinian Authority immediately following the signing of this Agreement to take place at the earliest practicable date following the redeployment of Israeli forces in accordance with Annex I, and consistent with the requirements of the election timetable as provided in Annex II, the Election Law and the Election Regulations, as defined in Article I of Annex II.

ARTICLE III

Structure of the Palestinian Council

1. The Palestinian Council and the Ra'ees of the Executive Authority of the Council constitute the Palestinian Interim Self-Government Authority, which will be elected by the Palestinian people of the West Bank, Jerusalem and the Gaza Strip for the transitional period agreed in Article I of the DOP.
2. The Council shall possess both legislative power and executive power, in accordance with Articles VII and IX of the DOP. The Council shall carry out and be responsible for all the legislative and executive powers and responsibilities transferred to it under this Agreement. The exercise of legislative powers shall be in accordance with Article XVIII of this Agreement (Legislative Powers of the Council).
3. The Council and the Ra'ees of the Executive Authority of the Council shall be directly and simultaneously elected by the Palestinian people of the West Bank, Jerusalem and the Gaza Strip, in accordance with the provisions of this

Agreement and the Election Law and Regulations, which shall not be contrary to the provisions of this Agreement.

4. The Council and the Ra'ees of the Executive Authority of the Council shall be elected for a transitional period not exceeding five years from the signing of the Gaza-Jericho Agreement on May 4, 1994.
5. Immediately upon its inauguration, the Council will elect from among its members a Speaker. The Speaker will preside over the meetings of the Council, administer the Council and its committees, decide on the agenda of each meeting, and lay before the Council proposals for voting and declare their results.
6. The jurisdiction of the Council shall be as determined in Article XVII of this Agreement (Jurisdiction).
7. The organization, structure and functioning of the Council shall be in accordance with this Agreement and the Basic Law for the Palestinian Interim Self-Government Authority, which Law shall be adopted by the Council. The Basic Law and any regulations made under it shall not be contrary to the provisions of this Agreement.
8. The Council shall be responsible under its executive powers for the offices, services and departments transferred to it and may establish, within its jurisdiction, ministries and subordinate bodies, as necessary for the fulfillment of its responsibilities.
9. The Speaker will present for the Council's approval proposed internal procedures that will regulate, among other things, the decision-making processes of the Council.

ARTICLE IV

Size of the Council

The Palestinian Council shall be composed of 82 representatives and the Ra'ees of the Executive Authority, who will be directly and simultaneously elected by the Palestinian people of the West Bank, Jerusalem and the Gaza Strip.

ARTICLE V

The Executive Authority of the Council

1. The Council will have a committee that will exercise the executive authority of the Council, formed in accordance with paragraph 4 below (hereinafter "the Executive Authority").
2. The Executive Authority shall be bestowed with the executive authority of the Council and will exercise it on behalf of the Council. It shall determine its own internal procedures and decision making processes.
3. The Council will publish the names of the members of the Executive Authority immediately upon their initial appointment and subsequent to any changes.
4.
 - a. The Ra'ees of the Executive Authority shall be an *ex officio* member of the Executive Authority.
 - b. All of the other members of the Executive Authority, except as provided in subparagraph c. below, shall be members of the Council, chosen and proposed to the Council by the Ra'ees of the Executive Authority and approved by the Council.
 - c. The Ra'ees of the Executive Authority shall have the right to appoint some persons, in number not exceeding twenty percent of the total membership of the Executive Authority, who are not members of the Council, to exercise executive authority and participate in government tasks. Such appointed members may not vote in meetings of the Council.
 - d. Non-elected members of the Executive Authority must have a valid address in an area under the jurisdiction of the Council.

ARTICLE VI

Other Committees of the Council

1. The Council may form small committees to simplify the proceedings of the Council and to assist in controlling the activity of its Executive Authority.
2. Each committee shall establish its own decision-making processes within the general framework of the organization and structure of the Council.

ARTICLE VII

Open Government

1. All meetings of the Council and of its committees, other than the Executive Authority, shall be open to the public, except upon a resolution of the Council or the relevant committee on the grounds of security, or commercial or personal confidentiality.
2. Participation in the deliberations of the Council, its committees and the Executive Authority shall be limited to their respective members only. Experts may be invited to such meetings to address specific issues on an *ad hoc* basis.

ARTICLE VIII

Judicial Review

Any person or organization affected by any act or decision of the Ra'ees of the Executive Authority of the Council or of any member of the Executive Authority, who believes that such act or decision exceeds the authority of the Ra'ees or of such member, or is otherwise incorrect in law or procedure, may apply to the relevant Palestinian Court of Justice for a review of such activity or decision.

ARTICLE IX

Powers and Responsibilities of the Council

1. Subject to the provisions of this Agreement, the Council will, within its jurisdiction, have legislative powers as set out in Article XVIII of this Agreement, as well as executive powers.
2. The executive power of the Palestinian Council shall extend to all matters within its jurisdiction under this Agreement or any future agreement that may be reached between the two Parties during the interim period. It shall include the power to formulate and conduct Palestinian policies and to supervise their implementation, to issue any rule or regulation under powers given in approved legislation and administrative decisions necessary for the realization of Palestinian self-government, the power to employ staff, sue and be sued and conclude contracts, and the power to keep and administer registers and records of the population, and issue certificates, licenses and documents.
3. The Palestinian Council's executive decisions and acts shall be consistent with the provisions of this Agreement. /...

4. The Palestinian Council may adopt all necessary measures in order to enforce the law and any of its decisions, and bring proceedings before the Palestinian courts and tribunals.
5.
 - a. In accordance with the DOP, the Council will not have powers and responsibilities in the sphere of foreign relations, which sphere includes the establishment abroad of embassies, consulates or other types of foreign missions and posts or permitting their establishment in the West Bank or the Gaza Strip, the appointment of or admission of diplomatic and consular staff, and the exercise of diplomatic functions.
 - b. Notwithstanding the provisions of this paragraph, the PLO may conduct negotiations and sign agreements with states or international organizations for the benefit of the Council in the following cases only:
 - (1) economic agreements, as specifically provided in Annex V of this Agreement;
 - (2) agreements with donor countries for the purpose of implementing arrangements for the provision of assistance to the Council ;
 - (3) agreements for the purpose of implementing the regional development plans detailed in Annex IV of the DOP or in agreements entered into in the framework of the multilateral negotiations; and
 - (4) cultural, scientific and educational agreements.
 - c. Dealings between the Council and representatives of foreign states and international organizations, as well as the establishment in the West Bank and the Gaza Strip of representative offices other than those described in subparagraph 5.a above, for the purpose of implementing the agreements referred to in subparagraph 5.b above, shall not be considered foreign relations.
6. Subject to the provisions of this Agreement, the Council shall, within its jurisdiction, have an independent judicial system composed of independent Palestinian courts and tribunals.

CHAPTER 2 - REDEPLOYMENT AND SECURITY ARRANGEMENTS

ARTICLE X

Redeployment of Israeli Military Forces

1. The first phase of the Israeli military forces redeployment will cover populated areas in the West Bank - cities, towns, villages, refugee camps and hamlets - as set out in Annex I, and will be completed prior to the eve of the Palestinian elections, *i.e.*, 22 days before the day of the elections.
2. Further redeployments of Israeli military forces to specified military locations will commence after the inauguration of the Council and will be gradually implemented commensurate with the assumption of responsibility for public order and internal security by the Palestinian Police, to be completed within 18 months from the date of the inauguration of the Council as detailed in Articles XI (Land) and XIII (Security), below and in Annex I.
3. The Palestinian Police shall be deployed and shall assume responsibility for public order and internal security for Palestinians in a phased manner in accordance with Article XIII (Security) below and Annex I.
4. Israel shall continue to carry the responsibility for external security, as well as the responsibility for overall security of Israelis for the purpose of safeguarding their internal security and public order.
5. For the purpose of this Agreement, "Israeli military forces" includes Israel Police and other Israeli security forces.

ARTICLE XI

Land

1. The two sides view the West Bank and the Gaza Strip as a single territorial unit, the integrity and status of which will be preserved during the interim period.
2. The two sides agree that West Bank and Gaza Strip territory, except for issues that will be negotiated in the permanent status negotiations, will come under the jurisdiction of the Palestinian Council in a phased manner, to be completed within 18 months from the date of the inauguration of the Council, as specified below:
 - a. Land in populated areas (Areas A and B), including government and Al Waqf land, will come under the jurisdiction of the Council during the first phase of redeployment.

/...

- b. All civil powers and responsibilities, including planning and zoning, in Areas A and B, set out in Annex III, will be transferred to and assumed by the Council during the first phase of redeployment.
 - c. In Area C, during the first phase of redeployment Israel will transfer to the Council civil powers and responsibilities not relating to territory, as set out in Annex III.
 - d. The further redeployments of Israeli military forces to specified military locations will be gradually implemented in accordance with the DOP in three phases, each to take place after an interval of six months, after the inauguration of the Council, to be completed within 18 months from the date of the inauguration of the Council.
 - e. During the further redeployment phases to be completed within 18 months from the date of the inauguration of the Council, powers and responsibilities relating to territory will be transferred gradually to Palestinian jurisdiction that will cover West Bank and Gaza Strip territory, except for the issues that will be negotiated in the permanent status negotiations.
 - f. The specified military locations referred to in Article X, paragraph 2 above will be determined in the further redeployment phases, within the specified time-frame ending not later than 18 months from the date of the inauguration of the Council, and will be negotiated in the permanent status negotiations.
3. For the purpose of this Agreement and until the completion of the first phase of the further redeployments:
- a. "Area A" means the populated areas delineated by a red line and shaded in brown on attached map No. 1;
 - b. "Area B" means the populated areas delineated by a red line and shaded in yellow on attached map No. 1, and the built-up area of the hamlets listed in Appendix 6 to Annex I; and
 - c. "Area C" means areas of the West Bank outside Areas A and B, which, except for the issues that will be negotiated in the permanent status negotiations, will be gradually transferred to Palestinian jurisdiction in accordance with this Agreement.

ARTICLE XII

Arrangements for Security and Public Order

1. In order to guarantee public order and internal security for the Palestinians of the West Bank and the Gaza Strip, the Council shall establish a strong police force as set out in Article XIV below. Israel shall continue to carry the responsibility for defense against external threats, including the responsibility for protecting the Egyptian and Jordanian borders, and for defense against external threats from the sea and from the air, as well as the responsibility for overall security of Israelis and Settlements, for the purpose of safeguarding their internal security and public order, and will have all the powers to take the steps necessary to meet this responsibility.
2. Agreed security arrangements and coordination mechanisms are specified in Annex I.
3. A Joint Coordination and Cooperation Committee for Mutual Security Purposes (hereinafter "the JSC"), as well as Joint Regional Security Committees (hereinafter "RSCs") and Joint District Coordination Offices (hereinafter "DCOs"), are hereby established as provided for in Annex I.
4. The security arrangements provided for in this Agreement and in Annex I may be reviewed at the request of either Party and may be amended by mutual agreement of the Parties. Specific review arrangements are included in Annex I.
5. For the purpose of this Agreement, "the Settlements" means, in the West Bank - the settlements in Area C; and in the Gaza Strip - the Gush Katif and Erez settlement areas, as well as the other settlements in the Gaza Strip, as shown on attached map No. 2.

ARTICLE XIII

Security

1. The Council will, upon completion of the redeployment of Israeli military forces in each district, as set out in Appendix 1 to Annex I, assume the powers and responsibilities for internal security and public order in Area A in that district.
2. a. There will be a complete redeployment of Israeli military forces from Area B. Israel will transfer to the Council and the Council will assume responsibility for public order for Palestinians. Israel shall have the overriding responsibility for security for the purpose of protecting Israelis and confronting the threat of terrorism.

/...

- b. In Area B the Palestinian Police shall assume the responsibility for public order for Palestinians and shall be deployed in order to accommodate the Palestinian needs and requirements in the following manner:
- (1) The Palestinian Police shall establish 25 police stations and posts in towns, villages, and other places listed in Appendix 2 to Annex I and as delineated on map No. 3. The West Bank RSC may agree on the establishment of additional police stations and posts, if required.
 - (2) The Palestinian Police shall be responsible for handling public order incidents in which only Palestinians are involved.
 - (3) The Palestinian Police shall operate freely in populated places where police stations and posts are located, as set out in paragraph b(1) above.
 - (4) While the movement of uniformed Palestinian policemen in Area B outside places where there is a Palestinian police station or post will be carried out after coordination and confirmation through the relevant DCO, three months after the completion of redeployment from Area B, the DCOs may decide that movement of Palestinian policemen from the police stations in Area B to Palestinian towns and villages in Area B on roads that are used only by Palestinian traffic will take place after notifying the DCO.
 - (5) The coordination of such planned movement prior to confirmation through the relevant DCO shall include a scheduled plan, including the number of policemen, as well as the type and number of weapons and vehicles intended to take part. It shall also include details of arrangements for ensuring continued coordination through appropriate communication links, the exact schedule of movement to the area of the planned operation, including the destination and routes thereto, its proposed duration and the schedule for returning to the police station or post.

The Israeli side of the DCO will provide the Palestinian side with its response, following a request for movement of policemen in accordance with this paragraph, in normal or routine cases within one day and in emergency cases no later than 2 hours.
 - (6) The Palestinian Police and the Israeli military forces will conduct joint security activities on the main roads as set out in Annex 1.
 - (7) The Palestinian Police will notify the West Bank RSC of the names of the policemen, number plates of police vehicles and serial numbers of weapons, with respect to each police station and post in Area B.

- (8) Further redeployments from Area C and transfer of internal security responsibility to the Palestinian Police in Areas B and C will be carried out in three phases, each to take place after an interval of six months, to be completed 18 months after the inauguration of the Council, except for the issues of permanent status negotiations and of Israel's overall responsibility for Israelis and borders.
- (9) The procedures detailed in this paragraph will be reviewed within six months of the completion of the first phase of redeployment.

ARTICLE XIV

The Palestinian Police

1. The Council shall establish a strong police force. The duties, functions, structure, deployment and composition of the Palestinian Police, together with provisions regarding its equipment and operation, as well as rules of conduct, are set out in Annex I.
2. The Palestinian police force established under the Gaza-Jericho Agreement will be fully integrated into the Palestinian Police and will be subject to the provisions of this Agreement.
3. Except for the Palestinian Police and the Israeli military forces, no other armed forces shall be established or operate in the West Bank and the Gaza Strip.
4. Except for the arms, ammunition and equipment of the Palestinian Police described in Annex I, and those of the Israeli military forces, no organization, group or individual in the West Bank and the Gaza Strip shall manufacture, sell, acquire, possess, import or otherwise introduce into the West Bank or the Gaza Strip any firearms, ammunition, weapons, explosives, gunpowder or any related equipment, unless otherwise provided for in Annex I.

ARTICLE XV

Prevention of Hostile Acts

1. Both sides shall take all measures necessary in order to prevent acts of terrorism, crime and hostilities directed against each other, against individuals falling under the other's authority and against their property, and shall take legal measures against offenders.
2. Specific provisions for the implementation of this Article are set out in Annex I. /...

ARTICLE XVI

Confidence Building Measures

With a view to fostering a positive and supportive public atmosphere to accompany the implementation of this Agreement, to establish a solid basis of mutual trust and good faith, and in order to facilitate the anticipated cooperation and new relations between the two peoples, both Parties agree to carry out confidence building measures as detailed herewith:

1. Israel will release or turn over to the Palestinian side, Palestinian detainees and prisoners, residents of the West Bank and the Gaza Strip. The first stage of release of these prisoners and detainees will take place on the signing of this Agreement and the second stage will take place prior to the date of the elections. There will be a third stage of release of detainees and prisoners. Detainees and prisoners will be released from among categories detailed in Annex VII (Release of Palestinian Prisoners and Detainees). Those released will be free to return to their homes in the West Bank and the Gaza Strip.
2. Palestinians who have maintained contact with the Israeli authorities will not be subjected to acts of harassment, violence, retribution or prosecution. Appropriate ongoing measures will be taken, in coordination with Israel, in order to ensure their protection.
3. Palestinians from abroad whose entry into the West Bank and the Gaza Strip is approved pursuant to this Agreement, and to whom the provisions of this Article are applicable, will not be prosecuted for offenses committed prior to September 13, 1993.

CHAPTER 3 - LEGAL AFFAIRS

ARTICLE XVII

Jurisdiction

1. In accordance with the DOP, the jurisdiction of the Council will cover West Bank and Gaza Strip territory as a single territorial unit, except for:
 - a. issues that will be negotiated in the permanent status negotiations: Jerusalem, settlements, specified military locations, Palestinian refugees, borders, foreign relations and Israelis; and
 - b. powers and responsibilities not transferred to the Council.

/...

2. Accordingly, the authority of the Council encompasses all matters that fall within its territorial, functional and personal jurisdiction, as follows:
 - a. The territorial jurisdiction of the Council shall encompass Gaza Strip territory, except for the Settlements and the Military Installation Area shown on map No. 2, and West Bank territory, except for Area C which, except for the issues that will be negotiated in the permanent status negotiations, will be gradually transferred to Palestinian jurisdiction in three phases, each to take place after an interval of six months, to be completed 18 months after the inauguration of the Council. At this time, the jurisdiction of the Council will cover West Bank and Gaza Strip territory, except for the issues that will be negotiated in the permanent status negotiations.

Territorial jurisdiction includes land, subsoil and territorial waters, in accordance with the provisions of this Agreement.
 - b. The functional jurisdiction of the Council extends to all powers and responsibilities transferred to the Council, as specified in this Agreement or in any future agreements that may be reached between the Parties during the interim period.
 - c. The territorial and functional jurisdiction of the Council will apply to all persons, except for Israelis, unless otherwise provided in this Agreement.
 - d. Notwithstanding subparagraph a. above, the Council shall have functional jurisdiction in Area C, as detailed in Article IV of Annex III.
3. The Council has, within its authority, legislative, executive and judicial powers and responsibilities, as provided for in this Agreement.
4.
 - a. Israel, through its military government, has the authority over areas that are not under the territorial jurisdiction of the Council, powers and responsibilities not transferred to the Council and Israelis.
 - b. To this end, the Israeli military government shall retain the necessary legislative, judicial and executive powers and responsibilities, in accordance with international law. This provision shall not derogate from Israel's applicable legislation over Israelis *in personam*.
5. The exercise of authority with regard to the electromagnetic sphere and air space shall be in accordance with the provisions of this Agreement.
6. Without derogating from the provisions of this Article, legal arrangements detailed in the Protocol Concerning Legal Matters attached as Annex IV to this Agreement (hereinafter "Annex IV") shall be observed. Israel and the Council /...

7. Israel and the Council shall cooperate on matters of legal assistance in criminal and civil matters through a legal committee (hereinafter "the Legal Committee"), hereby established.
8. The Council's jurisdiction will extend gradually to cover West Bank and Gaza Strip territory, except for the issues to be negotiated in the permanent status negotiations, through a series of redeployments of the Israeli military forces. The first phase of the redeployment of Israeli military forces will cover populated areas in the West Bank - cities, towns, refugee camps and hamlets, as set out in Annex I - and will be completed prior to the eve of the Palestinian elections, *i.e.* 22 days before the day of the elections. Further redeployments of Israeli military forces to specified military locations will commence immediately upon the inauguration of the Council and will be effected in three phases, each to take place after an interval of six months, to be concluded no later than eighteen months from the date of the inauguration of the Council.

ARTICLE XVIII

Legislative Powers of the Council

1. For the purposes of this Article, legislation shall mean any primary and secondary legislation, including basic laws, laws, regulations and other legislative acts.
2. The Council has the power, within its jurisdiction as defined in Article XVII of this Agreement, to adopt legislation.
3. While the primary legislative power shall lie in the hands of the Council as a whole, the Ra'ees of the Executive Authority of the Council shall have the following legislative powers:
 - a. the power to initiate legislation or to present proposed legislation to the Council;
 - b. the power to promulgate legislation adopted by the Council; and
 - c. the power to issue secondary legislation, including regulations, relating to any matters specified and within the scope laid down in any primary legislation adopted by the Council.
4. a. Legislation, including legislation which amends or abrogates existing laws or military orders, which exceeds the jurisdiction of the Council or which is otherwise inconsistent with the provisions of the DOP, this Agreement, or of any other agreement that may be reached between the two sides during the interim period, shall have no effect and shall be void *ab initio*.

- b. The Ra'ees of the Executive Authority of the Council shall not promulgate legislation adopted by the Council if such legislation falls under the provisions of this paragraph.
5. All legislation shall be communicated to the Israeli side of the Legal Committee.
 6. Without derogating from the provisions of paragraph 4 above, the Israeli side of the Legal Committee may refer for the attention of the Committee any legislation regarding which Israel considers the provisions of paragraph 4 apply, in order to discuss issues arising from such legislation. The Legal Committee will consider the legislation referred to it at the earliest opportunity.

ARTICLE XIX

Human Rights and the Rule of Law

Israel and the Council shall exercise their powers and responsibilities pursuant to this Agreement with due regard to internationally-accepted norms and principles of human rights and the rule of law.

ARTICLE XX

Rights, Liabilities and Obligations

1. a. The transfer of powers and responsibilities from the Israeli military government and its civil administration to the Council, as detailed in Annex III, includes all related rights, liabilities and obligations arising with regard to acts or omissions which occurred prior to such transfer. Israel will cease to bear any financial responsibility regarding such acts or omissions and the Council will bear all financial responsibility for these and for its own functioning.
- b. Any financial claim made in this regard against Israel will be referred to the Council.
- c. Israel shall provide the Council with the information it has regarding pending and anticipated claims brought before any court or tribunal against Israel in this regard.
- d. Where legal proceedings are brought in respect of such a claim, Israel will notify the Council and enable it to participate in defending the claim and raise any arguments on its behalf.
- e. In the event that an award is made against Israel by any court or tribunal in respect of such a claim, the Council shall immediately reimburse Israel the full amount of the award.

- f. Without prejudice to the above, where a court or tribunal hearing such a claim finds that liability rests solely with an employee or agent who acted beyond the scope of the powers assigned to him or her, unlawfully or with willful malfeasance, the Council shall not bear financial responsibility.
2. a. Notwithstanding the provisions of paragraphs 1.d through 1.f above, each side may take the necessary measures, including promulgation of legislation, in order to ensure that such claims by Palestinians, including pending claims in which the hearing of evidence has not yet begun, are brought only before Palestinian courts or tribunals in the West Bank and the Gaza Strip, and are not brought before or heard by Israeli courts or tribunals.
 - b. Where a new claim has been brought before a Palestinian court or tribunal subsequent to the dismissal of the claim pursuant to subparagraph a. above, the Council shall defend it and, in accordance with subparagraph 1.a above, in the event that an award is made for the plaintiff, shall pay the amount of the award.
 - c. The Legal Committee shall agree on arrangements for the transfer of all materials and information needed to enable the Palestinian courts or tribunals to hear such claims as referred to in subparagraph b. above, and, when necessary, for the provision of legal assistance by Israel to the Council in defending such claims.
 3. The transfer of authority in itself shall not affect rights, liabilities and obligations of any person or legal entity, in existence at the date of signing of this Agreement.
 4. The Council, upon its inauguration, will assume all the rights, liabilities and obligations of the Palestinian Authority.
 5. For the purpose of this Agreement, "Israelis" also includes Israeli statutory agencies and corporations registered in Israel.

ARTICLE XXI

Settlement of Differences and Disputes

Any difference relating to the application of this Agreement shall be referred to the appropriate coordination and cooperation mechanism established under this Agreement. The provisions of Article XV of the DOP shall apply to any such difference which is not settled through the appropriate coordination and cooperation mechanism, namely:

/...

1. Disputes arising out of the application or interpretation of this Agreement or any related agreements pertaining to the interim period shall be settled through the Liaison Committee.
2. Disputes which cannot be settled by negotiations may be settled by a mechanism of conciliation to be agreed between the Parties.
3. The Parties may agree to submit to arbitration disputes relating to the interim period, which cannot be settled through conciliation. To this end, upon the agreement of both Parties, the Parties will establish an Arbitration Committee.

CHAPTER 4 - COOPERATION

ARTICLE XXII

Relations between Israel and the Council

1. Israel and the Council shall seek to foster mutual understanding and tolerance and shall accordingly abstain from incitement, including hostile propaganda, against each other and, without derogating from the principle of freedom of expression, shall take legal measures to prevent such incitement by any organizations, groups or individuals within their jurisdiction.
2. Israel and the Council will ensure that their respective educational systems contribute to the peace between the Israeli and Palestinian peoples and to peace in the entire region, and will refrain from the introduction of any motifs that could adversely affect the process of reconciliation.
3. Without derogating from the other provisions of this Agreement, Israel and the Council shall cooperate in combating criminal activity which may affect both sides, including offenses related to trafficking in illegal drugs and psychotropic substances, smuggling, and offenses against property, including offenses related to vehicles.

ARTICLE XXIII

Cooperation with Regard to Transfer of Powers and Responsibilities

In order to ensure a smooth, peaceful and orderly transfer of powers and responsibilities, the two sides will cooperate with regard to the transfer of security powers and responsibilities in accordance with the provisions of Annex I, and the transfer of civil powers and responsibilities in accordance with the provisions of Annex III.

ARTICLE XXIV

Economic Relations

The economic relations between the two sides are set out in the Protocol on Economic Relations, signed in Paris on April 29, 1994, and the Appendices thereto, and the Supplement to the Protocol on Economic Relations, all attached as Annex V, and will be governed by the relevant provisions of this Agreement and its Annexes.

ARTICLE XXV

Cooperation Programs

1. The Parties agree to establish a mechanism to develop programs of cooperation between them. Details of such cooperation are set out in Annex VI.
2. A Standing Cooperation Committee to deal with issues arising in the context of this cooperation is hereby established as provided for in Annex VI.

ARTICLE XXVI

The Joint Israeli-Palestinian Liaison Committee

1. The Liaison Committee established pursuant to Article X of the DOP shall ensure the smooth implementation of this Agreement. It shall deal with issues requiring coordination, other issues of common interest and disputes.
2. The Liaison Committee shall be composed of an equal number of members from each Party. It may add other technicians and experts as necessary.
3. The Liaison Committee shall adopt its rules of procedures, including the frequency and place or places of its meetings.
4. The Liaison Committee shall reach its decisions by agreement.
5. The Liaison Committee shall establish a subcommittee that will monitor and steer the implementation of this Agreement (hereinafter "the Monitoring and Steering Committee"). It will function as follows:
 - a. The Monitoring and Steering Committee will, on an ongoing basis, monitor the implementation of this Agreement, with a view to enhancing the cooperation and fostering the peaceful relations between the two sides.
 - b. The Monitoring and Steering Committee will steer the activities of the various joint committees established in this Agreement (the JSC, the CAC, the Legal Committee, the Joint Economic Committee and the Standing /...

Cooperation Committee) concerning the ongoing implementation of the Agreement, and will report to the Liaison Committee.

- c. The Monitoring and Steering Committee will be composed of the heads of the various committees mentioned above.
- d. The two heads of the Monitoring and Steering Committee will establish its rules of procedures, including the frequency and places of its meetings.

ARTICLE XXVII

Liaison and Cooperation with Jordan and Egypt

1. Pursuant to Article XII of the DOP, the two Parties have invited the Governments of Jordan and Egypt to participate in establishing further liaison and cooperation arrangements between the Government of Israel and the Palestinian representatives on the one hand, and the Governments of Jordan and Egypt on the other hand, to promote cooperation between them. As part of these arrangements a Continuing Committee has been constituted and has commenced its deliberations.
2. The Continuing Committee shall decide by agreement on the modalities of admission of persons displaced from the West Bank and the Gaza Strip in 1967, together with necessary measures to prevent disruption and disorder.
3. The Continuing Committee shall also deal with other matters of common concern.

ARTICLE XXVIII

Missing Persons

1. Israel and the Council shall cooperate by providing each other with all necessary assistance in the conduct of searches for missing persons and bodies of persons which have not been recovered, as well as by providing information about missing persons.
2. The PLO undertakes to cooperate with Israel and to assist it in its efforts to locate and to return to Israel Israeli soldiers who are missing in action and the bodies of soldiers which have not been recovered.

CHAPTER 5 - MISCELLANEOUS PROVISIONS

ARTICLE XXIX

Safe Passage between the West Bank and the Gaza Strip

Arrangements for safe passage of persons and transportation between the West Bank and the Gaza Strip are set out in Annex I.

ARTICLE XXX

Passages

Arrangements for coordination between Israel and the Council regarding passage to and from Egypt and Jordan, as well as any other agreed international crossings, are set out in Annex I.

ARTICLE XXXI

Final Clauses

1. This Agreement shall enter into force on the date of its signing.
2. The Gaza-Jericho Agreement, except for Article XX (Confidence-Building Measures), the Preparatory Transfer Agreement and the Further Transfer Protocol will be superseded by this Agreement.
3. The Council, upon its inauguration, shall replace the Palestinian Authority and shall assume all the undertakings and obligations of the Palestinian Authority under the Gaza-Jericho Agreement, the Preparatory Transfer Agreement, and the Further Transfer Protocol.
4. The two sides shall pass all necessary legislation to implement this Agreement.
5. Permanent status negotiations will commence as soon as possible, but not later than May 4, 1996, between the Parties. It is understood that these negotiations shall cover remaining issues, including: Jerusalem, refugees, settlements, security arrangements, borders, relations and cooperation with other neighbors, and other issues of common interest.
6. Nothing in this Agreement shall prejudice or preempt the outcome of the negotiations on the permanent status to be conducted pursuant to the DOP. Neither Party shall be deemed, by virtue of having entered into this Agreement, to have renounced or waived any of its existing rights, claims or positions.

/...

7. Neither side shall initiate or take any step that will change the status of the West Bank and the Gaza Strip pending the outcome of the permanent status negotiations.
8. The two Parties view the West Bank and the Gaza Strip as a single territorial unit, the integrity and status of which will be preserved during the interim period.
9. The PLO undertakes that, within two months of the date of the inauguration of the Council, the Palestinian National Council will convene and formally approve the necessary changes in regard to the Palestinian Covenant, as undertaken in the letters signed by the Chairman of the PLO and addressed to the Prime Minister of Israel, dated September 9, 1993 and May 4, 1994.
10. Pursuant to Annex I, Article IX of this Agreement, Israel confirms that the permanent checkpoints on the roads leading to and from the Jericho Area (except those related to the access road leading from Mousa Alami to the Allenby Bridge) will be removed upon the completion of the first phase of redeployment.
11. Prisoners who, pursuant to the Gaza-Jericho Agreement, were turned over to the Palestinian Authority on the condition that they remain in the Jericho Area for the remainder of their sentence, will be free to return to their homes in the West Bank and the Gaza Strip upon the completion of the first phase of redeployment.
12. As regards relations between Israel and the PLO, and without derogating from the commitments contained in the letters signed by and exchanged between the Prime Minister of Israel and the Chairman of the PLO, dated September 9, 1993 and May 4, 1994, the two sides will apply between them the provisions contained in Article XXII, paragraph 1, with the necessary changes.
13.
 - a. The Preamble to this Agreement, and all Annexes, Appendices and maps attached hereto, shall constitute an integral part hereof.
 - b. The Parties agree that the maps attached to the Gaza-Jericho Agreement as:
 - a. map No. 1 (The Gaza Strip), an exact copy of which is attached to this Agreement as map No. 2 (in this Agreement "map No. 2");
 - b. map No. 4 (Deployment of Palestinian Police in the Gaza Strip), an exact copy of which is attached to this Agreement as map No. 5 (in this Agreement "map No. 5"); and
 - c. map No. 6 (Maritime Activity Zones), an exact copy of which is attached to this Agreement as map No. 8 (in this Agreement "map No. 8");

are an integral part hereof and will remain in effect for the duration of this Agreement.

14. While the Jeftlik area will come under the functional and personal jurisdiction of the Council in the first phase of redeployment, the area's transfer to the territorial jurisdiction of the Council will be considered by the Israeli side in the first phase of the further redeployment phases.

Done at Washington DC, this 28th day of September, 1995.

(Signed) Yitzhak RABIN

(Signed) Shimon PERES
For the Government of the
State of Israel

(Signed) Yasser ARAFAT
For the PLO

Witnessed by:

(Signed) William J. CLINTON

(Signed) Warren CHRISTOPHER
The United States of America

(Signed) Amre MOUSSA
The Arab Republic of Egypt

(Signed) Bjørn Tore GODAL
The Kingdom of Norway

(Signed) Andrei V. KOZYREV
The Russian Federation

(Signed) Hussein IBN TALAL
The Hashemite Kingdom of Jordan

(Signed) Felipe GONZALEZ
The European Union



Security Council

Distr.
GENERAL

S/PRST/1996/3
22 January 1996

ORIGINAL: ENGLISH

STATEMENT BY THE PRESIDENT OF THE SECURITY COUNCIL

After consultations of the Security Council held on 22 January 1996, the President of the Council made the following statement to the media on behalf of the members of the Council:

"The members of the Security Council warmly welcome the successful holding of the Palestinian elections on 20 January 1996, which constitutes a major step forward in the Middle East Peace Process. The members of the Council congratulate the Palestinian Authority and the Palestinian people on this achievement, which reflects credit on all concerned. The members of the Council note with satisfaction the conclusion of the international observers that the elections were an accurate reflection of the wishes of the Palestinian electorate.

"The members of the Security Council consider that the holding of the elections marks a significant step towards the fulfilment of the Declaration of Principles, signed by Israel and the Palestine Liberation Organization in Washington on 13 September 1993. The members of the Council reiterate their full support for the Middle East Peace Process."



Security Council

Distr.
GENERAL

S/PRST/1996/10
4 March 1996

ORIGINAL: ENGLISH

STATEMENT BY THE PRESIDENT OF THE SECURITY COUNCIL

After consultations of the Security Council held on 4 March 1996, the President of the Security Council issued the following statement to the media on behalf of the Council:

"The members of the Security Council condemn the terrorist attacks in Jerusalem on 3 March and in Tel Aviv on 4 March. They extend their sympathy and deepest condolences to the Government and people of Israel and to the families of the victims. They wish a speedy recovery of the wounded.

"These vile acts had the clear purpose of trying to undermine Middle East peace efforts through such terror. The members of the Security Council reiterate their support for the peace process and call on the parties to consolidate it and to increase their cooperation in curbing violence and combating such terrorism."



Security Council

Distr.
GENERAL

S/RES/1073 (1996)
28 September 1996

RESOLUTION 1073 (1996)

Adopted by the Security Council at its 3698th meeting,
on 28 September 1996

The Security Council,

Having considered the letter dated 26 September 1996 from the representative of Saudi Arabia on behalf of the States Members of the League of Arab States, contained in document S/1996/790, that referred to the action by the Government of Israel to open an entrance to a tunnel in the vicinity of Al Aqsa Mosque and its consequent results,

Expressing its deep concern about the tragic events in Jerusalem and the areas of Nablus, Ramallah, Bethlehem and the Gaza Strip, which resulted in a high number of deaths and injuries among the Palestinian civilians, and concerned also about the clashes between the Israeli army and the Palestinian police and the casualties on both sides,

Recalling its resolutions on Jerusalem and other relevant Security Council resolutions,

Having discussed the situation at its formal meeting on 27 September 1996, with the participation of Ministers of Foreign Affairs of a number of countries,

Concerned about the difficulties facing the Middle East peace process and the deterioration of the situation, including inter alia its impact on the living conditions of the Palestinian people, and urging the parties to fulfil their obligations, including the agreements already reached,

Concerned about developments at the Holy Places of Jerusalem,

1. Calls for the immediate cessation and reversal of all acts which have resulted in the aggravation of the situation, and which have negative implications for the Middle East peace process;

2. Calls for the safety and protection of Palestinian civilians to be ensured;

3. Calls for the immediate resumption of negotiations within the Middle East peace process on its agreed basis and the timely implementation of the agreements reached;

4. Decides to follow closely the situation and to remain seized of the matter.



Security Council

Distr.
GENERAL

S/PRST/1998/21
13 July 1998

ORIGINAL: ENGLISH

STATEMENT BY THE PRESIDENT OF THE SECURITY COUNCIL

At the 3904th meeting of the Security Council, held on 13 July 1998, in connection with the Council's consideration of the item entitled "The situation in the occupied Arab territories", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council has considered the letters dated 18 and 22 June 1998 (S/1998/535 and S/1998/557), as well as the letters dated 8, 9 and 15 June 1998 (S/1998/481, S/1998/487 and S/1998/511), from the Permanent Observer of Palestine to the United Nations, and the letter dated 23 June 1998 (S/1998/558) from the Permanent Representative of the Sudan to the United Nations on behalf of the States members of the League of Arab States relating to the issue of Jerusalem.

"The Security Council recognizes the importance and sensitivity of the issue of Jerusalem to all parties and expresses its support for the decision of the Palestine Liberation Organization and the Government of Israel, in accordance with the Declaration of Principles of 13 September 1993, that the permanent status negotiations shall cover the issue of Jerusalem. The Council therefore calls upon the parties to avoid actions which might prejudice the outcome of these negotiations.

"In the context of its previous relevant resolutions, the Security Council considers the decision by the Government of Israel on 21 June 1998 to take steps to broaden the jurisdiction and planning boundaries of Jerusalem a serious and damaging development. The Council therefore calls upon the Government of Israel not to proceed with that decision and also not to take any other steps which would prejudice the outcome of the permanent status negotiations. Further, the Council also calls upon Israel to abide scrupulously by its legal obligations and responsibilities under the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949.

"The Security Council supports the efforts of the United States aimed at breaking the stalemate in the peace process, calls upon the parties to respond positively to these efforts, notes that the Palestinian side has

already given agreement in principle to the United States proposals, and expresses the hope that the permanent status negotiations can resume and progress can be made towards the achievement of a just, lasting and comprehensive peace based on Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973.

"The Security Council will keep Israeli actions under review."



Security Council

Distr.
GENERAL

S/1999/1226
8 December 1999

ORIGINAL: ENGLISH

LETTER DATED 9 NOVEMBER 1999 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to my letter to the President of the Security Council dated 10 September 1999 (S/1999/983), as well as to the letters from the President of the Council dated 16 September (S/1999/984) and 6 October 1999 addressed to me.

In my letter of 10 September, I informed the Security Council of my intention to appoint Mr. Terje Roed-Larsen to the newly established position of United Nations Special Coordinator for the Middle East Peace Process and my Personal Representative to the Palestine Liberation Organization and the Palestinian Authority.

On 16 September, I received a letter from the President of the Security Council noting my intention to appoint a new United Nations Special Coordinator, following which Mr. Larsen took up his functions on 1 October.

On 6 October, I received another letter from the President of the Council, welcoming the signing of the Sharm El-Sheikh Memorandum, and expressing the members belief that the new agreement opened the way for a just, lasting and comprehensive peace within a reasonable time-frame in the entire region based on all relevant Security Council resolutions, in particular 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1993. Members of the Council also expressed their determination to keep developments under review and to provide the necessary backing, giving full support to the agreements reached, as well as to the timely and speedy implementation of those agreements.

As members of the Council are aware, the Prime Minister of Israel and the Chairman of the Palestine Liberation Organization met in Oslo on 1 and 2 November 1999, in a very positive spirit. It was agreed that Israeli and Palestinian negotiating teams would start "final status" talks in Ramallah today, and that a deadline for a framework agreement would be set for 15 February 2000, prior to a final agreement to be reached by September 2000. The United Nations was represented at those meetings by the Special Coordinator for the Middle East Peace Process.

With the various tracks of the Middle East peace process entering a new phase, the United Nations must ensure that it is in a position to respond

quickly and effectively to any requests from the parties as they make progress in their bilateral and multilateral negotiations. Based on the many discussions I have had with the parties and others concerned, it is my understanding that the existing areas of United Nations activity in the Middle East, from assistance to refugees and regional development activities to peacekeeping missions, as well as some additional areas of activity, are likely to be raised by the parties themselves in the forthcoming rounds of negotiations.

It was for this reason that I decided that the United Nations should establish a unified structure in the region, with a clearly recognized focal point for the Organization's contributions to the implementation of the peace agreements and with overall responsibility for making appropriate preparations, in consultation with the parties to the Madrid process and the wider international community, for enhancing United Nations assistance.

In establishing such a focal point on the ground, the United Nations will be in a better position to respond to requests for assistance, drawing on the substantive and operational expertise and advice of the United Nations system. This will enable the Organization to improve the effectiveness of its traditional activities in support of the Middle East peace process while preparing it to respond to requests for additional assistance, should this be agreed by all parties.

In this connection, and to enable the United Nations to respond to the peace-building challenges that lie ahead, I have asked the Special Coordinator to reconfigure the existing office based in Gaza, bearing in mind that he is likely to require additional resources.

I should be grateful if you could forward the present letter to the members of the Security Council.

(Signed) Kofi A. ANNAN

**Security Council**Distr.: General
7 October 2000

Resolution 1322 (2000)**Adopted by the Security Council at its 4205th meeting on
7 October 2000**

The Security Council,

Recalling its resolutions 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980, 672 (1990) of 12 October 1990, and 1073 (1996) of 28 September 1996, and all its other relevant resolutions,

Deeply concerned by the tragic events that have taken place since 28 September 2000, that have led to numerous deaths and injuries, mostly among Palestinians,

Reaffirming that a just and lasting solution to the Arab and Israeli conflict must be based on its resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, through an active negotiating process,

Expressing its support for the Middle East peace process and the efforts to reach a final settlement between the Israeli and Palestinian sides and *urging* the two sides to cooperate in these efforts,

Reaffirming the need for full respect by all of the Holy Places of the City of Jerusalem, and *condemning* any behaviour to the contrary,

1. *Deplores* the provocation carried out at Al-Haram Al-Sharif in Jerusalem on 28 September 2000, and the subsequent violence there and at other Holy Places, as well as in other areas throughout the territories occupied by Israel since 1967, resulting in over 80 Palestinian deaths and many other casualties;

2. *Condemns* acts of violence, especially the excessive use of force against Palestinians, resulting in injury and loss of human life;

3. *Calls upon* Israel, the occupying Power, to abide scrupulously by its legal obligations and its responsibilities under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949;

4. *Calls for* the immediate cessation of violence, and for all necessary steps to be taken to ensure that violence ceases, that new provocative actions are avoided, and that the situation returns to normality in a way which promotes the prospects for the Middle East peace process;

5. *Stresses* the importance of establishing a mechanism for a speedy and objective inquiry into the tragic events of the last few days with the aim of preventing their repetition, and *welcomes* any efforts in this regard;

6. *Calls for* the immediate resumption of negotiations within the Middle East peace process on its agreed basis with the aim of achieving an early final settlement between the Israeli and Palestinian sides;

7. *Invites* the Secretary-General to continue to follow the situation and to keep the Council informed;

8. *Decides* to follow closely the situation and to remain seized of the matter.



United Nations

PRESS RELEASE

SC/7188
25 OCTOBER 2001

PRESS STATEMENT BY SECURITY COUNCIL PRESIDENT ON
MIDDLE EAST

25/10/2001

Press Release

SC/7188

PRESS STATEMENT BY SECURITY COUNCIL PRESIDENT ON MIDDLE EAST

Following is the text of a statement this evening by the President of the Security Council, Richard Ryan (Ireland), on the situation in the Middle East:

Members of the Security Council met today to discuss the situation in the Middle East. Members were deeply concerned by the escalation in violence and deplored the loss of life on both sides.

Members supported statements in capitals calling for immediate withdrawal of all Israeli forces from Area A.

Members fully supported the important diplomatic initiatives to de-escalate the situation on the ground.

Members strongly supported all the elements contained in the statement issued this evening by representatives in the region of the European Union, the United States, the Russian Federation, and the Special Coordinator of the United Nations Secretary-General.

Members welcomed the resumption tomorrow of tripartite security meetings.

Members agreed that the Security Council should speak with one voice on this matter. It was agreed to keep the situation under close review in light of further developments, and to revert to it once again in the coming days.

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! For information media. Not an official record.



United Nations

PRESS RELEASE

SC/7287

30 JANUARY 2002

PRESS STATEMENT ON MIDDLE EAST SITUATION BY SECURITY COUNCIL PRESIDENT

30/01/2002

Press Release

SC/7287

PRESS STATEMENT ON MIDDLE EAST SITUATION BY SECURITY COUNCIL PRESIDENT

Following is the text of this evening's press statement on the situation in the Middle East, including the Palestine question, by Security Council President Jagdish Koonjul (Mauritius):

Earlier this month, members of the Council had decided on the need for regular briefings on the developments regarding the situation in the Middle East. This afternoon, members of the Council heard the first such briefing from the Secretary-General's Personal Representative and Special Coordinator for the Middle East Peace Process, Terje Roed-Larsen.

Members of the Security Council were increasingly concerned at the unprecedented levels of violence and the steadily worsening situation in the Middle East. They deplored the loss of life and suffering of the civilian populations on all sides.

Members of the Council stressed that the destructive and dangerous cycle of violence should be immediately stopped.

Members of the Council also stressed that there could be no military solution and that violence would only create more violence. The only way forward was in the return to dialogue and negotiation. Members of the Council called on both parties to resume negotiations and to work for a just, lasting and comprehensive settlement in the Middle East, based on resolutions 242 and 338 and the Madrid Principles.

In endorsing their earlier statements on the Middle East, members of the Council recalled that Israel and the Palestinian Authority have accepted the Tenet Security Plan and the Mitchell Committee Report.

Members of the Council strongly supported the efforts of the Secretary-General and those of his Personal Representative and Special Coordinator for the Middle East Peace Process, Terje Roed-Larsen, to help the parties move forward. They also welcomed and encouraged sustained engagement by the United Nations, the European Union, the United States, the Russian Federation, Norway, China and other countries involved in the peace process.

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! For information media. Not an official record.



United Nations

PRESS RELEASE

PAL/1904-SC/7302
14 FEBRUARY 2002

**PRESS STATEMENT ON MIDDLE EAST SITUATION BY SECURITY
COUNCIL PRESIDENT**

**PRESS STATEMENT ON MIDDLE EAST
SITUATION BY SECURITY COUNCIL PRESIDENT**

Following is the text of this morning's press statement on the situation in the Middle East, including the Palestine question, by Security Council President Adolfo Aguilar Zinser (Mexico):

As a follow-up of the briefing held on 30 January, members of the Security Council heard a briefing on the developments regarding the situation in the Middle East from the Under-Secretary-General for Political Affairs, Kieran Prendergast. Members of the Council expressed concern at the continuing violence in the region, and they shared the expressed dismay of the Secretary General for the attack on the Palestinian Authority in Gaza on 10 February causing the injury of two United Nations employees and heavy damage to United Nations offices. Members of the Council will continue to hold regular briefings on the situation in the Middle East.

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PALESTINIAN ISSUES

! For information media. Not an official record.

**Security Council**Distr.: General
12 March 2002

Resolution 1397 (2002)**Adopted by the Security Council at its 4489th meeting, on
12 March 2002***The Security Council,**Recalling* all its previous relevant resolutions, in particular resolutions 242 (1967) and 338 (1973),*Affirming* a vision of a region where two States, Israel and Palestine, live side by side within secure and recognized borders,*Expressing* its grave concern at the continuation of the tragic and violent events that have taken place since September 2000, especially the recent attacks and the increased number of casualties,*Stressing* the need for all concerned to ensure the safety of civilians,*Stressing also* the need to respect the universally accepted norms of international humanitarian law,*Welcoming and encouraging* the diplomatic efforts of special envoys from the United States of America, the Russian Federation, the European Union and the United Nations Special Coordinator and others, to bring about a comprehensive, just and lasting peace in the Middle East,*Welcoming* the contribution of Saudi Crown Prince Abdullah,

1. *Demands* immediate cessation of all acts of violence, including all acts of terror, provocation, incitement and destruction;
2. *Calls upon* the Israeli and Palestinian sides and their leaders to cooperate in the implementation of the Tenet work plan and Mitchell Report recommendations with the aim of resuming negotiations on a political settlement;
3. *Expresses* support for the efforts of the Secretary-General and others to assist the parties to halt the violence and to resume the peace process;
4. *Decides* to remain seized of the matter.

**Security Council**Distr.: General
30 March 2002

Resolution 1402 (2002)**Adopted by the Security Council at its 4503rd meeting,
on 30 March 2002**

The Security Council,

Reaffirming its resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002, and the Madrid principles,

Expressing its grave concern at the further deterioration of the situation, including the recent suicide bombings in Israel and the military attack against the headquarters of the President of the Palestinian Authority,

1. *Calls upon* both parties to move immediately to a meaningful ceasefire; calls for the withdrawal of Israeli troops from Palestinian cities, including Ramallah; and calls upon the parties to cooperate fully with Special Envoy Zinni, and others, to implement the Tenet security work plan as a first step towards implementation of the Mitchell Committee recommendations, with the aim of resuming negotiations on a political settlement;

2. *Reiterates* its demand in resolution 1397 (2002) of 12 March 2002 for an immediate cessation of all acts of violence, including all acts of terror, provocation, incitement and destruction;

3. *Expresses* support for the efforts of the Secretary-General and the special envoys to the Middle East to assist the parties to halt the violence and to resume the peace process;

4. *Decides* to remain seized of the matter.





United Nations

PRESS RELEASE

SC/7351
1 APRIL 2002

**PRESS STATEMENT ON MIDDLE EAST BY PRESIDENT OF
SECURITY COUNCIL**

01/04/2002

Press Release

SC/7351

**PRESS STATEMENT ON MIDDLE EAST
BY PRESIDENT OF SECURITY COUNCIL**

Following is the text of today's press statement on the Middle East by the President of the Security Council, delivered by Gennady Gatilov (Russian Federation):

The members of the Council heard the briefing by the Secretary-General on the latest developments in the Middle East, including in the occupied territories. They took note of the report by the Secretary-General on the situation in the region that he intends to make public.

The members of the Council urge both parties involved to cease fire immediately. They strongly demand that the parties adhere strictly to Security Council resolutions 1397 and 1402.

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! For information media. Not an official record.

**Security Council**

Distr.: General

4 April 2002

Resolution 1403 (2002)**Adopted by the Security Council at its 4506th meeting, on
4 April 2002***The Security Council,**Reaffirming* its resolutions 1397 (2002) of 12 March 2002 and 1402 (2002) of 30 March 2002,*Gravely concerned* at the further deterioration of the situation on the ground and noting that resolution 1402 (2002) has not yet been implemented,

1. *Demands* the implementation of its resolution 1402 (2002) without delay;
 2. *Welcomes* the mission of the U.S. Secretary of State to the region, as well as efforts by others, in particular the special envoys from the United States, the Russian Federation and the European Union, and the United Nations Special Coordinator, to bring about a comprehensive, just and lasting peace to the Middle East;
 3. *Requests* the Secretary-General to follow the situation and keep the Council informed;
 4. *Decides* to remain seized of the matter.
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United Nations

PRESS RELEASE

SC/7357
8 APRIL 2002

**PRESS STATEMENT ON MIDDLE EAST BY PRESIDENT OF
SECURITY COUNCIL**

08/04/2002

Press Release

SC/7357

PRESS STATEMENT ON MIDDLE EAST BY PRESIDENT OF SECURITY COUNCIL

Following is the text of yesterday's press statement on the Middle East by the President of the Security Council, Sergey Lavrov (Russian Federation):

The consultations of the Security Council were convened at the request of the Arab Group.

The members of the Security Council have met in their determination to ensure the implementation of resolutions 1397, 1402 and 1403.

The members of the Security Council are seriously concerned at the further deterioration of the situation and violation of international humanitarian law in the Palestinian territories, including many victims among the civilian population and a threat of destruction of the Palestinian Authority. They are deeply disturbed by the failure to implement resolutions 1397, 1402 and 1403. The continuation of violence by the power in control of events on the ground is unacceptable.

The members of the Security Council insist on full implementation by the parties of Security Council resolutions, especially on immediate implementation of resolutions 1402 and 1403. In particular, there must be a ceasefire and Israel must withdraw its forces from Palestinian cities without delay.

The members of the Security Council call on the parties to cooperate fully and in good faith with Ministers and Special Envoys of the Quartet and with the Secretary-General, especially in the context of the forthcoming visit of the United States Secretary of State to the region.

The members of the Security Council invite the Secretary-General to keep the Security Council informed on the ongoing efforts to ensure the implementation of its resolutions. They will closely follow the developments as they consider further steps to contribute to the efforts to bring peace to the Middle East.

The Security Council members also expressed concern at the violation of the Blue Line and reiterated their call on the parties to implement resolutions 425 and 426.

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! For information media. Not an official record.



Security Council

Distr.: General
10 April 2002

Original: English

Letter dated 10 April 2002 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit to you, enclosed herewith, the Joint Statement by the Russian Federation, the United States, the European Union and the United Nations on the escalating confrontation in the Middle East (see annex).

I should be grateful if you would bring this statement to the attention of the members of the Security Council.

(Signed) Kofi A. **Annan**

Annex

Joint Statement

The Secretary-General of the United Nations Kofi Annan, Minister of Foreign Affairs of the Russian Federation Igor Ivanov, Secretary of State of the United States Colin Powell, Minister for Foreign Affairs of Spain Josep Pique and High Representative for European Union Common Foreign and Security Policy Javier Solana met in Madrid today. We reviewed the escalating confrontation in the Middle East and agreed to coordinate our actions to resolve the current crisis.

We express our grave concern about the present situation, including the mounting humanitarian crisis and the growing risk to regional security. We reiterate our shared condemnation of violence and terrorism, express our deep distress at the loss of innocent Palestinian and Israeli life, and extend our deepest sympathy to the families of those killed and wounded. Believing that there has been too much suffering and too much bloodshed, we call on the leaders of Israel and the Palestinian Authority to act in the interests of their own people, the region, and the international community and to immediately halt this senseless confrontation.

In this regard, we express our grave concern about the most recent attacks from Lebanon across the UN-determined Blue Line. The Quartet calls on all parties to respect the Blue Line, halt all attacks, and show the utmost restraint. The conflict should not be allowed to spread and threaten regional security and stability.

The UN, EU and Russia express their strong support for Secretary of State Powell's mission, and urge Israel and the Palestinian Authority to cooperate fully with his mission and with their continuing efforts to restore calm and resume a political process.

We reiterate that there is no military solution to the conflict and call on the parties to move towards a political resolution of their disputes based on UNSCR 242 and 338, and the principle of land for peace — which formed the basis for the Madrid Conference of 1991. We reaffirm our support for the objective expressed by President Bush and spelled out in UNSCR 1397, of two States, Israel and Palestine, living side-by-side within secure and recognized borders. We warmly welcome Saudi Crown Prince Abdullah's peace initiative, as endorsed in Beirut by the Arab League, as a significant contribution towards a comprehensive peace, including Syria and Lebanon.

To enable progress towards our shared goals, we reaffirm that UNSCR 1402 must be fully implemented immediately, as called for in UNSCR 1403. We call on Israel to halt immediately its military operations. We call for an immediate, meaningful ceasefire and an immediate Israeli withdrawal from Palestinian cities, including Ramallah, specifically including Chairman Arafat's headquarters. We call on Israel to fully comply with international humanitarian principles and to allow full and unimpeded access to humanitarian organizations and services. We call on Israel to refrain from the excessive use of force and undertake all possible efforts to ensure the protection of civilians.

We call on Chairman Arafat, as the recognized, elected leader of the Palestinian people, to undertake immediately the maximum possible effort to stop terror attacks against innocent Israelis. We call on the Palestinian Authority to act

decisively and take all possible steps within its capacity to dismantle terrorist infrastructure, including terrorist financing, and to stop incitement to violence. We call on Chairman Arafat to use the full weight of his political authority to persuade the Palestinian people that any and all terrorist attacks against Israelis should end immediately, and to authorize his representatives to resume immediately security coordination with Israel.

Terrorism, including suicide bombs, is illegal and immoral, has inflicted grave harm to the legitimate aspirations of the Palestinian people and must be condemned as called for in UNSCR 1373.

We call on Israel and the Palestinian Authority to reach agreement on ceasefire proposals put forward by General Zinni without further delay. We commend the efforts of General Zinni to date to achieve this objective.

The Quartet stands ready to assist the parties in implementing their agreements, in particular the Tenet security workplan and the Mitchell recommendations, including through a third-party mechanism, as agreed to by the parties.

We affirm that the Tenet and Mitchell plans must be fully implemented, including an end to all settlement activity. We affirm that there must be immediate, parallel and accelerated movement towards near-term and tangible political progress, and that there must be a defined series of steps leading to permanent peace — involving recognition, normalization and security between the sides, an end to Israeli occupation, and an end to the conflict. This will allow Israel to enjoy enduring peace and security and the Palestinian people to realize their hopes and aspirations in security and dignity.

In support of these objectives, we call on the international community, particularly the Arab States, to preserve, strengthen and assist the Palestinian Authority, including through efforts to rebuild its infrastructure, security and governance capacity. We call also on the donor community and the international financial institutions to renew their commitment to provide urgent humanitarian assistance to the Palestinian people, and to assist in economic and institutional reconstruction. We pay tribute to the courageous efforts of the humanitarian agencies.

We agreed on the need to keep the situation in the Middle East under review by the Quartet at the principal's level through regular consultations. Our Special Envoys will continue their efforts on the ground to assist the parties in reaching an end to confrontation and a resumption of political negotiations.

Madrid — 10 April 2002



Security Council

Distr.: General
10 April 2002

Original: English

Statement by the President of the Security Council

At the 4511th meeting of the Security Council, held on 10 April 2002, in connection with the Council's consideration of the item entitled "The situation in the Middle East, including the Palestinian question", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council supports the Joint Statement (S/2002/369) issued in Madrid on 10 April 2002 by the Secretary-General, Minister of Foreign Affairs of the Russian Federation, Secretary of State of the United States, Minister for Foreign Affairs of Spain and High Representative for European Union Common Foreign and Security Policy, which is annexed to this statement, as transmitted to the Council by the Secretary-General. The Security Council calls upon the Government of Israel, the Palestinian Authority and all States in the region to cooperate with the efforts to achieve the goals set out in the Joint Statement and insists on the immediate implementation of resolutions 1402 (2002) and 1403 (2002)."

Annex

Joint Statement

The Secretary-General of the United Nations Kofi Annan, Minister of Foreign Affairs of the Russian Federation Igor Ivanov, Secretary of State of the United States Colin Powell, Minister for Foreign Affairs of Spain Josep Pique and High Representative for European Union Common Foreign and Security Policy Javier Solana met in Madrid today. We reviewed the escalating confrontation in the Middle East and agreed to coordinate our actions to resolve the current crisis.

We express our grave concern about the present situation, including the mounting humanitarian crisis and the growing risk to regional security. We reiterate our shared condemnation of violence and terrorism, express our deep distress at the loss of innocent Palestinian and Israeli life, and extend our deepest sympathy to the families of those killed and wounded. Believing that there has been too much suffering and too much bloodshed, we call on the leaders of Israel and the Palestinian Authority to act in the interests of their own people, the region, and the international community and to immediately halt this senseless confrontation.

In this regard, we express our grave concern about the most recent attacks from Lebanon across the UN-determined Blue Line. The Quartet calls on all parties to respect the Blue Line, halt all attacks, and show the utmost restraint. The conflict should not be allowed to spread and threaten regional security and stability.

The UN, EU and Russia express their strong support for Secretary of State Powell's mission, and urge Israel and the Palestinian Authority to cooperate fully with his mission and with their continuing efforts to restore calm and resume a political process.

We reiterate that there is no military solution to the conflict and call on the parties to move towards a political resolution of their disputes based on UNSCR 242 and 338, and the principle of land for peace — which formed the basis for the Madrid Conference of 1991. We reaffirm our support for the objective expressed by President Bush and spelled out in UNSCR 1397, of two States, Israel and Palestine, living side-by-side within secure and recognized borders. We warmly welcome Saudi Crown Prince Abdullah's peace initiative, as endorsed in Beirut by the Arab League, as a significant contribution towards a comprehensive peace, including Syria and Lebanon.

To enable progress towards our shared goals, we reaffirm that UNSCR 1402 must be fully implemented immediately, as called for in UNSCR 1403. We call on Israel to halt immediately its military operations. We call for an immediate, meaningful ceasefire and an immediate Israeli withdrawal from Palestinian cities, including Ramallah, specifically including Chairman Arafat's headquarters. We call on Israel to fully comply with international humanitarian principles and to allow full and unimpeded access to humanitarian organizations and services. We call on Israel to refrain from the excessive use of force and undertake all possible efforts to ensure the protection of civilians.

We call on Chairman Arafat, as the recognized, elected leader of the Palestinian people, to undertake immediately the maximum possible effort to stop terror attacks against innocent Israelis. We call on the Palestinian Authority to act decisively and take all possible steps within its capacity to dismantle terrorist infrastructure, including terrorist financing, and to stop incitement to violence. We

call on Chairman Arafat to use the full weight of his political authority to persuade the Palestinian people that any and all terrorist attacks against Israelis should end immediately, and to authorize his representatives to resume immediately security coordination with Israel.

Terrorism, including suicide bombs, is illegal and immoral, has inflicted grave harm to the legitimate aspirations of the Palestinian people and must be condemned as called for in UNSCR 1373.

We call on Israel and the Palestinian Authority to reach agreement on ceasefire proposals put forward by General Zinni without further delay. We commend the efforts of General Zinni to date to achieve this objective.

The Quartet stands ready to assist the parties in implementing their agreements, in particular the Tenet security workplan and the Mitchell recommendations, including through a third-party mechanism, as agreed to by the parties.

We affirm that the Tenet and Mitchell plans must be fully implemented, including an end to all settlement activity. We affirm that there must be immediate, parallel and accelerated movement towards near-term and tangible political progress, and that there must be a defined series of steps leading to permanent peace — involving recognition, normalization and security between the sides, an end to Israeli occupation, and an end to the conflict. This will allow Israel to enjoy enduring peace and security and the Palestinian people to realize their hopes and aspirations in security and dignity.

In support of these objectives, we call on the international community, particularly the Arab States, to preserve, strengthen and assist the Palestinian Authority, including through efforts to rebuild its infrastructure, security and governance capacity. We call also on the donor community and the international financial institutions to renew their commitment to provide urgent humanitarian assistance to the Palestinian people, and to assist in economic and institutional reconstruction. We pay tribute to the courageous efforts of the humanitarian agencies.

We agreed on the need to keep the situation in the Middle East under review by the Quartet at the principal's level through regular consultations. Our Special Envoys will continue their efforts on the ground to assist the parties in reaching an end to confrontation and a resumption of political negotiations.

Madrid — 10 April 2002

**Security Council**

Distr.: General

19 April 2002

Resolution 1405 (2002)**Adopted by the Security Council at its 4516th meeting,
on 19 April 2002***The Security Council,*

Reaffirming its resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002, 1402 (2002) of 30 March 2002, 1403 (2002) of 4 April 2002, and the Statement of its President of 10 April 2002 (S/PRST/2002/9),

Concerned by the dire humanitarian situation of the Palestinian civilian population, in particular reports from the Jenin refugee camp of an unknown number of deaths and destruction,

Calling for the lifting of restrictions imposed, in particular in Jenin, on the operations of humanitarian organizations, including the International Committee of the Red Cross and United Nations Relief and Works Agency for Palestine Refugees in the Near East,

Stressing the need for all concerned to ensure the safety of civilians, and to respect the universally accepted norms of international humanitarian law,

1. *Emphasizes* the urgency of access of medical and humanitarian organizations to the Palestinian civilian population;
2. *Welcomes* the initiative of the Secretary-General to develop accurate information regarding recent events in the Jenin refugee camp through a fact-finding team and requests him to keep the Security Council informed;
3. *Decides* to remain seized of the matter.

**Security Council**

Distr.: General
23 April 2002

Original: English

Letter dated 22 April 2002 from the Secretary-General to the President of the Security Council

I have the honour to inform you that, pursuant to Security Council resolution 1405 (2002), I have established today a fact-finding team to develop accurate information regarding recent events in the Jenin refugee camp. The members of the team are Martti Ahtisaari, Sadako Ogata and Cornelio Sommaruga. The team will be led by Mr. Ahtisaari and will be supported by a number of technical advisers.

I expect that the Government of Israel and the Palestinian Authority will fully cooperate with the team and provide free and complete access to all sites, sources of information and individuals that the team considers necessary for the exercise of its functions.

The team will begin its work without delay by travelling to the region to initiate its mission on the ground. I have called on the team to report expeditiously to me with its findings and conclusions and I will revert to the Security Council as soon as it has done so.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Kofi A. **Annan**





United Nations

PRESS RELEASE

SC/7374
23 APRIL 2002

PRESS STATEMENT ON MIDDLE EAST BY SECURITY COUNCIL
PRESIDENT

23/04/2002

Press Release

SC/7374

PRESS STATEMENT ON MIDDLE EAST BY SECURITY COUNCIL PRESIDENT

Following is today's press statement on the Middle East by the Security Council President, Sergey Lavrov (Russian Federation):

The members of the Council expressed serious concern for the safety of Chairman Arafat. They emphasized that there must be no harm to him or others in the compound. The siege must be lifted and Chairman Arafat must have full freedom of movement to fully carry out his functions.

Members of the Council reiterated Security Council resolution 1405 (2002). They fully supported the Secretary-General's efforts to implement this resolution. They expect its expeditious implementation and full cooperation of Israel with the Secretary-General and with the fact-finding team.

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! For information media. Not an official record.



United Nations

PRESS RELEASE

SC/7378
26 APRIL 2002

**PRESS STATEMENT ON MIDDLE EAST BY SECURITY COUNCIL
PRESIDENT**

26/04/2002

Press Release

SC/7378

PRESS STATEMENT ON MIDDLE EAST BY SECURITY COUNCIL PRESIDENT

The following statement to the press was made yesterday evening by the President of the Security Council, Sergey Lavrov (Russian Federation):

Members of the Security Council closely follow the situation in the Middle East, including the Palestinian question.

They had a briefing by the Secretariat on the latest developments. They were informed that the Secretary-General expects the fact-finding team to arrive in the region by the end of the week, as originally planned.

Members of the Council noted various political efforts aimed at achieving the goals set out in Security Council resolutions. They expressed the hope that all these efforts would bring about positive changes on the ground, including a non-violent resolution of the situation around Chairman Arafat's headquarters in Ramallah and the arrival of the fact-finding team by the end of the week.

Members of the Council will continue to follow the situation in order to ensure the implementation of the Security Council's latest resolutions on the Middle East. At the consultations of the whole on 26 April 2002 they would have an update from the Secretariat and would have another round of discussions, with participation of the Department of Political Affairs and the Department of Peacekeeping Operations, on the Secretary-General's initiative on a multinational force for the Palestinian territories.

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! For information media. Not an official record.



United Nations

PRESS RELEASE

SC/7382
28 APRIL 2002

PRESS STATEMENT ON MIDDLE EAST SITUATION BY SECURITY COUNCIL PRESIDENT

28/04/2002

Press Release

SC/7382

PRESS STATEMENT ON Middle East Situation BY SECURITY COUNCIL PRESIDENT

Following is this evening's press statement on the Middle East by Security Council President Sergey Lavrov (Russian Federation):

The members of the Security Council heard a briefing by the Under-Secretary-General, Kieran Prendergast, on the sending of the fact-finding team to Jenin.

The members of the Council remain firm in their insistence on full implementation of Security Council resolution 1405 (2002). They are concerned at the continued delay in the arrival of the fact-finding team. They strongly support the Secretary-General in his efforts to ensure the immediate deployment of the fact-finding team to Jenin with full cooperation of Israel and the Palestinian Authority. They support, in particular, the Secretary-General's letters to Ambassador Lancry and Ambassador Al-Kidwa of 27 April.

The members of the Council expect a positive report from the Secretary-General by 29 April.

This position of the members of the Council has been conveyed to Ambassador Lancry today.

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! For information media. Not an official record.



Security Council

Distr.: General
1 May 2002

Original: English

Letter dated 1 May 2002 from the Secretary-General addressed to the President of the Security Council

I am writing to inform you of my efforts to implement Security Council resolution 1405 (2002).

It has been 12 days since the Security Council unanimously adopted resolution 1405 (2002), in which the Council welcomed my initiative to develop accurate information regarding recent events in the Jenin refugee camp through a fact-finding team. As you will recall, this resolution was tabled in the Council by the United States delegation following telephone conversations that I had with Israel's Foreign Affairs and Defence Ministers, during which I was assured that Israel would cooperate fully with the team that I would designate.

On that basis, on 22 April, I announced the composition of a team to be headed by Martti Ahtisaari. The team's full members would include three principals (Mr. Ahtisaari, Sadako Ogata and Cornelio Sommaruga) and two Senior Advisers (Major General William Nash, as Military Adviser, and Deputy Commissioner Peter Fitzgerald, as Police Adviser). Subsequently, two more Senior Advisers were added: Tyge Lehmann, as Legal Adviser; and Helena Ranta, as Medical/Legal Adviser. In addition, the team was provided with technical expertise in military and security issues, as well as forensic science and general support staff.

I instructed that the team should gather in Geneva on 24 April and proceed to the area on 25 April. However, soon after I announced my plan to deploy the team, the Government of Israel began to express concerns related to the composition of the team, the scope of its mandate, how this mandate would be carried out and various procedural matters. At the request of the Government of Israel, I agreed that the Secretariat would meet with a delegation from Israel to listen to Israel's concerns and engage in a clarificatory process. I set back the arrival of the team in the area to 27 April.

The discussions with the Israeli delegation were held in a very constructive atmosphere on 25 and 26 April. By the time the Israeli delegation was able to report back on the results of those meetings, the Sabbath had begun in Israel. The Foreign Minister of Israel informed me that the Israeli Cabinet would address the issue at its scheduled meeting on 28 April and requested that the team delay its arrival for another day. I acceded to this request and Mr. Prendergast briefed the Council accordingly.

On 27 April, I spoke on the telephone with the Prime Minister of Israel, after which I dispatched letters to the Permanent Representative of Israel and the Permanent Observer of Palestine setting out the parameters of work of the team. These letters were circulated to Council members on the same day. The Permanent Representative of Israel sent me a reply late on 27 April, in which he put forward several concerns on the part of his Government. The Under-Secretary-General for Political Affairs responded orally to Ambassador Lancry.

On 28 April, the Israeli Cabinet did not reach a decision on the fact-finding team; I was informed by Israel that the matter would be reviewed by the Cabinet at a meeting the following day. At the request of the Security Council, the Secretariat briefed the Council on the information that I had received. As you will recall, Council members agreed that you, as President, would express the Council's continuing support for my efforts to implement resolution 1405 (2002), including the letters that I had sent to the parties the day before.

The Israeli Cabinet did not meet on 29 April. Instead, I was informed by the Permanent Representative of Israel that the Cabinet had scheduled a meeting for early on 30 April. The Secretariat briefed the Council accordingly.

As you know, Israel's Ministerial Committee on National Security (the Security Cabinet) met early on 30 April, after which it issued the following statement: "Israel has raised essential issues before the United Nations for a fair examination. As long as these terms have not been met, it will not be possible for the clarification process to begin." In the absence of a formal indication of the terms on which the Government of Israel would cooperate with the fact-finding team, this statement was reviewed against the backdrop of various recent public statements by, and telephone conversations that I held with, senior Israeli officials. I was drawn reluctantly to the conclusion that, while continuing to express its concerns to the United Nations mainly in the form of procedural issues, Israel had developed concerns about resolution 1405 (2002) that were fundamental in nature.

Throughout this process, the United Nations has made every effort to accommodate the concerns of the Government of Israel within the mandate given to me by the Security Council. It was made quite clear that the team was tasked specifically to develop information about the recent events in Jenin and that the facts established would be used solely for its report to me. In my view, the team would have conducted its assignment in the field in a professional and fair manner and produced an accurate, thorough, balanced and credible report.

Clearly, the full cooperation of both sides was a precondition for this, as was a visit to the area itself to see the Jenin refugee camp at first hand and to gather information. This is why the Secretariat engaged in a thorough clarification process with the Israeli delegation.

In light of yesterday's announcement by the Government of Israel, it seems evident that the team will not be able to proceed to the area to begin its mission in the near future. While I have not received any further written communication from the Israeli Government since 27 April, in my telephone conversations over the past two days, high-level Israeli officials have broached issues additional to those raised by the delegation that came to New York last week and there have been indications that this list may not be exhaustive.

As the Secretariat has noted in its briefings to the Council, time is also a critical factor. With the situation in the Jenin refugee camp changing by the day, it will become more and more difficult to establish with any confidence or accuracy the “recent events” that took place there.

For these reasons, it is my intention to disband the fact-finding team tomorrow. I regret being unable to provide the information requested by the Council in resolution 1405 (2002), and especially that the long shadow cast by recent events in the Jenin refugee camp will remain in the absence of such a fact-finding exercise.

I should be grateful if you would bring this letter to the attention of the members of the Security Council.

(Signed) Kofi A. **Annan**

**Security Council**

Distr.: General
3 May 2002

Original: English

**Letter dated 2 May 2002 from the Secretary-General to
the President of the Security Council**

As indicated in my letter of 1 May 2002 to you, and in the continued absence of the necessary cooperation from the Government of Israel, I am today disbanding the fact-finding team. I am communicating this decision to Mr. Ahtisaari and his team, as well as to the Government of Israel and the Palestinian Authority.

I would like to express my deep appreciation to President Ahtisaari, Mrs. Ogata, Mr. Sommaruga and all the members of the team for their efforts to support my actions intended to implement resolution 1405 (2002). I have every confidence that the team would have conducted itself in a professional and fair manner in producing the report requested by the Council. But I share fully their assessment that, without the full cooperation of both parties and a visit to the area, it would not be possible to produce an accurate, credible, thorough and balanced report on the recent events in the Jenin refugee camp.

(Signed) Kofi A. **Annan**

**Security Council**

Distr.: General
18 July 2002

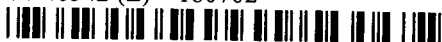
Original: English

Statement by the President of the Security Council

At the 4578th meeting of the Security Council, held on 18 July 2002, in connection with the Council's consideration of the item entitled "The situation in the Middle East, including the Palestinian question", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council supports the Joint Statement of the 'Quartet', annexed to this statement, which was issued in New York on 16 July 2002 by the Secretary-General, the Minister of Foreign Affairs of the Russian Federation, the Secretary of State of the United States, the Minister of Foreign Affairs of Denmark, the High Representative for the European Union Common Foreign and Security Policy and the European Commissioner for External Affairs. The Security Council appreciates also the involvement in discussions with the 'Quartet' of senior representatives of Egypt, Jordan and Saudi Arabia.

"The Security Council calls upon the Government of Israel, the Palestinian Authority and all States in the region to cooperate with the efforts to achieve the goals set out in the Joint Statement and stresses the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East, based on all its relevant resolutions including its resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973 and 1397 (2002) of 12 March 2002, the Madrid terms of reference and the principle of land for peace."



Annex

“QUARTET” JOINT STATEMENT

Following is the text of a joint statement issued by the “Quartet” (United Nations, Russian Federation, the United States and the European Union) following their meeting in New York.

United Nations Secretary-General Kofi Annan, Russian Foreign Minister Igor Ivanov, U.S. Secretary of State Colin L. Powell, Danish Foreign Minister Per Stig Moeller, High Representative for European Common Foreign and Security Policy Javier Solana and European Commissioner for External Affairs Chris Patten met in New York today. The Quartet members reviewed the situation in the Middle East and agreed to continue close consultations, as expressed in the Madrid Declaration, to which the Quartet remains fully committed, to promote a just, comprehensive, and lasting settlement of the Middle East conflict. The Quartet expresses its support for the convening of a further international Ministerial meeting at an appropriate time.

The Quartet deeply deplores today’s tragic killing of Israeli civilians and reiterates its strong and unequivocal condemnation of terrorism, including suicide bombing, which is morally repugnant and has caused great harm to the legitimate aspirations of the Palestinian people for a better future. Terrorists must not be allowed to kill the hope of an entire region, and a united international community, for genuine peace and security for both Palestinians and Israelis. The Quartet expresses once again its profound regret at the loss of innocent Israeli and Palestinian lives, and extends its sympathy to all those who have suffered loss. The Quartet members expressed their increasing concern about the mounting humanitarian crisis in Palestinian areas and their determination to address urgent Palestinian needs.

Consistent with President Bush’s June 24 statement, the UN, EU and Russia express their strong support for the goal of achieving a final Israeli-Palestinian settlement which, with intensive effort on security and reform by all, could be reached within three years from now. The UN, EU and Russia welcome President Bush’s commitment to active U.S. leadership toward that goal. The Quartet remains committed to implementing the vision of two states, Israel and an independent, viable and democratic Palestine, living side by side in peace and security, as affirmed by UN Security Council Resolution 1397. The Quartet members, in their individual capacity and jointly, pledge all possible efforts to

realize the goals of reform, security and peace and reaffirm that progress in the political, security, economic, humanitarian, and institution-building fields must proceed together,

hand-in-hand. The Quartet reiterates its welcome of the initiative of Saudi Arabia, endorsed by the Arab League Beirut Summit, as a significant contribution towards a comprehensive peace.

To assist progress toward these shared goals, the Quartet agreed on the importance of a coordinated international campaign to support Palestinian efforts at political and economic reform. The Quartet welcomes and encourages the strong Palestinian interest in fundamental reform, including the Palestinian 100-Day Reform Program. It also welcomes the willingness of regional states and the international community to assist the Palestinians to build institutions of good government, and to create a new governing framework of working democracy, in preparation for statehood. For these objectives to be realized, it is essential that well-prepared, free, open and democratic elections take place. The new international Task Force on Reform, which is comprised of representatives of the U.S., EU, UN Secretary General, Russia, Japan, Norway, the World Bank and the International Monetary Fund, and which works under the auspices of the Quartet, will strive to develop and implement a comprehensive action plan for reform. The inaugural meeting of this Task Force in London July 10 discussed a detailed plan including specific Palestinian commitments. It will meet again in August to review actions in areas including civil society, financial accountability, local government, the market economy, elections, and judicial and administrative reform.

Implementation of an action plan, with appropriate benchmarks for progress on reform measures, should lead to the establishment of a democratic Palestinian state characterized by the rule of law, separation of powers, and a vibrant free market economy that can best serve the interests of its people. The Quartet also commits itself to continuing to assist the parties in efforts to renew dialogue, and welcomes in this regard the recent high-level ministerial meetings between Israelis and Palestinians on the issues of security, economics and reform.

The Quartet agreed on the critical need to build new and efficient Palestinian security capabilities on sound bases of unified command, and transparency and accountability with regard to resources and conduct. Restructuring security institutions to serve these goals should lead to improvement in Palestinian security performance, which is essential to progress on other aspects of institutional transformation and realization of a Palestinian state committed to combating terror.

In this context, the Quartet notes Israel's vital stake in the success of Palestinian reform. The Quartet calls upon Israel to take concrete steps to support the emergence of a viable Palestinian state. Recognizing Israel's legitimate security concerns, these steps include immediate measures to ease the internal closures in certain areas and, as security improves through reciprocal steps, withdrawal of Israeli forces to their pre-September 28, 2000 positions. Moreover, frozen tax revenues should be released. In this connection, a

more transparent and accountable mechanism is being put into place. In addition, consistent with the Mitchell Committee's recommendations, Israel should stop all new settlement activity. Israel must also ensure full, safe and unfettered access for international and humanitarian personnel.

The Quartet reaffirms that there must be a negotiated permanent settlement based on UN Security Council resolutions 242 and 338. There can be no military solution to the conflict; Israelis and Palestinians must address the core issues that divide them, through sustained negotiations, if there is to be real and lasting peace and security. The Israeli occupation that began in 1967 must end, and Israel must have secure and recognized borders. The Quartet further reaffirms its commitment to the goal of a comprehensive regional peace between Israel and Lebanon, and Israel and Syria, based upon Resolutions 242 and 338, the Madrid terms of reference, and the principle of land for peace.

The Quartet looks forward to upcoming consultations with the Foreign Ministers of Jordan, Egypt, Saudi Arabia, and other regional partners, and determines to continue regular consultation on the situation in the Middle East at the principals' level. The Quartet envoys will continue their work on the ground to support the work of the principals, to assist the Task Force on Reform, and to aid the parties in resuming a political dialogue in order to reach a solution to the core political questions.



Security Council

Distr.: General
24 September 2002

Resolution 1435 (2002)

**Adopted by the Security Council at its 4614th meeting,
on 24 September 2002**

The Security Council,

Reaffirming its resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002, 1402 (2002) of 30 March 2002 and 1403 (2002) of 4 April 2002, as well as the statements of its President, of 10 April 2002 and 18 July 2002,

Reiterating its grave concern at the tragic and violent events that have taken place since September 2000 and the continuous deterioration of the situation,

Condemning all terrorist attacks against any civilians, including the terrorist bombings in Israel on 18 and 19 September 2002 and in a Palestinian school in Hebron on 17 September 2002,

Gravely concerned at the reoccupation of the headquarters of the President of the Palestinian Authority in the City of Ramallah that took place on 19 September 2002 and demanding its immediate end,

Alarmed at the reoccupation of Palestinian cities as well as the severe restrictions imposed on the freedom of movement of persons and goods, and gravely concerned at the humanitarian crisis being faced by the Palestinian people,

Reiterating the need for respect in all circumstances of international humanitarian law, including the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,

1. *Reiterates* its demand for the complete cessation of all acts of violence, including all acts of terror, provocation, incitement and destruction;
2. *Demands* that Israel immediately cease measures in and around Ramallah including the destruction of Palestinian civilian and security infrastructure;
3. *Demands also* the expeditious withdrawal of the Israeli occupying forces from Palestinian cities towards the return to the positions held prior to September 2000;
4. *Calls* on the Palestinian Authority to meet its expressed commitment to ensure that those responsible for terrorist acts are brought to justice by it;

5. *Expresses* its full support for the efforts of the Quartet and calls upon the Government of Israel, the Palestinian Authority and all States in the region to cooperate with these efforts and recognizes in this context the continuing importance of the initiative endorsed at the Arab League Beirut Summit;

6. *Decides* to remain seized of the matter.



United Nations

PRESS RELEASE

SC/7516
30 SEPTEMBER 2002

**SECURITY COUNCIL CALLS FOR FULL IMPLEMENTATION OF
LATEST RESOLUTION ON MIDDLE EAST**

30/09/2002

Press Release

SC/7516

**SECURITY COUNCIL CALLS FOR FULL
IMPLEMENTATION OF LATEST
RESOLUTION ON MIDDLE EAST**

Following is Friday night's press statement by Stefan Tafrov (Bulgaria), President of the Security Council:

The members of the Security Council call for the full implementation of resolution 1435 (2002).

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! For information media. Not an official record.

**Security Council**

Distr.: General
7 May 2003

Original: English

Letter dated 7 May 2003 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit to you herewith the text of a road map to realize the vision of two States, Israel and Palestine, living side by side in peace and security, as affirmed in Security Council resolution 1397 (2002) (see annex).

The text has been prepared by the Quartet — consisting of representatives of the United States of America, the European Union, the Russian Federation and the United Nations — and was presented to the Government of Israel and the Palestinian Authority on 30 April 2003.

I should be grateful if you would bring this text to the attention of the members of the Security Council.

(Signed) Kofi A. Annan



Annex

A performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict

The following is a performance-based and goal-driven roadmap, with clear phases, timelines, target dates, and benchmarks aiming at progress through reciprocal steps by the two parties in the political, security, economic, humanitarian, and institution-building fields, under the auspices of the Quartet. The destination is a final and comprehensive settlement of the Israel-Palestinian conflict by 2005, as presented in President Bush's speech of 24 June, and welcomed by the EU, Russia and the UN in the 16 July and 17 September Quartet Ministerial statements.

A two state solution to the Israeli-Palestinian conflict will only be achieved through an end to violence and terrorism, when the Palestinian people have a leadership acting decisively against terror and willing and able to build a practicing democracy based on tolerance and liberty, and through Israel's readiness to do what is necessary for a democratic Palestinian state to be established, and a clear, unambiguous acceptance by both parties of the goal of a negotiated settlement as described below. The Quartet will assist and facilitate implementation of the plan, starting in Phase I, including direct discussions between the parties as required. The plan establishes a realistic timeline for implementation. However, as a performance-based plan, progress will require and depend upon the good faith efforts of the parties, and their compliance with each of the obligations outlined below. Should the parties perform their obligations rapidly, progress within and through the phases may come sooner than indicated in the plan. Non-compliance with obligations will impede progress.

A settlement, negotiated between the parties, will result in the emergence of an independent, democratic, and viable Palestinian state living side by side in peace and security with Israel and its other neighbors. The settlement will resolve the Israel-Palestinian conflict, and end the occupation that began in 1967, based on the foundations of the Madrid Conference, the principle of land for peace, UNSCRs 242, 338 and 1397, agreements previously reached by the parties, and the initiative of Saudi Crown Prince Abdullah – endorsed by the Beirut Arab League Summit – calling for acceptance of Israel as a neighbor living in peace and security, in the context of a comprehensive settlement. This initiative is a vital element of international efforts to promote a comprehensive peace on all tracks, including the Syrian-Israeli and Lebanese-Israeli tracks.

The Quartet will meet regularly at senior levels to evaluate the parties' performance on implementation of the plan. In each phase, the parties are expected to perform their obligations in parallel, unless otherwise indicated.

**PHASE I:
ENDING TERROR AND VIOLENCE, NORMALIZING PALESTINIAN LIFE,
AND BUILDING PALESTINIAN INSTITUTIONS
PRESENT TO MAY 2003**

In Phase I, the Palestinians immediately undertake an unconditional cessation of violence according to the steps outlined below; such action should be accompanied by supportive measures undertaken by Israel. Palestinians and Israelis resume security cooperation based on the Tenet work plan to end violence, terrorism, and incitement through restructured and effective Palestinian security services. Palestinians undertake comprehensive political reform in preparation for statehood, including drafting a Palestinian constitution, and free, fair and open elections upon the basis of those measures. Israel takes all necessary steps to help normalize Palestinian life. Israel withdraws from Palestinian areas occupied from September 28, 2000 and the two sides restore the status quo that existed at that time, as security performance and cooperation progress. Israel also freezes all settlement activity, consistent with the Mitchell report.

At the outset of Phase I:

- Palestinian leadership issues unequivocal statement reiterating Israel's right to exist in peace and security and calling for an immediate and unconditional ceasefire to end armed activity and all acts of violence against Israelis anywhere. All official Palestinian institutions end incitement against Israel.
- Israeli leadership issues unequivocal statement affirming its commitment to the two-state vision of an independent, viable, sovereign Palestinian state living in peace and security alongside Israel, as expressed by President Bush, and calling for an immediate end to violence against Palestinians everywhere. All official Israeli institutions end incitement against Palestinians.

SECURITY

- Palestinians declare an unequivocal end to violence and terrorism and undertake visible efforts on the ground to arrest, disrupt, and restrain individuals and groups conducting and planning violent attacks on Israelis anywhere.
- Rebuilt and refocused Palestinian Authority security apparatus begins sustained, targeted, and effective operations aimed at confronting all those engaged in terror and dismantlement of terrorist capabilities and infrastructure. This includes commencing confiscation of illegal weapons and consolidation of security authority, free of association with terror and corruption.
- GOI takes no actions undermining trust, including deportations, attacks on civilians; confiscation and/or demolition of Palestinian homes and property, as a punitive

measure or to facilitate Israeli construction; destruction of Palestinian institutions and infrastructure; and other measures specified in the Tenet work plan.

- Relying on existing mechanisms and on-the-ground resources, Quartet representatives begin informal monitoring and consult with the parties on establishment of a formal monitoring mechanism and its implementation.
- Implementation, as previously agreed, of U.S. rebuilding, training and resumed security cooperation plan in collaboration with outside oversight board (U.S.–Egypt–Jordan). Quartet support for efforts to achieve a lasting, comprehensive cease-fire.
 - All Palestinian security organizations are consolidated into three services reporting to an empowered Interior Minister.
 - Restructured/retrained Palestinian security forces and IDF counterparts progressively resume security cooperation and other undertakings in implementation of the Tenet work plan, including regular senior-level meetings, with the participation of U.S. security officials.
- Arab states cut off public and private funding and all other forms of support for groups supporting and engaging in violence and terror.
- All donors providing budgetary support for the Palestinians channel these funds through the Palestinian Ministry of Finance's Single Treasury Account.
- As comprehensive security performance moves forward, IDF withdraws progressively from areas occupied since September 28, 2000 and the two sides restore the status quo that existed prior to September 28, 2000. Palestinian security forces redeploy to areas vacated by IDF.

PALESTINIAN INSTITUTION-BUILDING

- Immediate action on credible process to produce draft constitution for Palestinian statehood. As rapidly as possible, constitutional committee circulates draft Palestinian constitution, based on strong parliamentary democracy and cabinet with empowered prime minister, for public comment/debate. Constitutional committee proposes draft document for submission after elections for approval by appropriate Palestinian institutions.
- Appointment of interim prime minister or cabinet with empowered executive authority/decision-making body.
- GOI fully facilitates travel of Palestinian officials for PLC and Cabinet sessions, internationally supervised security retraining, electoral and other reform activity, and other supportive measures related to the reform efforts.

- Continued appointment of Palestinian ministers empowered to undertake fundamental reform. Completion of further steps to achieve genuine separation of powers, including any necessary Palestinian legal reforms for this purpose.
- Establishment of independent Palestinian election commission. PLC reviews and revises election law.
- Palestinian performance on judicial, administrative, and economic benchmarks, as established by the International Task Force on Palestinian Reform.
- As early as possible, and based upon the above measures and in the context of open debate and transparent candidate selection/electoral campaign based on a free, multi-party process, Palestinians hold free, open, and fair elections.
- GOI facilitates Task Force election assistance, registration of voters, movement of candidates and voting officials. Support for NGOs involved in the election process.
- GOI reopens Palestinian Chamber of Commerce and other closed Palestinian institutions in East Jerusalem based on a commitment that these institutions operate strictly in accordance with prior agreements between the parties.

HUMANITARIAN RESPONSE

- Israel takes measures to improve the humanitarian situation. Israel and Palestinians implement in full all recommendations of the Bertini report to improve humanitarian conditions, lifting curfews and easing restrictions on movement of persons and goods, and allowing full, safe, and unfettered access of international and humanitarian personnel.
- AHLC reviews the humanitarian situation and prospects for economic development in the West Bank and Gaza and launches a major donor assistance effort, including to the reform effort.
- GOI and PA continue revenue clearance process and transfer of funds, including arrears, in accordance with agreed, transparent monitoring mechanism.

CIVIL SOCIETY

- Continued donor support, including increased funding through PVOs/NGOs, for people to people programs, private sector development and civil society initiatives.

SETTLEMENTS

- GOI immediately dismantles settlement outposts erected since March 2001.
- Consistent with the Mitchell Report, GOI freezes all settlement activity (including natural growth of settlements).

**PHASE II: TRANSITION
JUNE 2003-DECEMBER 2003**

In the second phase, efforts are focused on the option of creating an independent Palestinian state with provisional borders and attributes of sovereignty, based on the new constitution, as a way station to a permanent status settlement. As has been noted, this goal can be achieved when the Palestinian people have a leadership acting decisively against terror, willing and able to build a practicing democracy based on tolerance and liberty. With such a leadership, reformed civil institutions and security structures, the Palestinians will have the active support of the Quartet and the broader international community in establishing an independent, viable, state.

Progress into Phase II will be based upon the consensus judgment of the Quartet of whether conditions are appropriate to proceed, taking into account performance of both parties. Furthering and sustaining efforts to normalize Palestinian lives and build Palestinian institutions, Phase II starts after Palestinian elections and ends with possible creation of an independent Palestinian state with provisional borders in 2003. Its primary goals are continued comprehensive security performance and effective security cooperation, continued normalization of Palestinian life and institution-building, further building on and sustaining of the goals outlined in Phase I, ratification of a democratic Palestinian constitution, formal establishment of office of prime minister, consolidation of political reform, and the creation of a Palestinian state with provisional borders.

- **INTERNATIONAL CONFERENCE:** Convened by the Quartet, in consultation with the parties, immediately after the successful conclusion of Palestinian elections, to support Palestinian economic recovery and launch a process, leading to establishment of an independent Palestinian state with provisional borders.
 - Such a meeting would be inclusive, based on the goal of a comprehensive Middle East peace (including between Israel and Syria, and Israel and Lebanon), and based on the principles described in the preamble to this document.
 - Arab states restore pre-intifada links to Israel (trade offices, etc.).
 - Revival of multilateral engagement on issues including regional water resources, environment, economic development, refugees, and arms control issues.
- New constitution for democratic, independent Palestinian state is finalized and approved by appropriate Palestinian institutions. Further elections, if required, should follow approval of the new constitution.

- Empowered reform cabinet with office of prime minister formally established, consistent with draft constitution.
- Continued comprehensive security performance, including effective security cooperation on the bases laid out in Phase I.
- Creation of an independent Palestinian state with provisional borders through a process of Israeli-Palestinian engagement, launched by the international conference. As part of this process, implementation of prior agreements, to enhance maximum territorial contiguity, including further action on settlements in conjunction with establishment of a Palestinian state with provisional borders.
- Enhanced international role in monitoring transition, with the active, sustained, and operational support of the Quartet.
- Quartet members promote international recognition of Palestinian state, including possible UN membership.

**PHASE III:
PERMANENT STATUS AGREEMENT
AND END OF THE ISRAELI-PALESTINIAN CONFLICT
2004 – 2005**

Progress into Phase III, based on consensus judgment of Quartet, and taking into account actions of both parties and Quartet monitoring. Phase III objectives are consolidation of reform and stabilization of Palestinian institutions, sustained, effective Palestinian security performance, and Israeli-Palestinian negotiations aimed at a permanent status agreement in 2005.

- **SECOND INTERNATIONAL CONFERENCE:** Convened by Quartet, in consultation with the parties, at beginning of 2004 to endorse agreement reached on an independent Palestinian state with provisional borders and formally to launch a process with the active, sustained, and operational support of the Quartet, leading to a final, permanent status resolution in 2005, including on borders, Jerusalem, refugees, settlements; and, to support progress toward a comprehensive Middle East settlement between Israel and Lebanon and Israel and Syria, to be achieved as soon as possible.
- Continued comprehensive, effective progress on the reform agenda laid out by the Task Force in preparation for final status agreement.
- Continued sustained and effective security performance, and sustained, effective security cooperation on the bases laid out in Phase I.
- International efforts to facilitate reform and stabilize Palestinian institutions and the Palestinian economy, in preparation for final status agreement.

- Parties reach final and comprehensive permanent status agreement that ends the Israel-Palestinian conflict in 2005, through a settlement negotiated between the parties based on UNSCR 242, 338, and 1397, that ends the occupation that began in 1967, and includes an agreed, just, fair, and realistic solution to the refugee issue, and a negotiated resolution on the status of Jerusalem that takes into account the political and religious concerns of both sides, and protects the religious interests of Jews, Christians, and Muslims worldwide, and fulfills the vision of two states, Israel and sovereign, independent, democratic and viable Palestine, living side-by-side in peace and security.
- Arab state acceptance of full normal relations with Israel and security for all the states of the region in the context of a comprehensive Arab-Israeli peace.



United Nations

PRESS RELEASE

SC/7793
13 JUNE 2003

PRESS STATEMENT ON MIDDLE EAST BY SECURITY COUNCIL
PRESIDENT

13/06/2003

Press Release

SC/7793

PRESS STATEMENT ON MIDDLE EAST BY SECURITY
COUNCIL PRESIDENT

Following is the press statement on the Middle East delivered by Security Council President Sergey Lavrov (Russian Federation):

Having heard and discussed the briefing by Under-Secretary-General Kieran Prendergast on the situation in the Middle East, the Members of the Security Council expressed their serious concern at continuing and increasing violence in the region.

The Members of the Security Council supported the Quartet "Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict" (document S/2003/529). They called on the parties to fulfil their obligations in order to achieve the vision of two democratic States -- Israel and Palestine -- living side by side in peace and security. They also reiterated the demand for an immediate cessation of all acts of violence, including all acts of terror, provocation, incitement and destruction.

The Members of the Security Council reconfirmed the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East including the Israeli-Syrian and Israeli-Lebanese tracks.

The Members of the Security Council are looking forward to the forthcoming meeting of Quartet's Principals in Amman on 22 June and supported the statement of the Secretary-General in this regard.

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! For information media. Not an official record.

**Security Council**

Distr.: General
25 June 2003

Original: English

Letter dated 25 June 2003 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit to you the text of the Quartet statement, which was issued following the meeting of the Quartet principals — representing the United States of America, the European Union, the Russian Federation and the United Nations — at the Dead Sea in Jordan on 22 June 2003 (see annex).

I should be grateful if you would bring the present letter and its annex to the attention of the members of the Security Council.

(Signed) Kofi A. **Annan**



Annex to the letter dated 25 June 2003 from the Secretary-General addressed to the President of the Security Council

Statement by the Quartet

22 June 2003

Representatives of the Quartet — United Nations Secretary-General Kofi Annan, Russian Foreign Minister Igor Ivanov, Greek Foreign Minister George Papandreou, United States Secretary of State Colin Powell, High Representative for European Common Foreign and Security Policy Javier Solana and European Commissioner for External Affairs Chris Patten — met today at the Dead Sea in Jordan.

The Quartet members reviewed developments since their last meeting, in Washington on 20 December 2002. They welcome the appointment of Palestinian Prime Minister Abbas and the strong start he and his Government have made in difficult circumstances, and the acceptance by Israeli and Palestinian authorities of the road map presented to the parties on 30 April 2003, leading to realization of the goal expressed by President Bush and shared by the Quartet members, of two States — Israel and Palestine — living side by side in peace and security, in 2005. They strongly endorse the results of the Red Sea summit meetings, and pledge to support actively Prime Minister Abbas and Prime Minister Sharon in carrying out the commitments made at these meetings.

They welcome the very positive message and personal commitment of President Bush, and his decision to place a mission on the ground charged with helping the parties to move towards peace, through establishment of a credible and effective structure led by the United States of America, in close cooperation with the Quartet, to coordinate, monitor and promote implementation of the parties' commitments and responsibilities, as laid out in the road map. The Quartet fully shares President Bush's expectation that both parties will meet their obligations in full, and welcomes the initial steps taken by the parties towards this goal.

The Quartet members deplore and condemn the brutal terror attacks against Israeli citizens carried out by Hamas, Palestinian Islamic Jihad and the Al-Aqsa Martyrs Brigade since the road map's presentation. The Quartet calls for an immediate, comprehensive end to all violence and welcomes efforts by the Government of Egypt and others to achieve such an immediate and comprehensive halt to armed action by Palestinian groups. All Palestinian individuals and groups must end acts of terror against all Israelis, anywhere. The Quartet calls on the Palestinian authorities to take all possible steps to halt immediately the activities of individuals and groups planning and conducting attacks on Israelis. The Quartet supports immediate Palestinian action to restructure and consolidate under Prime Minister Abbas all security services, and calls on all States to assist in such efforts.

The Quartet welcomes the discussions between Israel and Palestinian authorities over transfer of security responsibility in Gaza and Bethlehem. They call on both sides to reach agreement as soon as possible on workable arrangements and timetables for implementation.

The Quartet calls on all States in the region and around the world to end immediately any form of support, including fund-raising and financial assistance, to

groups and individuals that use terror and violence to diminish the chances for peace, and calls for an end to all forms of incitement to violence and hatred. The Quartet expresses its deep concern over Israeli military actions that result in the killing of innocent Palestinian and other civilians. Such actions do not enhance security and undermine trust and prospects for cooperation. While the Quartet recognizes Israel's right to self-defence in the face of terrorist attacks against its citizens, it calls on the Government of Israel to respect international humanitarian law and to exert maximum efforts to avoid such civilian casualties.

The Quartet also calls on the Government of Israel to make all possible efforts to support Palestinian authorities and ease the plight of the Palestinian people through immediate actions. The Quartet strongly urges Israel to facilitate movement of people and goods, as well as access by international humanitarian organizations. These steps must be taken as rapidly and comprehensively as possible to improve the humanitarian situation and normalize the daily life of the Palestinian people. The Quartet recalls its position that settlements activity must stop. In this context, it welcomes the undertaking made by Prime Minister Sharon at Aqaba, and first steps taken by Israel on the ground, to remove unauthorized outposts. The Quartet members reviewed progress made on Palestinian institutional reform, endorsed the result of the meetings of the Task Force and Ad Hoc Liaison Committee held earlier in the year, and reaffirmed their support for all efforts to fulfil the reform goals set forth in the first phase of the road map — including adoption of a Palestinian Constitution and preparations for free, open and fair Palestinian elections as soon as possible.

The Quartet reaffirms its commitment to a just, comprehensive and lasting settlement of the Arab-Israeli conflict, including progress towards peace between Israel and Syria and Israel and Lebanon. Such a peace would be based on the foundations of the Madrid Conference, the principle of land for peace, United Nations Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002), agreements previously reached by the parties and the initiative of Saudi Crown Prince Abdullah — endorsed by the Beirut Arab League Summit — calling for acceptance of Israel as a neighbour living in peace and security, in the context of a comprehensive settlement.

The Quartet looks forward to continuing to work together in close consultation on these issues with the parties.

**Security Council**

Distr.: General
7 October 2003

Original: English

**Letter dated 6 October 2003 from the Secretary-General
addressed to the President of the Security Council**

I have the honour to transmit to you the text of the Quartet statement that was issued following the meeting of the Quartet principals — representing the United States of America, the European Union, the Russian Federation and the United Nations — at United Nations Headquarters on 26 September 2003 (see annex).

I should be grateful if you would bring the present letter and its annex to the attention of the members of the Security Council.

(Signed) Kofi A. **Annan**

Annex

Quartet statement

New York, 26 September 2003

Representatives of the Quartet — United Nations Secretary-General Kofi Annan, Russian Foreign Minister Igor Ivanov, Italian Foreign Minister Franco Frattini, United States Secretary of State Colin Powell, High Representative for European Common Foreign and Security Policy Javier Solana and European Commissioner for External Affairs Chris Patten — met today in New York.

The Quartet members view with great concern the situation in Israel, the West Bank and Gaza, which has stalled implementation of the road map. The Quartet reminds both parties of the need to take into account long-term consequences of their actions, and the obligation for both parties to make rapid progress towards full implementation of the road map for peace. They reaffirm their commitment to President Bush's vision — shared by Russia, the European Union and the United Nations — of two States, Israel and Palestine, living side by side in peace and security; and call on both Israelis and Palestinians to fulfil their obligations and responsibilities under the road map and the commitments both sides made to President Bush at the Red Sea summit meeting in Aqaba.

The Quartet members remind all sides that they have obligations and responsibilities to each other that must be performed. Each party must do more to immediately and simultaneously address the core concerns of the other, as described in the road map. The Quartet members reaffirm their commitment to the road map and to resumed progress by the parties towards its rapid implementation.

They condemn the vicious terror attacks of August and September carried out by Hamas, Islamic Jihad and the Al-Aqsa Martyrs Brigade. They again affirm that such actions are morally indefensible and do not serve the interests of the Palestinian people. They call on Palestinians to take immediate, decisive steps against individuals and groups conducting and planning violent attacks. Such steps should be accompanied by Israeli supportive measures, including resumption of full security cooperation. They further call on all States to end the harbouring and support, including fund-raising and financial assistance, of any groups and individuals that use terror and violence to advance their goals.

The Quartet members affirm that the Palestinian Authority security services must be consolidated under the clear control of an empowered Prime Minister and Interior Minister and must be the sole armed authority in the West Bank and Gaza. Noting that the first Palestinian Prime Minister has resigned his post, they urge that the new Palestinian Prime Minister form a cabinet as soon as possible, and ask that Cabinet to recommit itself to the pledges made in the road map and at Aqaba. The Palestinian Authority must ensure that a “rebuilt and refocused Palestinian Authority security apparatus begins sustained, targeted, and effective operations aimed at confronting all those engaged in terror and dismantlement of terrorist capabilities and infrastructure”.

The Quartet members recognize Israel's legitimate right to self-defence in the face of terrorist attacks against its citizens. In this context and in the context of international humanitarian law, they call on the Government of Israel to exert

maximum efforts to avoid civilian casualties. The Government of Israel must “take no action undermining trust, including deportations, confiscation and/or demolition of Palestinian homes and property, destruction of Palestinian institutions and infrastructure; and other measures specified in the Tenet Work Plan”. The Quartet members call on the Government of Israel to take immediate steps to ease the humanitarian and economic plight of the Palestinian people, including through easing the movement of people and goods and ensuring access to international humanitarian organizations. The Quartet members reaffirm that, in accordance with the road map, settlement activity must stop, and note with great concern the actual and proposed route of Israel’s West Bank fence, particularly as it results in the confiscation of Palestinian land, cuts off the movement of people and goods and undermines Palestinians’ trust in the road map process, as it appears to prejudge final borders of a future Palestinian State.

The Quartet calls upon the international and regional community to continue to provide well-coordinated assistance to the Palestinian Authority for the implementation of reforms and institution-building and to consider steps that could be taken with respect to the socio-economic development of the region. The Quartet members will continue to follow closely the implementation by the parties of their obligations. The Quartet members will coordinate their efforts through regular meetings of Quartet representatives, as well as through discussion among the Quartet principals. The principals will next meet prior to the end of the year.

The Quartet members look forward to continuing to work closely together, as well as in association with regional parties, to help achieve progress, both between Israelis and Palestinians and towards the goal of a just, comprehensive and lasting peace in the Middle East.

**Security Council**Distr.: General
19 November 2003

Resolution 1515 (2003)**Adopted by the Security Council at its 4862nd meeting, on
19 November 2003***The Security Council,**Recalling* all its previous relevant resolutions, in particular resolutions 242 (1967), 338 (1973), 1397 (2002) and the Madrid principles,*Expressing* its grave concern at the continuation of the tragic and violent events in the Middle East,*Reiterating* the demand for an immediate cessation of all acts of violence, including all acts of terrorism, provocation, incitement and destruction,*Reaffirming* its vision of a region where two States, Israel and Palestine, live side by side within secure and recognized borders,*Emphasizing* the need to achieve a comprehensive, just and lasting peace in the Middle East, including the Israeli-Syrian and Israeli-Lebanese tracks,*Welcoming* and *encouraging* the diplomatic efforts of the international Quartet and others,

1. *Endorses* the Quartet Performance-based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict (S/2003/529);
2. *Calls on* the parties to fulfil their obligations under the Roadmap in cooperation with the Quartet and to achieve the vision of two States living side by side in peace and security;
3. *Decides* to remain seized of the matter.



Security Council

Distr.: General
24 May 2004

Original: English

Letter dated 19 May 2004 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit to you the text of the Quartet statement, which was issued following the meeting of the Quartet Principals — representing the United States of America, the European Union, the Russian Federation and the United Nations — at United Nations Headquarters in New York on 4 May 2004 (see annex).

I should be grateful if you would bring this text to the attention of the members of the Security Council.

(Signed) Kofi A. **Annan**

Annex

Quartet statement

New York, 4 May 2004

Representatives of the Quartet — United Nations Secretary-General Kofi Annan, Russian Foreign Minister Sergei Lavrov, Irish Foreign Minister Brian Cowen, United States Secretary of State Colin Powell, High Representative for European Common Foreign and Security Policy Javier Solana, and European Commissioner for External Relations Chris Patten — met today in New York.

The Quartet reaffirms its commitment to our common vision of two States, Israel and a viable, democratic, sovereign and contiguous Palestine, living side by side in peace and security; and calls on both parties to take steps to fulfil their obligations under the road map as called for in Security Council resolution 1515 (2003) and previous Quartet statements, and to meet the commitments they made at the Red Sea summits in Aqaba and Sharm el-Sheikh. In that context, the Quartet urges the Government of Israel to implement its recent affirmation of its readiness to implement certain obligations under the road map, including dismantling of outposts erected since March 2001 and progress towards a freeze on settlement activity, and urges the Government of Israel to implement those commitments and to fully meet its road map obligations.

The Quartet members reviewed developments since their last meeting in New York on 26 September 2003 and view with great concern the situation in the Middle East. The Quartet condemns the continuing terror attacks on Israel, and calls on the Palestinian Authority to take immediate action against terrorist groups and individuals who plan and execute such attacks. The Quartet members recognize Israel's legitimate right to self-defence in the face of terrorist attacks against its citizens, within the parameters of international humanitarian law, and the Quartet calls on the Government of Israel to exert maximum efforts to avoid civilian casualties. They also call on the Government of Israel to take all possible steps now, consistent with Israel's legitimate security needs, to ease the humanitarian and economic plight of the Palestinian people, including increasing freedom of movement for people and goods both within and from the West Bank and Gaza, removing checkpoints, and other steps to respect the dignity of the Palestinian people and improve their quality of life. Under the road map, the Government of Israel should take no actions undermining trust, including deportations; attacks on civilians; confiscation and/or demolition of Palestinian homes and property, as a punitive measure or to facilitate Israeli construction; destruction of Palestinian institutions and infrastructure; and other measures specified in the Tenet work plan. The Quartet calls for renewed efforts to reach a comprehensive ceasefire as a step towards dismantlement of terrorist capabilities and infrastructure, and renewed progress towards peace through the implementation of the road map.

The Quartet notes the Government of Israel's pledge that the barrier being erected by Israel should be a security rather than a political barrier, and should be temporary rather than permanent. The Quartet continues to note with great concern the actual and proposed route of the barrier, particularly as it results in the confiscation of Palestinian land, cuts off the movement of people and goods, and undermines Palestinians' trust in the road map process as it appears to prejudice the final borders of a future Palestinian State.

The Quartet took positive note of the announced intention of Israeli Prime Minister Sharon to withdraw from all Gaza settlements and parts of the West Bank. The Quartet welcomes and encourages such a step, which should provide a rare moment of opportunity in the search for peace in the Middle East. This initiative, which must bring about a full Israeli withdrawal and complete end of occupation in Gaza, can be a step towards achieving the two-State vision; and has the possibility of restarting progress on the road map. The Quartet further notes that any unilateral initiatives by the Government of Israel should be undertaken in a manner consistent with the road map and the two-State vision that underlies the road map.

The Quartet reaffirms President Bush's call on 24 June 2002 for an end to the Israeli occupation that began in 1967 through a settlement negotiated between the parties. The Quartet also notes that no party should take unilateral actions that seek to predetermine issues that can only be resolved through negotiation and agreement between the two parties. Any final settlement on issues such as borders and refugees must be mutually agreed to by Israelis and Palestinians on the basis of Security Council resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003), the terms of reference of the Madrid peace process, the principle of land for peace, previous agreements, and the initiative of Saudi Crown Prince Abdullah endorsed by the Beirut Arab League Summit; and be consistent with the road map.

The Quartet and the international community are prepared to intensify their engagement with the Palestinians to restore momentum on the road map, enhance Palestinian humanitarian and economic conditions, build transparent and accountable Palestinian institutions, ensure security and stability in Gaza and the West Bank from which Israel withdraws, prevent all acts of terrorism, and ensure the dismantlement of armed terrorist groups. In furtherance of these goals, the Quartet will take the following steps, with appropriate mechanisms established to monitor progress and performance by all sides:

The Quartet will act on an urgent basis, in conjunction with the World Bank, the Office of the United Nations Special Coordinator for the Middle East Peace Process and the Ad Hoc Liaison Committee, on the basis of a World Bank/Office of the Special Coordinator rapid-assessment study, to ensure that Palestinian humanitarian needs are met, Palestinian infrastructure is restored and developed, and economic activity is reinvigorated. The Quartet welcomes the World Bank-established Trust Fund as an accountable, transparent, and appropriately benchmarked mechanism for receipt of international assistance.

The Quartet is prepared to engage with a responsible and accountable Palestinian leadership, committed to reform and security performance. The Quartet, through an empowered Prime Minister and Cabinet, the Task Force on Palestinian Reform, and in connection with the major donors working through the Ad Hoc Liaison Committee and the Local Aid Coordination Committee, will engage the Palestinians to reinvigorate the reform agenda of the road map, including a well-prepared and appropriately timed electoral process, paying particular attention to areas from which Israel has withdrawn. In this regard, the Quartet members will undertake to oversee and monitor progress on these fronts.

The Quartet will seek to ensure that arrangements are put in place to ensure security for Palestinians and Israelis as well as freedom of movement and greater mobility and access for Palestinians. The Quartet underscores the need for agreed, transparent arrangements with all sides on access, mobility and safety for

international organizations and bilateral donors and their personnel. As Israel withdraws, custody of Israeli-built infrastructure and land evacuated by Israel should be transferred through an appropriate mechanism to a reorganized Palestinian Authority in coordination with representatives of Palestinian civil society, the Quartet, and other representatives of the international community to determine equitable and transparent arrangements for the ultimate disposition of these areas as quickly as possible.

Effective security arrangements continue to be critical to any possibility of progress. In coordination with, and under the auspices of, an oversight committee led by the United States, and in coordination with the empowered Prime Minister and Cabinet, Palestinian security services should be restructured and retrained, consistent with the road map, to provide law and order and security to the Palestinians, to end terror attacks against Israel and Israelis and to dismantle terrorist capabilities and infrastructure. The Quartet welcomes in particular the Government of Egypt's engagement on security issues, including efforts to achieve a comprehensive and lasting ceasefire as a step towards this goal.

The Quartet reaffirms its commitment to a just, comprehensive, and lasting settlement to the Arab-Israeli conflict based upon resolutions 242 (1967) and 338 (1973); and reminds all parties of the need to take into account long-term consequences of their actions and of the obligation for all parties to make rapid progress towards resumption of a political dialogue. The Quartet will remain engaged with Israelis, Palestinians and all other parties — including through presence of its envoys on the ground — to ensure appropriate follow-up to the steps outlined above. An appropriate coordinating and oversight mechanism under the auspices of the Quartet will be established. The Quartet also calls on all States in the region to exert every effort to promote peace and to combat terrorism, and to prevent terrorist groups from making use of their territory to plan, prepare, or launch terrorist attacks.



Security Council

Distr.: General
19 May 2004

Resolution 1544 (2004)

**Adopted by the Security Council at its 4972nd meeting,
on 19 May 2004**

The Security Council,

Reaffirming its previous resolutions 242 (1967), 338 (1973), 446 (1979), 1322 (2000), 1397 (2002), 1402 (2002), 1403 (2002), 1405 (2002), 1435 (2002), and 1515 (2003),

Reiterating the obligation of Israel, the occupying Power, to abide scrupulously by its legal obligations and responsibilities under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,

Calling on Israel to address its security needs within the boundaries of international law,

Expressing its grave concern at the continued deterioration of the situation on the ground in the territory occupied by Israel since 1967,

Condemning the killing of Palestinian civilians that took place in the Rafah area,

Gravely concerned by the recent demolition of homes committed by Israel, the occupying Power, in the Rafah refugee camp,

Recalling the obligations of the Palestinian Authority and the Government of Israel under the Road Map,

Condemning all acts of violence, terror and destruction,

Reaffirming its support for the Road Map, endorsed in its resolution 1515 (2003),

1. *Calls* on Israel to respect its obligations under international humanitarian law, and insists, in particular, on its obligation not to undertake demolition of homes contrary to that law;

2. *Expresses* grave concern regarding the humanitarian situation of Palestinians made homeless in the Rafah area and *calls* for the provision of emergency assistance to them;

3. *Calls* for the cessation of violence and for respect of and adherence to legal obligations, including those under international humanitarian law;
 4. *Calls* on both parties to immediately implement their obligations under the Road Map;
 5. *Decides* to remain seized of the matter.
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United Nations

PRESS RELEASE

SC/8177
31 AUGUST 2004

PRESS STATEMENT BY SECURITY COUNCIL PRESIDENT ON
MIDDLE EAST

31/08/2004

Press Release

SC/8177

press statement by Security Council president on Middle East

The following press statement on the Middle East was delivered today by Security Council President Andrey Denisov (Russian Federation):

Members of the Security Council heard a briefing by the Secretariat on the terrorist attacks in Israel on 31 August 2004. They strongly condemned these bombings that resulted in the loss of innocent lives. They also condemned all other acts of terrorism.

Council members took note of the statement of the Spokesman for the Secretary-General on this tragic event.

Members of the Council denounced the escalation of violence in the Middle East and called on all the parties for the continuation of the Middle East peace process.

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! For information media. Not an official record.



United Nations

PRESS RELEASE

SC/8271

16 DECEMBER 2004

**PRESS STATEMENT ON MIDDLE EAST BY SECURITY COUNCIL
PRESIDENT**

16/12/2004

Press Release

SC/8271

**PRESS STATEMENT ON MIDDLE EAST
BY SECURITY COUNCIL PRESIDENT**

Following is today's statement to the press by Security Council President Abdallah Baali (Algeria):

Members of the Security Council welcome the statement made by Mr. Prendergast on the Middle East.

Members of the Security Council encourage the Secretary-General and the Secretariat to continue to provide full support to upcoming Palestinian presidential elections and encourage parties to do their utmost to ensure success of those elections.

Members of the Security Council agree that the moment is propitious for movement to implement the Road Map and look forward to free, fair and open Palestinian elections.

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! For information media. Not an official record.



Security Council

Distr.: General
13 January 2005

Original: English

Statement by the President of the Security Council

At the 5111th meeting of the Security Council, held on 13 January 2005, in connection with the Council's consideration of the item entitled "The situation in the Middle East, including the Palestinian question", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council welcomes the Palestinian Presidential election held on 9 January 2005. It commends the credible and fair character of the vote and congratulates the Palestinian people who demonstrated their commitment to democracy by participating in the election under challenging conditions. The Council pays tribute to the Central Elections Commission which played a key role in ensuring the successful conclusion of the election, and expresses its appreciation for the contribution of international observers and for the support of the United Nations.

"The Security Council congratulates the newly elected President of the Palestinian Authority on his election.

"The Security Council looks forward to the convening of the Palestinian legislative elections in the near future, and affirms the Council's continuing support for the Palestinian people in their democratic process.

"The Security Council supports the Palestinian Authority and its efforts to pursue the process of strengthening institutions.

"The Security Council underlines the importance of enhanced and expeditious international assistance to the Palestinian people and the Palestinian Authority.

"The Security Council stresses the need for the full implementation of the Quartet Roadmap, as endorsed by the Security Council in resolution 1515 (2003), for the creation of an independent, viable, democratic and sovereign State of Palestine living side by side with Israel in peace and security.

"The Security Council calls upon Israelis and Palestinians to relaunch a genuine political process and advance towards a just and lasting peace in the region."



Security Council

Distr.: General
16 February 2005

Original: English

Statement by the President of the Security Council

At the 5126th meeting of the Security Council, held on 16 February 2005, in connection with the Council's consideration of the item entitled "The situation in the Middle East, including the Palestinian question", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council welcomes the Summit in Sharm El Sheikh, Egypt on 8 February 2005, and the resumption of direct talks between the Prime Minister of Israel Mr. Ariel Sharon and the President of the Palestinian Authority Mr. Mahmoud Abbas. The Council expresses its appreciation to President Hosni Mubarak of the Arab Republic of Egypt for the invitation to both parties to the Summit, and to King Abdullah II bin Al Hussein of Jordan for his participation.

"The Security Council underlines the understandings reached by the Government of Israel and the Palestinian Authority, in particular that all Palestinians will stop all acts of violence against all Israelis everywhere and that Israel will cease all its military activities against all Palestinians everywhere. The Security Council calls for the full respect by the parties of their commitments in this regard.

"The Security Council recognizes these understandings, along with other recent positive developments, as primary steps towards restoring confidence between the two parties and as a significant opportunity to enhance a new spirit of cooperation and to promote an atmosphere conducive to the establishment of peace and coexistence in the region.

"The Security Council commends the role being played by Egypt and Jordan in facilitating a successful resumption of dialogue between the Government of Israel and the Palestinian Authority within the framework of the Road Map.

"The Security Council welcomes the initiative of the United Kingdom Government in convening an international meeting in London on 1 March to support Palestinian efforts to prepare the ground for a viable Palestinian state. The Security Council also welcomes the upcoming 'Quartet' meeting at the ministerial level which will convene in the margins of the London meeting.

"The Council looks forward to further engagement by the 'Quartet' with the two parties to ensure continued progress in the peace process and the full implementation of the Road Map and relevant Security Council resolutions,

including resolutions 242 (1967), 338 (1973), 1397 (2002), and 1515 (2003), towards the creation of an independent, viable, democratic and sovereign State of Palestine living side by side with Israel in peace and security.

“The Security Council looks forward to the establishment of a just, lasting and comprehensive peace in the Middle East.”



Security Council

Distr.: General
9 March 2005

Original: English

Statement by the President of the Security Council

At the 5136th meeting of the Security Council, held on 9 March 2005, in connection with the Council's consideration of the item entitled "The situation in the Middle East, including the Palestinian question", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council welcomes the conclusions of the London Meeting on supporting the Palestinian Authority on 1 March. The Council supports the objectives of the London Meeting to help the Palestinian leadership strengthen the institutions needed for a viable and independent Palestinian State.

"The Security Council hopes that the London Meeting will be part of the longer-term process of international support to the Palestinian people and the Palestinian Authority and a contribution to helping both sides implement the road map endorsed by the Security Council in resolution 1515 (2003) and agreed to by the parties as the path towards a lasting comprehensive negotiated settlement to the Middle East conflict, based on Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002).

"The Security Council stresses the crucial importance of security, good governance and development of the Palestinian economy. In this context, the Council welcomes President Abbas's comprehensive plan presented at the London Meeting for strengthening the Palestinian Authority's institutions in these three areas.

"The Security Council stresses the key role of the international community in assisting the Palestinian Authority in taking forward this plan. The Council welcomes the international community's commitments to respond to the plans of the Palestinian Authority by providing financial and political support. The Council recognizes the important role of the 'Quartet' in international efforts aimed at providing assistance to the Palestinian Authority in the fields of security, economic development and governance.

"The Security Council supports the proposals for follow up to the London Meeting and looks forward to their early implementation.

"The Security Council supports the Joint Statement of the 'Quartet' issued following the meeting of the 'Quartet' in the margins of the London Meeting, and looks forward to the 'Quartet's active engagement over the forthcoming period, while recognizing also the important role of other interested parties.

“The Security Council reiterates its call for full respect by the Government of Israel and the Palestinian Authority of understandings reached at the Sharm el Sheikh summit on 8 February, in particular that all Palestinians will stop all acts of violence against all Israelis everywhere and that Israel will cease all its military activities against all Palestinians everywhere.

“The Security Council reiterates its call on both Israel and the Palestinian Authority to ensure continued progress in the peace process towards full implementation of the road map in direct contact with the ‘Quartet’. It stresses the need for concerted and sustained action by the Palestinian Authority to fulfil its security-related commitments and welcomes in this context President Abbas’s commitment to exert every effort towards that end. The Council stresses also the need for Israel to implement its road map commitments.

“The Security Council reiterates its demand for immediate cessation of all acts of violence, including all acts of terror, provocation, incitement and destruction.

“The Security Council reiterates its commitment to the vision of two states, Israel and Palestine, living side-by-side in peace and security.”



**General Assembly
Security Council**

Distr.: General
13 May 2005
English
Original: Russian

**General Assembly
Fifty-ninth session
Agenda item 36
The situation in the Middle East**

**Security Council
Sixtieth year**

**Letter dated 13 May 2005 from the Permanent Representative
of the Russian Federation to the United Nations addressed to the
Secretary-General**

In my capacity as the representative of the country which hosted “Quartet” Ministerial meeting of the Middle East Peace Process international intermediaries I have the honour to transmit to you its final statement.

I would be grateful if the text of this letter and its annex could be distributed as a document of the Security Council at the General Assembly under agenda item 36 of the fifty-ninth session.

Please accept, Excellency, the assurances of my highest consideration.

(Signed) Andrey **Denisov**

Annex to the letter dated 13 May 2005 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

Quartet Statement, Moscow, Russia, 9 May 2005

The Quartet met today in Moscow. The Quartet emphasizes that this is a hopeful and promising moment for both Palestinians and Israelis, and that they deserve the full support of the international community in helping them with the hard work and difficult decisions required in order to make positive use of this opportunity. The Quartet welcomed the commitments of the parties at the Sharm el-Sheikh summit of 8 February 2005 and urged them to renew their efforts to fulfil the commitments they agreed to at that time, in order to maintain momentum at this fragile moment of opportunity. The Quartet, underscoring the urgency of the matter, affirms its commitment to fully support the efforts of both parties to ensure successful Israeli withdrawal from Gaza and parts of the northern West Bank.

The Quartet strongly reiterated its commitment to the two-state solution, and to Israeli withdrawal as a way to re-energize the Roadmap. The Quartet stresses the importance of full and complete Israeli withdrawal from Gaza in a manner consistent with the Roadmap as an important step paving the way towards realizing the vision of two democratic states, Israel and Palestine, living side by side in peace and security. The Quartet affirms that a new Palestinian state must be truly viable, with contiguity in the West Bank; reminds all concerned that a state of scattered territories will not work; and emphasizes that no party should take unilateral actions that prejudice final status issues. The Quartet also affirms that the two-state vision and the Roadmap are the best means of achieving a settlement negotiated between the two parties, leading to a permanent peace and an end to the occupation that began in 1967. With respect to this, the Quartet observes that the Roadmap has been endorsed by Israel and the Palestinian Authority and remains the objective of the international community; and urges both parties to take steps to fulfil all their obligations under the Roadmap.

The Quartet expresses its full support for James Wolfensohn, its Special Envoy for Gaza Disengagement. His mandate is to focus on the non-security aspects of withdrawal, particularly disposition of assets; passages, access and trade; and revival of the Palestinian economy during and after Israeli withdrawal. This will require close coordination with both Israel and the Palestinians to identify and implement those actions and policies that will ensure a smooth and successful implementation of the Israeli initiative. On the Palestinian side, this includes above all a strong commitment to security reform and performance; and the building of transparent, accountable government institutions and an investor-friendly climate, with a view to restoring growth. On the Israeli side, this involves relieving the economic hardships faced by the Palestinian people and facilitating rehabilitation and reconstruction by easing the system of restrictions on the movement of Palestinian people and goods and taking further steps to respect the dignity of the Palestinian people and improve their quality of life — without endangering Israeli security — and taking into consideration the World Bank report of December 2004. At the London meeting on 1 March 2005 the international community underscored its readiness to play a vital role by providing financial support to the Palestinians at this critical moment. Creating the environment conducive for a long-term,

sustainable and viable economic development of all the Palestinian territories would constitute a suitable basis for additional assistance efforts by the international community.

The Quartet emphasizes Mr. Wolfensohn's mandate to promote direct dialogue and cooperation between Palestinians and Israelis on these economic issues, to ensure a smooth transition in Gaza and parts of the northern West Bank. In this context, the Quartet stresses the urgent need for Israelis and Palestinians to coordinate directly and fully on withdrawal preparations.

The Quartet recognizes that economic development and progress on security go hand in hand as security reforms and the re-establishment of the rule of law are necessary to create an enabling environment for economic growth and political progress. The Quartet also recognizes the need for continued efforts by the international community to assist the Palestinian Authority in accomplishing these tasks, including rebuilding the capabilities of the Palestinian security services. Ongoing assistance by the international community, in particular members of the Quartet and countries of the region, constitutes a significant contribution to these efforts. The Quartet calls upon Israel and the Palestinian Authority to facilitate these efforts.

In that regard, the Quartet expresses its full support for General William Ward, United States Security Coordinator, to assist the Palestinians in reforming and restructuring their security forces, and to coordinate international assistance towards those efforts. The Quartet welcomes the recent concrete steps that President M. Abbas has taken towards reform of the Palestinian security services, and stresses the need to continue implementation of these reforms in order to permanently reinstate law and order in Gaza and the West Bank.

The Quartet commends the Palestinian people's and leadership's commitment to democracy and attaches great importance to a successful continuation of the democratic process. The latest round of municipal elections has just been conducted. The Quartet commends the Government of Israel for facilitating the operations. The holding of free, fair and transparent multi-party legislative elections in the West Bank, Gaza and East Jerusalem, under the scrutiny of international observers, will be another vital step forward on the path towards building a reformed and accountable Palestinian Authority. As additional voter registration for these elections has just begun, the Quartet calls on both the Palestinian Authority and Israel to urgently take all necessary steps, including freedom of movement for candidates and voters, to achieve this goal and renews its offers of technical support and providing election observation services.

The Quartet deems it necessary to ensure continued efforts aimed at full implementation of the Roadmap following Israeli withdrawal from Gaza and parts of the northern West Bank.

The Quartet reiterates its commitment to the principles outlined in its previous statements, including those of 1 March 2005 and 4 May 2004; and reaffirms its commitment to a just, comprehensive, and lasting settlement to the Arab-Israeli conflict based upon United Nations Security Council resolutions 242 and 338, and will remain engaged with all parties to help ensure that progress towards this goal is achieved.



United Nations

PRESS RELEASE

SC/8480
24 AUGUST 2005

**PRESS STATEMENT ON ISRAELI DISENGAGEMENT BY
SECURITY COUNCIL PRESIDENT**

PRESS STATEMENT ON ISRAELI DISENGAGEMENT BY SECURITY COUNCIL PRESIDENT

Following is the text of today's press statement by the President of the Security Council, Kenzo Oshima (Japan):

The members of the Security Council welcome the beginning of the Israeli withdrawal from Gaza and parts of the northern West Bank and they commend the ongoing implementation of this process.

The members of the Security Council appreciate the coordination between the Israeli Government and the Palestinian Authority before and during the disengagement. They commend the assistance of James Wolfensohn, the Quartet Special Envoy for Gaza Disengagement, in ensuring the smooth and successful implementation of the process and an orderly assumption of responsibilities by the Palestinian Authority. They call for further cooperation between both sides in the forthcoming period.

The members of the Security Council underline the importance of full and complete disengagement in a manner consistent with the Road Map.

The members of the Security Council believe that successful disengagement can be the first step toward a resumption of the peace process. They reiterate their call upon both parties, in close cooperation with the Quartet, to ensure continued progress in the full implementation of the Road Map and relevant Security Council resolutions towards the creation of an independent, viable, democratic and sovereign State of Palestine living side by side with Israel in peace and security.

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! For information media. Not an official record.

**Security Council**

Distr.: General
23 September 2005

Original: English

Statement by the President of the Security Council

At the 5270th meeting of the Security Council, held on 23 September 2005, in connection with the Council's consideration of the item entitled "The situation in the Middle East, including the Palestinian question", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council supports the Statement issued in New York on 20 September 2005 by the Quartet, which is annexed to this statement.

The Security Council urges the Government of Israel and the Palestinian Authority to cooperate, along with other parties concerned, with the efforts to achieve the goals set out in the Quartet Statement.

The Security Council calls for renewed action in parallel by the Government of Israel and the Palestinian Authority on their obligations in accordance with the Roadmap, to ensure continued progress towards the creation of an independent, sovereign, democratic and viable State of Palestine living side by side with Israel in peace and security.

The Security Council stresses the importance of, and the need to achieve, a just, comprehensive, and lasting peace in the Middle East, based on all its relevant resolutions including its resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003), the Madrid terms of reference and the principle of land for peace."



AnnexQuartet Statement
September 20, 2005
New York

Representatives of the Quartet – U.N. Secretary General Kofi Annan, Russian Foreign Minister Sergei Lavrov, U.S. Secretary of State Condoleezza Rice, U.K. Foreign Secretary Jack Straw, High Representative for European Common Foreign and Security Policy Javier Solana, and European Commissioner for External Relations Benita Ferrero-Waldner - met today in New York to discuss the Gaza disengagement and the prospects for movement towards peace in the Middle East.

The Quartet recognizes and welcomes the successful conclusion of the Israeli withdrawal from Gaza and parts of the northern West Bank and the moment of opportunity that it brings to renew efforts on the Roadmap. The Quartet reiterates its belief that this brave and historic decision should open a new chapter on the path to peace in the region. It paid tribute to the political courage of Prime Minister Sharon and commends the Israeli government, its armed forces and its police for the smooth and professional execution of the operation. It also expresses its appreciation for the responsible behavior of the Palestinian Authority and people for helping maintain a peaceful environment during the evacuation. The Quartet applauds the close coordination between the Israeli and Palestinian security services during the process. These significant developments create new opportunities and call for renewed focus on the responsibilities of all parties. The conclusion of disengagement represents an important step toward achieving the vision of two democratic states, Israel and Palestine, living side-by-side in peace and security.

The Quartet commends continued cooperation between both parties and the U.S. Security Coordinator, General William Ward, on security issues related to the disengagement. The Quartet calls for an end to all violence and terror. While the PA leadership has condemned violence and has sought to encourage Palestinian groups who have engaged in terrorism to abandon this course and engage in the democratic process, the Quartet further urges the Palestinian Authority to maintain law and order and dismantle terrorist capabilities and infrastructure. The Quartet reaffirms the continued importance of comprehensive reform of the Palestinian security services. The rule of law through authorized security institutions is fundamental to democratic practice. The Quartet expresses appreciation to those parties which have made contributions to the security reform effort, particularly Egypt, the European Union, and the United States. Finally, the Quartet welcomes the agreement between the Governments of Israel and Egypt on security arrangements along the Gaza-Egypt border.

At today's meeting, Quartet Special Envoy Wolfensohn's report on his current efforts and initiatives was discussed. The Quartet encourages his further work to facilitate continued discussion between the parties to build on the success of disengagement. The Palestinian Authority should demonstrate its ability to govern, and all members of the international community should look for ways to support these efforts. The Quartet will continue to lead international efforts to support sustainable growth of the Palestinian economy and to strengthen the overall capacity of the Palestinian Authority to assume its responsibilities through an aggressive pursuit of state building and democratic reform efforts. Given the critical importance

of free movement in the West Bank to the viability of the Palestinian economy, the Quartet urges an easing of the system of movement restrictions, consistent with Israel's security needs. The Quartet reaffirms that coordinated action by the international donor community is crucial for the success of the Quartet Special Envoy's Quick Impact Economic Program, as well as for the longer term three year plan for Palestinian development. In this regard, it notes the importance of the \$750 million in assistance which will be disbursed to the Palestinian Authority during the remainder of this year. The Quartet urges Arab states to implement existing commitments and to engage fully and positively in response to the Special Envoy's initiatives. To ensure the success of this effort, the Quartet views continued progress on institutional reform of the Palestinian Authority, as well as progress in combating corruption, as essential. The Quartet also welcomes the announcement of Palestinian Legislative Council elections and upcoming municipal elections.

Looking beyond disengagement, the Quartet reviewed progress on implementation of the Roadmap. The Quartet calls for renewed action in parallel by both parties on their obligations in accordance with the sequence of the Roadmap. As part of the confidence-building process the Quartet urged both sides to return to the cooperative agenda reached at Sharm el-Sheikh. Contacts between the parties should be intensified at all levels. The Quartet charges the Envoys to keep progress under review.

Both parties are reminded of their obligations under the Roadmap to avoid unilateral actions which prejudice final status issues. The Quartet reaffirms that any final agreement must be reached through negotiation between the parties and that a new Palestinian state must be truly viable with contiguity in the West Bank and connectivity to Gaza. On settlements, the Quartet welcomed the fact that, in areas covered by disengagement, Israel has gone beyond its obligations under the first phase of the Roadmap. The Quartet expresses its concern that settlement expansion elsewhere must stop, and Israel must remove unauthorized outposts. The Quartet continues to note with concern the route of the Israeli separation barrier, particularly as it results in the confiscation of Palestinian land, cuts off the movement of people and goods, and undermines Palestinians' trust in the Roadmap process as it appears to prejudge the final borders of a Palestinian state.

The Quartet members exchanged views on the Russian proposal to hold an international meeting of experts in Moscow. Contacts on this matter will continue, taking into consideration the need to give attention to the various aspects of the Middle East situation, including multilateral matters.

The Quartet reiterates its commitment to the principles outlined in previous statements, including those of May 4, 2004, May 9, 2005, and June 23, 2005, and reaffirms its commitment to a just, comprehensive, and lasting settlement to the Arab-Israeli conflict based upon U.N. Security Council Resolutions 242 and 338.



Security Council

Distr.: General
30 November 2005

Original: English

Statement by the President of the Security Council

At the 5313th meeting of the Security Council, held on 30 November 2005, in connection with the Council's consideration of the item entitled "The situation in the Middle East, including the Palestinian question", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council welcomes the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing reached between the Government of Israel and the Palestinian Authority on 15 November 2005. The successful opening of the Rafah crossing on 25 November 2005 represents an important step forward.

"The Security Council commends the efforts of the Quartet, its Special Envoy and his team, as well as the positive contributions of the Government of Egypt, and expresses its strong appreciation to the European Union for assuming the role of third party monitor.

"The Security Council calls on the parties to take immediate action to implement the terms of both agreements according to the time lines established therein.

"The Security Council calls for renewed action in parallel by the Government of Israel and the Palestinian Authority on their obligations in accordance with the Roadmap, to ensure continued progress towards the creation of a viable, democratic, sovereign, and contiguous Palestine living side-by-side with Israel in peace and security. The Security Council stresses the importance of, and the need to achieve, a just, comprehensive, and lasting peace in the Middle East, based on all its relevant resolutions including its resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003), the Madrid terms of reference and the principle of land for peace."



Security Council

Distr.: General
3 February 2006

Original: English

Statement by the President of the Security Council

At the 5365th meeting of the Security Council, held on 3 February 2006, in connection with the Council's consideration of the item entitled "The situation in the Middle East, including the Palestinian question", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council congratulates the Palestinian people on an electoral process that was free, fair, and secure. It commends all the parties for the preparation and conduct of the elections, particularly the Central Elections Commission and the Palestinian Authority security forces, for their professionalism.

"The Security Council expresses its expectation that a new government remain committed to realizing the aspirations of the Palestinian people for peace and statehood. The Security Council welcomes President Abbas' affirmation that the Palestinian Authority remains committed to the Roadmap, previous agreements and obligations between the parties, and a negotiated two-state solution to the Israeli-Palestinian conflict. The Security Council expresses its view that all members of a future Palestinian government must be committed to the aforementioned instruments and principles.

"Cognizant of the humanitarian needs of the Palestinian people, the Security Council reaffirms its continuing interest in the fiscal stability of the caretaker government, consistent with clear reform and austerity benchmarks. The Security Council notes that major donors have indicated they will review future assistance to a new Palestinian Authority government against that government's commitment to the principles of non-violence, recognition of Israel, and acceptance of previous agreements and obligations, including the Roadmap.

"The Security Council reminds both parties of their obligation under the Roadmap and on existing agreements, including on movement and access. It calls on both parties to avoid unilateral actions which prejudice final status issues. The Security Council underlines the need for the Palestinian Authority to prevent terrorist attacks and dismantle the infrastructure of terror. It reiterates its view that settlement expansion must stop and its concern regarding the route of the barrier.

“The Security Council reaffirms its profound attachment to the vision of two democratic states, Israel and Palestine, living side-by-side in peace and security. The Security Council reiterates the importance of, and the need to achieve, a just, comprehensive, and lasting peace in the Middle East, based on all its relevant resolutions including its resolutions 242 (1967), 338 (1973), 1397 (2002), and 1515 (2003), the Madrid terms of reference and the principle of land for peace.”



Security Council

Distr.: General
28 July 2006

Original: English

Humanitarian situation in the Middle East

Note by the Secretary-General

Pursuant to a request by members of the Security Council at the consultations of the whole held on 28 July 2006, the Secretary-General hereby transmits the briefing delivered on the same day to Council members by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Jan Egeland, on the humanitarian situation in the Middle East.

Statement of the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator to the Security Council on the humanitarian situation in the Middle East

28 July 2006

I have just returned from a six-day mission to three war zones: Lebanon, northern Israel, and Gaza. I was an eyewitness to the devastating effects of the current hostilities on civilians. I met with humanitarian colleagues to plan the necessary emergency operations to address the worsening humanitarian situation in the region. I also had the opportunity to meet with the Prime Minister of Lebanon, Fouad Siniora, and key ministers of his Cabinet, as well as the Speaker of Parliament, Nabih Berri. In Israel, I met with the Foreign Minister, Tzipi Livni, and the Defence Minister Amir Peretz. I also had a meeting with the President of the Palestinian Authority, Mahmoud Abbas, and his key advisers.

The Middle East is at a crossroads. My fear is that more violence, more missiles, more terror, and more destruction creates more anger, more hatred, and more disillusioned youths, and ultimately leads to less security throughout the region. Civilians on all sides are the losers of this endless cycle of violence.

Lebanon

The humanitarian situation in Lebanon is dramatic: tens of thousands are fleeing the fighting; hundreds are wounded; and dozens die every day. I witnessed, at first hand, how the civilian population is caught in the crossfire. The destruction, the number of casualties, and the fear and terror inflicted by the continued air strikes was greater than I had expected. The situation, already terrible when I arrived in the region, last Sunday, got worse by the day. Beirut, just three weeks ago the vibrant symbol of Lebanon's recovery from civil war, is now a virtual ghost town. Young people are thinking of leaving the country, as they have lost confidence in a peaceful future in Lebanon.

Lebanese and international humanitarian organizations are trying to come to the relief of as many people as possible. Today, another 10-truck United Nations convoy, painstakingly, made its way from Beirut to Saida and inland to Jezzine. What used to be a 1½-hour drive has now become a 6-hour ordeal, on totally clogged roads. We have established humanitarian corridors by land and by sea to Beirut as well as a notification channel to the Israeli forces to guarantee safe passage for the increasing number of our convoys. They provide urgently needed relief items to hundreds of thousands in the south of Lebanon and other areas such as the Bekaa Valley.

We are hoping to provide some 10,000 tons of relief supplies in the next month alone through these corridors, which I called for in my briefing to you last Friday and in my letters to the Israeli and Lebanese Governments of last week. That is provided there are no attacks on any of our convoys from any of the parties involved. The direct hit sustained by the United Nations post in Khiam, resulting in the tragic killing of our colleagues, has caused considerable anxiety among our relief workers. The hit took place despite repeated notifications and assurances to spare the post. If we agree on notification procedures with the Israel Defense Forces (IDF), as we have, then we must be able to absolutely trust that the chain of

command within IDF is working. Just this morning I have received reports that a non-United Nations relief convoy was hit in the south of Lebanon.

Yet it must be clear to all, the parties to the conflict and the members of the Security Council, that the limited and carefully controlled assistance we will be able to provide through this notification system with IDF is not enough to prevent the excessive suffering of the civilian population. We need an immediate cessation of hostilities, followed by a ceasefire agreement, the deployment of a security force, and the political settlement of the conflict, as proposed by the Secretary-General.

The level of displacement, primarily from southern Lebanon and the southern suburbs of Beirut, has now reached approximately 700,000. An estimated 100,000 people are victims of the siege of their homes, towns and villages. Already, some 210,000 have fled Lebanon as refugees to the neighbouring Syrian Arab Republic and Cyprus. Among them are 115,000 third-country nationals, many of whom do not have the financial means to travel back to their home countries. Every day of fighting displaces tens of thousands more.

It was heartbreaking to visit some of these internally displaced persons in the Metn region of Lebanon, a Druze area. Several hundreds, 85 per cent of whom are women, children, and even babies, were cramped into a school with six toilets, each small classroom filled with some 20 people and the few belongings they were able to bring along. Already among the poorest, they have lost their belongings and are now faced with skyrocketing prices for basic goods. This small region alone is host to more than 250,000 displaced, of whom 67,000 are sheltered in schools, hospitals or community centres.

There, I also met some of the survivors from the village of Srifa in south Lebanon where 20 people died during the air strikes on 19 July. Their desperate appeal to me was that the bodies of their killed family members be recovered from the rubble of their homes. "We cannot sleep at night", one woman said. "We have heard that the dogs are eating their bodies." This is one of the cases I raised directly with the Israeli authorities, requesting their assistance in facilitating the recovery and burial of the bodies in accordance with Islamic tradition.

The civilian death toll in Lebanon stands now at more than 600, according to the Minister of Health. The majority are women and children. In the Dahiyeh suburb of south Beirut, a Hizbollah stronghold, I could see the devastating effects of 10 days of massive air strikes on a residential area. Apartment buildings of 6 to 10 storeys had been levelled, block by block. The rubble was covered with schoolbooks, children's clothing, photographs, and other personal belongings.

I urged the Foreign Minister and the Defence Minister of Israel in my meetings to review the conduct of the air strikes and bombardments to avoid excessive use of force that inflicts disproportionate suffering on the civilian population. When there are clearly more dead children than actual combatants, the conduct of hostilities must be reviewed.

At the same time, I repeatedly and publicly appealed from within Lebanon that the armed men of Hizbollah must stop their deplorable tactic of hiding ammunition, arms, or combatants among civilians. Using civilian neighbourhoods as human camouflage is abhorrent and in violation of international humanitarian law.

The ongoing air strikes have crushed civilian infrastructure in many parts of Lebanon. Airports, seaports, roads and bridges have been systematically destroyed. An example is the destruction of the Mdeirij Bridge, the highest in the Middle East, on the main highway connecting Beirut and Damascus. The bridge was the result of a four-year joint development venture with Italy and considered vital to the economy of Lebanon. The bridge was rendered unusable in the first days of the conflict and is now, just like the coastal highway from Beirut via Saida to Tyre, impossible to use, even for relief convoys. The damage to infrastructure is already estimated at billions of dollars and will severely hamper an early economic recovery of Lebanon from this conflict.

Northern Israel

The devastating impact of this conflict on the civilian population is not confined to Lebanon. Hundreds of thousands of Israeli civilians suffer as well. Daily Hizbollah rocket attacks are spreading constant fear and terror among the civilian population. In Haifa, I saw the damage done by one of the 80 Katyusha rocket attacks to a three-storey residential family home. The civilian population spends much of the time in shelters. Altogether, the attacks have left some 20 dead and hundreds wounded by more than 1,000 rockets that so far have rained indiscriminately on the population in northern Israel.

In fact, while in Haifa meeting with the Foreign Minister, we had to take shelter ourselves when one such Katyusha rocket hit the city. These senseless attacks must stop. As the mayor of Haifa told me, "the attacks have undermined the very moderate forces in Israel who argued for a withdrawal from Lebanon in 2000 and who promoted peace and reconciliation with Arab neighbours".

Occupied Palestinian Territory

As we call for an immediate ceasefire, political solutions and security arrangements in Lebanon, we must ensure that we do not forget to address the armed conflict and deepening social and economic crisis in Gaza, and the Occupied Palestinian Territory as a whole. Renewed fighting just a day after my visit to Gaza killed a 3-year-old Palestinian girl. Altogether, 150 have lost their life since the present conflict broke out in June, one quarter of whom are reported to be children.

When visiting Gaza, I was deeply saddened to find the great visions that we had in Oslo for a peaceful and prosperous Palestine, coexisting in safety and security with a recognized Israel, shattered. Those hopes have been replaced by a deep sense of despair and disillusionment. The destruction of vital civilian infrastructure such as bridges, roads, and the only electrical power plant in Gaza, the ongoing closure of most border crossings into and out of Gaza, and frequent roadblocks are suffocating any attempt at building a viable economic and social infrastructure in Gaza. As a result, anger and the readiness to resort to militant violence seem to be growing, particularly among young people.

I saw the destruction of every single transformer of the power plant in Gaza, covering 55 per cent of Gaza's electricity needs, including that of homes, schools and hospitals. Today, private households, hospitals, and water pumps receive some three to four hours of electricity supply per day, often not synchronized with the few hours during which water is being supplied. Some Israeli officials have conceded that the destruction of this purely civilian installation was indeed unwise.

The repeated destruction of infrastructure is also taking its toll on aid workers. It was disheartening to feel their sense of frustration and disillusionment. The produce from the greenhouses erected as part of James Wolfenson's efforts was all destroyed in the recent violence as were the bridges built by UNDP with European aid over several years. Some of our colleagues are ready to give up. But we cannot allow this to happen. How can we give up on 1.4 million inhabitants of Gaza, half of them children? It is now, more than ever, that the Occupied Palestinian Territory needs our collective assistance.

The following needs to happen in Gaza:

- **Violence must stop.** We must support the efforts of President Abu Mazen and international mediators aimed at stopping militants from lobbing Qassam rockets at Israeli settlements and releasing the soldier held in captivity. Israel, in turn, must end its often excessive and disproportionate use of force, as was the case in the destruction of the power plant and the shelling that takes the lives of civilians.
- **Rebuild vital infrastructure.** We must help the Palestinian Authority to re-establish a social and economic infrastructure that will provide employment and hope, and help to curb the extreme radicalization of Gaza's youth.
- **Open border crossings.** We encourage the Israeli authorities to establish a transparent and reliable regime at the key crossing point into and out of Gaza. I have proposed to the Defence Minister a regular weekly working meeting between IDF and the United Nations to facilitate the transport of humanitarian and other urgently needed goods into Gaza.

Conclusions

Throughout my mission to all three war zones my public message was consistent:

- The indiscriminate rain of rockets into Israel must stop.
- The excessive and disproportionate use of force by the Israel Defense Forces in both Lebanon and Gaza must stop.
- The hiding of armed combatants and weaponry among the civilian populations in Lebanon and the Occupied Palestinian Territory must stop.
- And, most importantly, as the Secretary-General has repeatedly said, we need a cessation of hostilities immediately.

As a first step, I am recommending to the Secretary-General, and through him to you, a humanitarian truce. We need at least 72 hours of tranquillity for the sake of the children of Lebanon and northern Israel who, I believe, we all agree are the innocent victims of this escalating conflict. During this humanitarian truce a major operation could be staged with ICRC, the Lebanese Red Cross, and the United Nations and its partner organizations to do the following:

- First, relocate the children, the wounded, the disabled, and the elderly who have not been able to escape the fighting in the worst war zones.

- Second, resupply hospitals and health centres, particularly in the south, with emergency medical relief items and fuel for generators to avoid a complete breakdown of public health facilities caring for the thousands of wounded.
- Third, provide water and sanitation facilities, food and other basic supplies to the tens of thousands of displaced who are seeking shelter in public buildings in the conflict zones.
- Fourth, establish an emergency communication system to vulnerable communities allowing us to address acute needs urgently where and when they arise.

In conclusion: we humanitarians will do what we can to save lives and alleviate suffering. But, as stated before, aid in itself is not the solution. It is only a temporary “plaster on the wound”. Only an end to the fighting and a political settlement that will give the peoples of Israel, Lebanon and the Occupied Palestinian Territory the security and socio-economic conditions they deserve will prevent future conflict and suffering.

As humanitarian workers, we are frustrated and feel that the work on the political and security agreements is too slow. We are afraid that in the meantime the parties to the conflict are continuing its escalation, thereby prolonging the suffering of civilians and causing more hatred and sorrow today that they will regret tomorrow.

Let me end the way I began, with a plea for the immediate protection of the civilian population in all three war zones. Civilians must be protected at any cost. If there are many more dead children in a conflict than armed men, there is something fundamentally wrong, not only with how the armed men behave and where they hide, but also with the way the response is being conducted.



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Report of the Secretary-General on the Middle East

Introduction

1. As my term as Secretary-General nears its end, I would like to review the situation in the Middle East. Rather than summarize all the developments of the past ten years, I wish to focus on the attempts of the international community and the parties to reach a negotiated political solution to the enduring and painful conflicts that have bedevilled the region.

2. Today, the Middle East faces grim prospects, and is more complex, fragile and dangerous than it has been for many years. The various unresolved but increasingly interconnected conflicts in the region both feed and feed off a growing sense of estrangement between peoples of different faiths, with consequences throughout the world. Overall, the instability that prevails in the Middle East is the greatest regional challenge to international peace and security, and needs to be addressed far more thoroughly than it has been to date.

3. The failure to achieve a just and comprehensive solution to the long-festered Arab-Israeli conflict remains the major underlying source of frustration and instability in the region. Other, more recent, conflicts have been shaped by this failure, although they have inevitably taken on a dynamic of their own. I have addressed a number of these conflicts in other reports. However, I am convinced that the search for stability in Iraq, Lebanon and elsewhere will be greatly served by a concerted effort to address the legitimate aspirations of Israelis, Palestinians, Syrians and Lebanese to achieve two independent and secure States of Israel and Palestine; an end to the occupation of Arab land both in the Occupied Palestinian Territory and the Golan Heights; and the comprehensive, just and lasting peace in the Middle East referred to in Security Council resolution 1701 (2006) and many other resolutions. A regional approach is needed to resolve the various crises and conflicts in the Middle East today, not least because progress in each arena is to a large extent dependent on progress in others.

The post-Oslo era

4. When I began my tenure as Secretary-General on 1 January 1997, Israelis and Palestinians were engaged in the implementation of the Oslo Accords of 1993, which had led to the establishment of the Palestinian Authority in 1994. This period witnessed continuing negotiations, gradual Israeli withdrawal from some parts of



the West Bank and Gaza Strip and the growth of the Palestinian Authority. Under the terms of the Oslo Accords, the international community supported a process that involved step-by-step actions to build confidence and establish a basis from which to move towards resolution of all final status issues (Jerusalem, refugees, settlements, security arrangements, borders and relations and cooperation with other neighbours).

5. The period immediately following 1993 was one of hope and new beginnings. However, two developments illustrated the weakness of the political will of both parties, and the low level of trust between them. On the Israeli side, settlements continued to be expanded and Israeli control over land, borders and Palestinian movement was consolidated, with frequent and widespread closures, and some targeted killings. On the Palestinian side, there was early evidence that the goal of building strong and transparent institutions would not be achieved easily. There was also the inability to tackle directly and firmly the phenomenon of armed resistance, which increasingly took the form of acts of terrorism. In combination, these phenomena weakened the basic tenet of a settlement in the Middle East: ending the occupation that began in 1967 on the basis of the principle of “land for peace” in accordance with Security Council resolution 242 (1967). The assassination in 1995 of Prime Minister Yitzhak Rabin, who so clearly recognized that to attain peace it is necessary to negotiate not with one’s friends but with one’s enemies, was a tragic setback for the peace process.

6. For understandable reasons, the framers of the Oslo Accords felt that it was impossible to define end goals that would have come close to satisfying the concerns of both peoples at that time, and a gradualist approach was thought to be necessary. However, with the benefit of hindsight, certain aspects of the Oslo Accords have been identified as problematic. Some people believed that the actual implementation of the steps to be taken by the parties was supposed to be sequential rather than parallel — meaning that a failure of one party or spoiler could, and often did, derail the process. Importantly, there was no monitoring mechanism involved, either for settlement expansion or for violence. In addition, the Oslo Accords lacked a clearly defined end goal, and did not spell out where the parties would be at the end of the process. In consequence, the deeply divisive issues of final status were left undefined, and, as was feared by both parties, became hostages to the creation of facts on the ground.

7. There were some successes, including the Hebron Protocol and the Wye River agreement. However, the extent of the erosion of the Oslo peace process was made painfully clear with the failure of the Camp David peace talks and the outbreak of the second intifada in September 2000 following the contentious visit of Ariel Sharon to the Al-Haram al-Sharif/Temple Mount in East Jerusalem. The Palestinian Authority failed to rein in violence against Israeli civilians, or to confront militant groups. Moreover, despite major achievements in service provision, the Authority had also failed to institute reform and a transparent and accountable system of governance, and was weakened within by widespread allegations of corruption. For its part, Israel resorted to heavy force, increased extrajudicial killings, reoccupation of areas under Palestinian self-rule, and the confinement of the Palestinian President to his compound for two years. Israeli settlement activity continued, while the concepts of unilateralism and separation emerged and became popular. Israel began the construction of the barrier inside the West Bank that departed significantly from the 1967 line and was declared illegal by an advisory opinion of the International

Court of Justice. The Mitchell report of 2001 cited the underlying causes of the conflict to be the divergent expectations created by the Oslo process and the failure of both parties to recognize the grievances of the other, specifically the humiliation and suffering of Palestinians caused by continued occupation, and the fear felt by Israelis at continued violence and terrorism.

The Quartet and the road map process

8. Concerned by these stark trends, I invited representatives of the European Union, the Russian Federation and the United States of America for a discussion. Our consultation laid the ground for the establishment of the Quartet. On 10 April 2002, the Government of Spain, representing the rotating Presidency of the European Union, High Representative for the Common Security and Foreign Policy Javier Solana, Secretary of State Colin Powell, Foreign Minister Igor Ivanov and myself began our discussions of what later became “A performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict” (S/2003/529, annex), or in short, the road map.

9. The framework for the road map was based on relevant Security Council resolutions, and the process was given impetus by two important developments. First, in March 2002, the Security Council explicitly endorsed the two-State solution in its resolution 1397 (2002). Secondly, the Council of the League of Arab States adopted the Arab Peace Initiative, the initiative of then Saudi Crown Prince Abdallah, in Beirut the same month. In it, the members of the League affirmed that achieving a just and comprehensive peace was their strategic choice and goal, asked for a complete Israeli withdrawal to the 1967 borders and a “just solution” to the refugee problem, and called for the establishment of an independent Palestinian State with East Jerusalem as its capital. All of this was to be in exchange for full recognition of Israel. Two months later, on 24 June, the commitment of the international community to a two-State solution was further consolidated when President Bush stated his vision for “two States, living side by side in peace and security”, and went on to say that “this means that the Israeli occupation that began in 1967 will be ended through a settlement negotiated between the parties, based on United Nations resolutions 242 (1967) and 338 (1973), with Israeli withdrawal to secure and recognized borders”. Since then, these elements, together with the road map, have defined our common vision for an end to the Israeli-Palestinian conflict.

10. Formally presented to the parties on 30 April 2003, the road map outlined a three-phase plan aimed at achieving a final and comprehensive settlement of the Israeli-Palestinian conflict on the basis of a goal-driven and performance-based approach. The Quartet members shared a broad vision of the outcome of the peace process, and the group’s combination of legitimacy, political strength and financial power was intended to provide a robust push for implementation of steps by the parties to achieve this shared goal. In addition to Security Council resolutions, the Quartet drew inspiration from the Arab Peace Initiative.

11. The road map was intended to re-energize the peace process by addressing the perceived weaknesses of Oslo while retaining its broad political outline. It defined the endgame as two States and the end of occupation (though without taking a clear stance on the border of the future Palestinian State); instituted a strict and clearly delineated parallelism; added a precise time frame for each phase of the process;

and specified that a monitoring mechanism would be established to provide a means of enforcement. The Palestinian side endorsed the road map; the Israeli endorsement came with important reservations.

12. In phase I of the road map, both parties were asked to commit to and implement certain basic steps, or obligations: an end to terror and incitement; reform of Palestinian Authority institutions and security forces; a freeze on all settlement activity and the dismantlement of settlement outposts; and ceasing all actions that undermined trust. Phase II (June-December 2003) was to be a transition phase focused on Palestinian institution building, and called for the convening of a first international conference to launch a process leading to the creation of an independent Palestinian State with provisional borders and a comprehensive regional peace process. In phase III (2004-2005), a second international conference would endorse the agreement on an independent Palestinian State with provisional borders and begin a process leading to a settlement of final status issues. The phases would be completed when the parties reached a final and comprehensive permanent status agreement and Arab States established full normal relations with Israel.

13. Phase I has regrettably yet to be completed, and indeed, developments over the past year have largely eroded previous gains. In order to again move forward, we need to examine honestly the sources of past and current failure, for which both parties and the international community must share responsibility.

14. Probably the greatest Palestinian shortcoming was not to do more to consolidate internal security and directly challenge the use of terrorism against Israeli civilians. President Arafat did not use his power and legitimacy to undertake serious reform of the security sector. More recently, following the Israeli withdrawal from the Gaza Strip, the Palestinian Authority could have used that opportunity to assert its control over militant groups then outside the Palestine Liberation Organization and the Authority. The failure to confront such groups, even within the framework of the negotiated ceasefire, contributed to the situation we face now in which militant groups persistently fire rockets from Gaza into Israel. Since the election of Hamas, moreover, the Palestinian Authority security forces have been fractured along political lines, and have been unable either to contain factional violence or to stop attacks against Israelis.

15. It is important to note that the Palestinian Authority's unwillingness or inability to undertake comprehensive institutional reform, and the public perception of pervasive corruption, was a major reason why the leadership lacked the necessary support for security reform, and indeed, one factor in the faltering of both the Oslo and road map processes and the electoral defeat of Fatah earlier this year. Many of the material benefits that accrued from the peace process reached only the elites and those close to political decision-makers, not the broad populace. Yet without broad socio-economic progress, there cannot be sustained political progress. Another factor was the Palestinian public's lack of trust in the political process with Israel, and the erosion in their belief that they would ever be allowed an independent and viable State.

16. During its first phase, the road map also called on Arab States to cut off all forms of support for groups engaging in terrorism. Many Arab countries, especially Egypt and Jordan, have engaged heavily in efforts to build up the Palestinian Authority's security capacity. However, the security weaknesses of the Authority have been compounded by the interventions of some regional parties, and the

increasingly close relationship that some militant Palestinian groups appear to have with the Syrian Arab Republic and the Islamic Republic of Iran, in particular.

17. Israel's military actions in the West Bank and Gaza have frequently involved excessive or disproportionate use of force, causing heavy civilian casualties while also damaging Palestinian infrastructure and institutions. While Israel has a right to defend itself against terrorism and other forms of violence, which do so much damage to prospects for peace, Israel's methods of doing so have also done their share of damage to those prospects.

18. However, Israel's central failure lay in not halting its settlement enterprise, even though this is a clear phase I obligation under the road map. The continuation and even consolidation of Israeli settlements and related infrastructure on occupied land are the main reasons for the mistrust and frustration felt by ordinary Palestinians, which often find their outlet in violence of one form or another.

19. In the period that I have served as Secretary-General, the number of Israeli settlers living in the West Bank (excluding East Jerusalem) has grown from 140,000 to 240,000. The settler population of East Jerusalem grew during this period from approximately 160,000 to 190,000. The area formally controlled by the settlements, according to Israeli law, now encompasses some 40 per cent of the West Bank (excluding East Jerusalem). In a welcome development, the Government of Israel withdrew all settlements from the Gaza Strip and four settlements in the West Bank in August 2005. However, during the year following this disengagement, West Bank settlements grew by 3,000 more people than had moved out of Gaza. Indeed, according to official Israeli figures, more than 1,000 settlers a month took up residence in the Occupied Palestinian Territory during 2005, a rate that appears to be continuing. In total, in the decade and a half after the Oslo Accords, Israel more than doubled its physical presence in the West Bank through settlements — a policy that was implemented under Labour, Likud and Kadima Governments. This remains the single biggest impediment to realizing a viable Palestinian State with territorial contiguity. Just as Israelis are dismayed that terrorism continued after Oslo and the Israeli disengagement from the Gaza Strip, Palestinians are dismayed when they see prospects for a viable Palestinian State disappearing and the entrenchment of the occupation.

20. The use of violence on both sides and the continuation of settlement activity have been the key factors in the failure to move beyond phase I of the road map. Equally critical, however, has been the unwillingness of the Quartet to use its authority to push both parties forward. We must admit our own weaknesses, and we have been too hesitant in emphasizing those very elements that most distinguished the road map from the Oslo process — parallelism, monitoring and clear end goals. It is no surprise that today we find ourselves once again deadlocked.

21. In the past year, a further problematic factor was added. In September 2005 the Quartet encouraged the Palestinian Authority to take its own decision regarding participation in the forthcoming legislative elections. But after the victory of Hamas in those elections, which were held in January 2006, the members of the Quartet were faced with a dilemma. Hamas, having agreed to join that political process, was at best ambivalent about, and at worst rejected, the two-State solution. In the light of the new Government's failure to commit to the Quartet principles of 30 January, donors' legal obligations and political priorities led to a significant shift in funding to Palestinians during the past year: although funding has actually increased, the

channels of funding have shifted away from the Palestinian Authority. This shift, combined with Israel's refusal to hand over value added tax and customs revenues it collects on behalf of the Palestinian Authority (an obligation under agreements reached in the Oslo framework), has largely caused the immense financial difficulties facing the Authority and contributed to the decline of Palestinian institutions.

22. The Hamas-led Palestinian government has still not reacted constructively to the call of the international community to review its stance and accept the basic principles of the peace process. Although the President of the Palestinian Authority and the Palestine Liberation Organization remain committed to the principles of the peace process, and the Palestinian Authority government claims that it does not object to President Abbas negotiating with Israel (provided the outcome is submitted to the approval of a reformed Palestine Liberation Organization, the Palestinian Legislative Council or a referendum), Israel believes that his scope to negotiate a final status agreement is limited by the disparate visions of the elected government and the Palestinian Legislative Council, on the one hand, and the Palestinian Authority President and the Palestine Liberation Organization, on the other, concerning such an agreement. The continued equivocation of the Hamas-led government ill serves the aspirations of the Palestinian people. At the same time, Hamas is able to tap into a widely felt Palestinian sentiment that the Palestine Liberation Organization and the previous Palestinian Authority obtained too few achievements as a result of their negotiations with Israel. Dialogue between, and compromises on the part of, both main Palestinian parties are clearly in the interests of the Palestinian people as a whole.

The current situation

23. At the time of writing, efforts to form a Palestinian national unity government appear to have stalled. However, a precarious and imperfect ceasefire is in place in Gaza, and tentative feelers have been put out regarding the possibility of resumed Israeli-Palestinian dialogue, as well as broader regional dialogue. The ceasefire follows a period of political deadlock and spiralling violence that has had serious consequences for civilians on both sides, with Palestinian militants firing rockets from Gaza into Israel, and massive Israeli military operations and targeted killings that have led to several hundred Palestinian deaths this year, at a rate that has increased significantly since June 2006. Negotiations under Egyptian auspices are continuing for the release of the Israeli soldier captured at that time. Prime Minister Olmert recently announced that he would consider a prisoner exchange of 1,400 Palestinian prisoners, including lawmakers and officials seized by Israel after Corporal Gilad Shalit's capture. There are an estimated 9,000 Palestinians currently in detention in Israel, a matter of burning concern for the Palestinian population. The release of some of them and also the Israeli soldier would be a very positive development.

24. I have consistently condemned the firing of rockets and suicide bombings by Palestinians, and fully acknowledge Israel's right to self-defence. I do not condone terrorism in any form and condemn it unequivocally. But I stress with equal conviction that Israel's right to self-defence must be carried out in accordance with international law. The repeated phenomenon of large numbers of civilian casualties from Israeli military operations is not acceptable. Israel's excessive use of force

exacerbates existing resentments and fuels those who advocate hatred, be they in the region or elsewhere.

25. Political deadlock and the security situation have combined to undermine the efforts undertaken by James Wolfensohn as the Quartet's Special Envoy. A year ago, on 15 November 2005, the Agreement on Movement and Access was concluded. Implementation of this agreement, intended to promote peaceful economic development and improve the situation in the Gaza Strip, has been limited, with Israel citing security concerns: despite the stationing of European Union observers, the Rafah crossing between Gaza and Egypt has been open for only 58 per cent of scheduled opening hours over the past year and for only 9 per cent since June. This year, Palestinians have been allowed to export on average only 14 truckloads of produce per day, a tiny fraction of minimum export levels needed to prevent further decline of the Palestinian economy and suffering of the population. No Palestinian worker has been allowed to cross at Erez to access jobs in Israel since March 2006, and no progress has been reported on bus or truck convoys between Gaza and the West Bank. Similarly, there has been no progress reported on plans to build the Gaza seaport and airport. One year after signing the agreement, the Government of Israel has still not presented its plan to reduce internal closure measures inside the West Bank. In fact, the total number of obstacles has increased from 400 a year ago to 542 today, stifling still further Palestinians' efforts to lead normal daily lives.

26. Given the complexity of the situation, continuing high levels of tension and the steep decline in Palestinian living standards since 2000, the United Nations presence on the ground continues to be of key importance. United Nations peacekeeping operations in the region — the United Nations Truce Supervision Organization, the United Nations Disengagement Observer Force and the United Nations Interim Force in Lebanon (UNIFIL) — play a crucial role in helping to maintain regional security. The United Nations provides considerable assistance to meet the basic needs of Palestinians throughout the region.

27. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) is a major asset through which the international community supports some 4.3 million Palestine refugees in the region. For 56 years, it has delivered vital services to them, helping to raise their educational and health status to among the highest levels in the region. Investment by UNRWA in the skills and self-reliance of the refugees has enabled many to pursue productive careers in their communities and host countries, in the Arab Gulf and in the West. The Agency serves as a vital antidote to the poverty and deprivation which come with conflict and occupation. I note with concern that the Agency continues to be seriously underfunded, and that its budget shortfall this year of over \$100 million is the greatest ever.

28. The Office of the United Nations Special Coordinator for the Middle East Peace Process has, since 1994, been present on the ground to enhance the involvement of the United Nations system during the transition process and to strengthen inter-agency cooperation. In 1999, with the permission of the General Assembly and informing the Council, I designated the Special Coordinator as my Personal Representative to the Palestine Liberation Organization and the Palestinian Authority, and also for discussions with the parties and the international community in all matters related to the peace process. In 2006, I further strengthened the Office of the Special Coordinator by designating a Deputy Special Coordinator who acts as

Humanitarian and Resident Coordinator to consolidate United Nations leadership on aid policy and common operational issues. This appointment also builds on the work of the Office for the Coordination of Humanitarian Affairs since 2003, which has considerably sharpened our picture of the humanitarian problems caused by restrictions on movement and access, the barrier and settlement activity.

29. I am proud of the work that my United Nations colleagues perform in assisting Palestinians and working with all parties towards a lasting peace. It is with some regret that I note that the United Nations role as aid provider has become more important to Palestinians during the past year, as living conditions have deteriorated sharply and parts of the Palestinian Authority have almost ceased to function. The importance of using my good offices in helping to resolve crises and propose ways forward has also been very clear to me throughout my term as Secretary-General, not least during the Lebanon crisis this summer.

Lebanon

30. My tenure as Secretary-General underlined the special role that the United Nations has developed in Lebanon, a role that has grown even more intense, especially over the past two years. Our engagement signals the Organization's enduring commitment to Lebanon's stability, unity, sovereignty, territorial integrity and political independence. In May 2000, Israel withdrew its last troops from southern Lebanon after more than 20 years of occupation and in fulfilment of its obligations under resolution 425 (1978). With the help of my good offices and intense shuttle diplomacy, a line of withdrawal known as the Blue Line was delineated, which both Israel and Lebanon accepted and committed themselves to respecting (though Lebanon expressed its reservations regarding the conformity of the Line in the area known as the Shab'a farmlands). The Security Council endorsed the position I took in my report of 22 May 2000 (S/2000/459), which set out the demarcation line to confirm the Israeli withdrawal, and stated that "the adoption of this line for the practical purpose of confirming the Israeli withdrawal from Lebanon in compliance with resolution 425 (1978) is without prejudice to any internationally recognized border agreement that Lebanon and the Syrian Arab Republic may wish to conclude in the future". The Security Council has since repeatedly endorsed the Blue Line and called on both parties to respect it.

31. The period just after the Israeli withdrawal was one of hope for Lebanon with the promise of reconstruction in the south. This followed the rebuilding of the capital, Beirut, renewed investment in the country and the return of a significant portion of the Lebanese diaspora. However, between October 2000 and the beginning of the past summer's full-scale and devastating conflict between Hizbollah and Israel, the Blue Line witnessed sporadic, limited exchanges of fire in the Shab'a farmlands area and elsewhere, periods of tense calm but also of intense conflict and loss of life on both sides. Of particular concern was the capture and killing by Hizbollah of three Israeli soldiers, whose bodies were not returned until January 2003, in the Shab'a farmlands area in October 2000 and the capture, in July 2006, of two soldiers who unfortunately remain in captivity and whose release is essential.

32. This latter event precipitated a tragic conflict that took too long to stop. Israel's ground invasion into southern Lebanon and the bombardment of large parts

of the country killed an estimated 1,200 Lebanese and injured over 4,000, killed four United Nations military observers, created nearly a million internally displaced people and destroyed a large part of the country's infrastructure. Over 140 Israelis, 43 of them civilians, were killed and over 100 injured, many by Hizbollah attacks against population centres in northern Israel, using rockets secured by or provided to the movement without the approval of the Government of Lebanon. Further sources of tension include reports of weapons supplies to Hizbollah, as well as continued Israeli overflights in violation of Lebanon's sovereignty and territorial integrity, and in contradiction of resolutions 1559 (2004) and 1701 (2006). The latter resolution, painstakingly negotiated and passed a full month after the hostilities began, was the framework for United Nations efforts to secure a cessation of hostilities, to be underpinned by a stronger UNIFIL. This expanded UNIFIL, however, was intended to buy time, not substitute, for progress on the political track both within Lebanon and also between Lebanon and its neighbours.

33. The past two tumultuous years in Lebanon's history have illustrated the vulnerabilities of the Lebanese State to both external influences and internal political divisions, and their potential to ignite conflicts old and new. Throughout this period, the involvement of the United Nations has been considerable. Within the domestic context, the extension of President Lahoud's mandate signalled for many in Lebanon the beginning of a political division between those who openly opposed the presence and role of the Syrian Arab Republic in Lebanon and those who were perceived as having a pro-Syrian approach. The Security Council's adoption of resolution 1559 (2004) was in keeping with its commitment to support Lebanon's sovereignty and territorial integrity, which led, five years after the Israeli withdrawal, to the Syrian withdrawal in the spring of 2005 from Lebanon. The adoption of the resolution was followed by the assassination in Beirut of former Prime Minister Rafik Hariri and 22 others in February 2005. The Security Council has followed up on developments since, including the subsequent assassinations and assassination attempts against political figures and key figures in the Lebanese media. It requested the United Nations to set up the International Independent Investigation Commission and most recently to agree with the Lebanese authorities on the statutes for a special tribunal for Lebanon to try the perpetrators of these crimes.

34. I have reported in my letter of 1 December 2006 (S/2006/933) on the most recent progress that has been made and the outstanding challenges related to the implementation of Security Council resolution 1701 (2006). I would note here only the historic achievement of the deployment of the Lebanese army in the area south of the Litani River and along the Blue Line and the crucial role that an expanded UNIFIL is now playing in helping the Lebanese army to ensure that the area is "free of armed personnel, assets and weapons other than those of the Government of Lebanon and those of UNIFIL". I would also note the considerable achievement of the establishment of the UNIFIL Maritime Task Force to assist the Lebanese navy in securing its territorial waters. However, I fully recognize the limitations of peacekeeping activities and stress the importance of ensuring the right political context in which those activities can be most effective. The period following the Israeli withdrawal from southern Lebanon till the outbreak of hostilities in the summer of 2006 illustrates the limits to the monitoring and peacekeeping capabilities of UNIFIL, especially when operating in a difficult political environment and with limited mandates and resources. Hizbollah's arms build-up

during this period was a continuing cause for concern, as are reports that these efforts may have continued.

35. I am deeply concerned at the present time about prospects for the stability and independence of Lebanon. The serious political crisis which the country is now experiencing illustrates the need for continued efforts to assist the country. Lebanon remains hostage to its own difficult history. Since the end of the civil war and the signing of the Taif Accords in 1989, Lebanon has remained mired in an incomplete political transformation that has not seen further progress away from the instinct for confessionalism. The Lebanese themselves, especially now, bear much of the responsibility for ensuring the country does not slide deeper into tension and providing a way forward based on a degree of national consensus on key issues. In this regard, I am disappointed that the various rounds of high-level talks, which started with the National Dialogue in February 2006, have not led to agreement among Lebanon's leaders. I also note that despite the Taif Accords and the agreement achieved in the Dialogue regarding the question of Palestinian weapons outside the camps and living standards, there has been little progress achieved in implementing these decisions to date. Furthermore, I continue to advocate a mechanism to address the question of disarmament of Hizbollah's weapons, whether by resuming the National Dialogue or within the existing institutions of the State. Serious progress on these issues in accordance with resolution 1701 (2006) is one of the principles for a permanent ceasefire and a long-term solution.

36. Outside parties too, especially those in the region, have a responsibility to play a positive role in ensuring Lebanon's stability, independence, sovereignty and territorial integrity. The Syrian Arab Republic and the Islamic Republic of Iran in particular have much influence on Lebanese parties, which I expect them to exert in a constructive way. The Syrian Arab Republic also has a role to play in enabling Lebanon's full assertion of its sovereignty by agreeing to delineate the joint border between the two countries and by meeting its verbal commitment to the establishment of formal diplomatic relations with Lebanon.

37. Given its history, and perhaps also because of its small size and geography, Lebanon has been inextricably bound with more powerful forces, whether immediate neighbours or colonial or regional powers. Its mosaic of cultures and confessional groups has been both a strength, giving it unique attributes within the region, and a weakness, allowing for these to be manipulated into lines of conflict. I would warn that as the region has affected Lebanon, so instability within Lebanon, and a return to the dark days of the 1970s and 1980s, can have a further destabilizing affect on the region as a whole.

Golan Heights

38. During my tenure, there was no movement towards handover of the Israeli-occupied Golan Heights to the Syrian Arab Republic in return for peace between the Syrian Arab Republic and Israel. I was disappointed that the last serious attempt by the United States to negotiate a solution to this long-standing issue ended in failure in 2000.

39. Some 20,000 Israeli settlers live in the Golan Heights, alongside an Arab population of about 18,400. The Golan Heights is fully incorporated into the Israeli legal, administrative and social service delivery systems. The Arab population is

generally unable to travel to the Syrian Arab Republic to visit family members and has, over time, experienced increasing limits on land use owing to Israeli zoning restrictions. But the Arab population suffers neither the deep insecurity nor the economic deprivation and restrictions on movement which characterize life in the Occupied Palestinian Territory, and for their part, Israelis have faced little violence emanating from this territory. This must not, however, lead the international community into complacency about the need to resolve this problem — indeed, the failure to do so just because the situation on the ground is calm sends entirely the wrong message.

40. As with the peace treaties between Israel and Egypt in 1979, and Israel and Jordan in 1994, a sustained effort must be made to achieve a negotiated settlement between Israel and the Syrian Arab Republic based on resolutions 242 (1967) and 338 (1973). For as long as the principle of land for peace that underlies those resolutions is not implemented between these two countries, there can be no comprehensive regional peace. Israel and some other countries continue to view the Syrian Arab Republic as a supporter of militant groups in Lebanon and the Occupied Palestinian Territory that seek to carry out attacks against Israel. For its part, the Syrian Arab Republic points to Israeli Government statements which declare the Golan Heights to be an inseparable part of Israel. Israel has recently rejected the notion of resumed negotiations with the Syrian Arab Republic, despite statements of President Assad raising this prospect. It is clear that the parties must think anew about their approach to this vital issue, which is so intrinsically connected to progress on other tracks in the Middle East peace process.

Observations

41. As Secretary-General, I have been conscious of the enormous responsibility that rests on the United Nations to contribute to the resolution of the Arab-Israeli conflict. I have also been acutely aware of the difficulties associated with doing so, some of which stem from the polarization of the membership on the conflict and the consequent range of positions taken by different principal and intergovernmental organs. One side perceives itself as being singled out for unfair criticism; the other regards the Organization as ineffective in ensuring compliance with its resolutions. Accusations of double standards are regularly made in both directions, and each with some justification.

42. In my view, until the Member States match their professions of concern with a concerted effort to empower the United Nations to make a strategic difference, I am convinced that other forums will be sought to ensure effective multilateral engagement on the conflict. The formation of the Quartet and my participation in it embody this conviction.

43. Unfortunately, however, as I leave office, I am concerned that the divisions which have often paralyzed the United Nations itself now also increasingly inhibit the capacity of the Quartet (and its regional partners) to play the beneficial role which it could do were it to act with determination and consistency. We therefore find ourselves at a crossroads, with increasing frustration — both in the region and in the international community at large — at the Quartet's regrettably limited effectiveness, matched by the apparent lack of any alternative mechanism at present. Since it is my conviction that, ultimately, the solution will only be achieved by

direct negotiations between the parties, facilitated and sustained by effective multilateral engagement, this is a source of deep concern which I would urge Member States to reflect on. The observations which follow are designed to point the way towards realizing more effective multilateral engagement.

44. The Quartet retains its relevance because of its combination of legitimacy, political strength and economic influence. As for the road map, it is still the reference point around which any effort to re-energize a political effort on the Israeli-Palestinian track should be centred. It remains the only document of recent years accepted — albeit with substantial reservations by Israel — by Palestinian and Israeli leaderships alike, by the Arab States, and by the Security Council. The Prime Minister of Israel has recently reiterated that he sees a return to the road map as a way forward, and the Palestinian President is committed to it. Nevertheless, to be meaningful, its shortcomings will need to be addressed urgently.

45. To restore a sense of faith in the practicability of the road map, it is crucial that its sponsors, the Quartet members, act together to create the conditions for re-energizing the Israeli-Palestinian peace process. The Quartet must also find a way to institutionalize its consultations with the relevant regional partners, building on the Arab Peace Initiative and the constructive spirit in which the 21 September 2006 ministerial meeting of the Security Council was held. The Quartet should also engage the parties directly in its deliberations, as it announced that it would do on 20 September 2006.

46. Under the revitalized stewardship of the Quartet, it should therefore be possible to look again at the road map with a view to restating its basic goals, principles and end destination; identifying priority action items in the security arena and in the economic, humanitarian and institution building realms; addressing the political issues and political negotiations; and updating its timetable. The Quartet should consider the need for greater clarity at the outset regarding the parameters of an end-game deal. It will also need to tackle openly the road map's premise of parallelism and monitoring: it is hard to see the consolidation of progress as we move forward without serious and systematic independent monitoring on the ground.

47. To retain its validity, the Quartet also needs to be open to new ideas and initiatives from within the region and outside it, and from State and non-State actors alike. Equally, it has to match the responsibility entrusted to it to oversee this process with a method of work that is systematic, even-handed and proactive rather than reactive, and ensures common messaging to the parties.

48. There are also a number of issues that I believe should be addressed by the Quartet and the international community. Politically, we need a policy to address the dilemma posed by Hamas as constructively as possible to stem the growing trend towards disintegration of Palestinian society, by renewing support for Palestinian institutions, promoting efforts to achieve unity among Palestinian factions on basic principles of the peace process, and persuading Israel not to pursue any policy which damages institutions or deprives Palestinians of democratically elected and therefore legitimate leaders. We must recognize that the postponement of a settlement has taken a social and political toll, and that countercurrents to the previously widely accepted notion of a two-State solution have grown and acquired greater cogency. Forging an internal Palestinian consensus once again around a two-State solution should be seen as a process rather than an event, one that should be

encouraged and nurtured. This could be considerably quickened by a credible effort between the parties and from the international community to re-energize the political process.

49. Similarly, the international community needs to find constructive responses to the challenge posed by democratic choices made by the peoples of the region. Whatever some might think of the actual results, it is undeniable that the legislative elections that brought Hamas to power last January were remarkably transparent, free and fair by the standards of most of the Arab world. Support for the democratic aspirations of the peoples of the region is something the international community must do more to sustain. For their part, victorious parties, even radical ones, need to acknowledge that with power comes responsibilities, including acceptance that the legitimacy and rights of others need to be respected too, and that the previous decisions and agreements reached by the governments to which they have been elected cannot be ignored or put aside without serious consequence.

50. One immediate priority is to work to devise new ways of protecting Palestinian and Israeli civilians, as suggested in the Security Council and mentioned recently by the General Assembly: the monitoring foreseen in the road map can help to ensure far greater accountability. The international community cannot shepherd a process that tolerates the blatant abuse of human rights and international law by all parties. The United Nations High Commissioner for Human Rights, on a recent visit to Israel and the Occupied Palestinian Territory, found that human rights abuses were systematic, chronic and widespread. I agree with her that the rule of the law should not be contingent on peace. I also agree that there is a pressing need for mechanisms for the protection of civilians, and hope that possible mechanisms such as international observers will be further explored, with the strong backing of the Quartet and the Council.

51. I would urge the Quartet and the Council to explore the feasibility of consolidating the current Gaza ceasefire within an international framework. As in Lebanon earlier this year, the parameters of the political framework for a permanent solution are clear, but the political will to advance it is not sufficient. In order to halt the current violence and open a space for negotiations, a stronger international role is required. Elements for this role could include:

- (a) To consolidate the current Gaza ceasefire by working with the parties to define its parameters and rules;
- (b) To work to extend the ceasefire to the West Bank;
- (c) To promote unconditional and open-ended talks between the Prime Minister of Israel and the President of the Palestinian Authority;
- (d) To work with the parties to secure their agreement to the deployment of international observers to monitor the ceasefire;
- (e) To establish with the parties a mechanism for the protection of civilians;
- (f) To monitor consistently the actions of the parties to implement existing commitments and agreements and ensure that the results of this monitoring are systematically acted upon;

(g) to ensure that the political framework for negotiations is updated and credible, including clear parameters for the settlement of final status issues, so that the end goal of the process is visible to all concerned.

52. In this regard, I urge the members of the Security Council and the Quartet to consider viable options that would be acceptable to both parties, as I am convinced that an active and systematic third party role is indispensable. Israel has traditionally been suspicious of such roles. However, the record shows that an international presence on the ground has been a key feature of nearly every *modus vivendi* reached between Israel and its adversaries. The Israeli-Syrian border would not be stable without the peacekeepers of the United Nations Disengagement Observer Force. The situation in Hebron, tense and dangerous as it is, would be even worse without the Temporary International Presence in Hebron. The full disengagement from Gaza would not have been achieved had the European Union not stepped forward to monitor the Rafah crossing. The Israeli-Hizbollah war of 2006 would probably have come much sooner and been still more explosive had UNIFIL not been present, and would not have been ended without a reconfigured UNIFIL to help implement Security Council resolution 1701 (2006), whose full implementation is in the interest of all States in the region. In my years as Secretary-General, I have noticed a growing Israeli awareness that third-party roles on the ground can serve Israeli as well as Arab interests. As there is a common interest in achieving a two-State solution, so there should be a common awareness that this will not happen without a stronger third-party role on the ground.

53. The challenge of how to pursue a comprehensive regional approach to the conflict must also be tackled. Ultimately, we are dealing with the Arab-Israeli conflict, not that between Israel and the Palestinians alone. The region and its concerns need to be fully addressed, as an ultimate peace will be between Israel and its neighbours, although progress on one track should not be held hostage to progress on another. I would like to remind the Syrian Arab Republic that it must pursue policies that demonstrate its commitment to peace and stability in the region, in particular with its immediate neighbours. I equally remind Israel that comprehensive regional peace cannot be achieved without a return of the Golan Heights to the Syrian Arab Republic.

54. I note that many have suggested the possibility of convening an international conference, along the lines of that held in 1991 in Madrid, so that the full regional dimensions of the conflict can be addressed. This idea must now be explored again. The resuscitation of the regional track of the peace process, which is an inherent element of the road map, is in the interests of all. We must work to ensure that the conditions are right and that the foundations for trust and successful negotiations are laid through meaningful gestures.

55. As I leave office, it is a matter of deep personal regret that peace in the Middle East has not been achieved. The need for the international community to engage with the main parties and finally reach a settlement of the fundamental Middle East problem — a settlement whose inevitable contours we know so well — is even more pressing today than it was 10 years ago.



Security Council

Distr.: General
12 December 2006

Original: English

Statement by the President of the Security Council

At the 5584th meeting of the Security Council, held on 12 December 2006, in connection with the Council's consideration of the item entitled "The situation in the Middle East", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council expresses its deep concern over the situation in the Middle East, with its serious ramifications for peace and security, and underlines the need to intensify efforts to achieve a just, lasting and comprehensive peace in the region.

"The Security Council stresses that there can be no military solution to the problems of the region and that negotiation is the only viable way to bring peace and prosperity to peoples throughout the Middle East.

"The Security Council stresses that the parties must respect their obligations under previous agreements, including by putting an end to violence and all aspects of terrorism.

"The Security Council expresses grave concern over the deteriorating humanitarian situation and calls for the provision of emergency assistance to the Palestinian people through the Temporary International Mechanism, international organizations and other official channels.

"The Security Council welcomes the agreement between Israeli Prime Minister Ehud Olmert and Palestinian Authority President Mahmoud Abbas to establish a mutual ceasefire in Gaza.

"The Security Council welcomes the steps taken by both sides to maintain the ceasefire and expresses its hope that it will lead to a sustained period of calm. It calls on both sides, therefore, to avoid any actions which could jeopardize further progress. It reiterates its call for an end to all aspects of terrorism and violence as set out in previous statements and resolutions.

"The Security Council is mindful of the need to encourage steps to increase confidence in the peace process.

"The Security Council reiterates its call for the Palestinian Authority Government to accept the three Quartet principles.



“The Security Council reaffirms its profound attachment to the vision of two democratic states, Israel and Palestine, living side-by-side in peace and security, as envisaged in the Roadmap.

“The Security Council underlines that action by the international community cannot be a substitute for determined measures by the parties themselves.

“The Security Council encourages the parties to engage in direct negotiations.

“The Security Council reaffirms the vital role of the Quartet and looks forward to its continued active engagement.

“The Security Council reiterates the importance of, and the need to achieve a just, comprehensive, and lasting peace in the Middle East, based on all its relevant resolutions, including resolutions 242 (1967), 338 (1973), and 1515 (2003), the Madrid terms of reference and the principle of land for peace.”



United Nations

PRESS RELEASE

SC/9216-PAL/2097
21 DECEMBER 2007

**SECURITY COUNCIL PRESS STATEMENT ON SITUATION IN
MIDDLE EAST**

**SECURITY COUNCIL PRESS STATEMENT
ON SITUATION IN MIDDLE EAST**

The following Security Council press statement on the Middle East was read out today by Council President Marcello Spatafora (Italy):

The members of the Security Council welcome the international donors' conference for the Palestinian State held in Paris on 17 December, which has provided a strong international signal of support to the Palestinian people and the Palestinian Authority, and which constitutes an important step in a broader process aiming at the realization of the vision of two States living side by side in peace and security.

The members of the Security Council thank all participants for their pledges, urge a rapid disbursement of these pledges, based on equitable burden-sharing among all donors and call upon all those States and international organizations in a position to do so to assist in the development of the Palestinian economy, to maximize the resources available to the Palestinian Authority and to contribute to the Palestinian institution-building programme in preparation for statehood.

The members of the Security Council reaffirm their commitment to a just, lasting and comprehensive peace in the Middle East based on Security Council resolutions 242 (1967) and 338 (1973), as well as the other relevant Security Council resolutions.

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! For information media. Not an official record.



Security Council

Distr.: General
16 December 2008

Resolution 1850 (2008)

Adopted by the Security Council at its 6045th meeting, on 16 December 2008

The Security Council,

Recalling all its previous relevant resolutions, in particular resolutions 242, 338, 1397, and 1515 and the Madrid principles,

Reiterating its vision of a region where two democratic States, Israel and Palestine, live side by side in peace within secure and recognized borders,

Welcoming the 9 November 2008 statement from the Quartet and the Israeli-Palestinian Joint Understanding announced at the November 2007 Annapolis Conference, including in relation to implementation of the Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict,

Noting also that lasting peace can only be based on an enduring commitment to mutual recognition, freedom from violence, incitement, and terror, and the two-State solution, building upon previous agreements and obligations,

Noting the importance of the 2002 Arab Peace Initiative,

Encouraging the Quartet's ongoing work to support the parties in their efforts to achieve a comprehensive, just and lasting peace in the Middle East,

1. *Declares* its support for the negotiations initiated at Annapolis, Maryland on 27 November 2007 and its commitment to the irreversibility of the bilateral negotiations;

2. *Supports* the parties' agreed principles for the bilateral negotiating process and their determined efforts to reach their goal of concluding a peace treaty resolving all outstanding issues, including all core issues, without exception, which confirm the seriousness of the Annapolis process;

3. *Calls on* both parties to fulfil their obligations under the Performance-Based Roadmap, as stated in their Annapolis Joint Understanding, and refrain from any steps that could undermine confidence or prejudice the outcome of negotiations;

4. *Calls on* all States and international organizations to contribute to an atmosphere conducive to negotiations and to support the Palestinian government that is committed to the Quartet principles and the Arab Peace Initiative and respects the commitments of the Palestinian Liberation Organization, to assist in the



development of the Palestinian economy, to maximize the resources available to the Palestinian Authority, and to contribute to the Palestinian institution-building programme in preparation for statehood;

5. *Urges* an intensification of diplomatic efforts to foster in parallel with progress in the bilateral process mutual recognition and peaceful coexistence between all States in the region in the context of achieving a comprehensive, just and lasting peace in the Middle East;

6. *Welcomes* the Quartet's consideration, in consultation with the parties, of an international meeting in Moscow in 2009;

7. *Decides* to remain seized of the matter.



United Nations

PRESS RELEASE

SC/9559

28 DECEMBER 2008

SECURITY COUNCIL PRESS STATEMENT ON SITUATION IN GAZA

Security Council Press statement on SITUATION IN GAZA

The following Security Council press statement on the situation in Gaza was read out by Council President Neven Jurica (Croatia):

The members of the Security Council expressed serious concern at the escalation of the situation in Gaza and called for an immediate halt to all violence. The members called on the parties to stop immediately all military activities.

The members of the Council called for all parties to address the serious humanitarian and economic needs in Gaza and to take necessary measures, including opening of border crossings, to ensure the continuous provision of humanitarian supplies, including supplies of food, fuel and provision of medical treatment.

The members of the Council stressed the need for the restoration of calm in full, which will open the way for finding a political solution to the problems existing in the context of the Palestinian-Israeli settlement.

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! For information media. Not an official record.



Security Council

Distr.: General
8 January 2009

Resolution 1860 (2009)

**Adopted by the Security Council at its 6063rd meeting, on
8 January 2009**

The Security Council,

Recalling all of its relevant resolutions, including resolutions 242 (1967), 338 (1973), 1397 (2002), 1515 (2003) and 1850 (2008),

Stressing that the Gaza Strip constitutes an integral part of the territory occupied in 1967 and will be a part of the Palestinian state,

Emphasizing the importance of the safety and well-being of all civilians,

Expressing grave concern at the escalation of violence and the deterioration of the situation, in particular the resulting heavy civilian casualties since the refusal to extend the period of calm; and *emphasizing* that the Palestinian and Israeli civilian populations must be protected,

Expressing grave concern also at the deepening humanitarian crisis in Gaza,

Emphasizing the need to ensure sustained and regular flow of goods and people through the Gaza crossings,

Recognizing the vital role played by UNRWA in providing humanitarian and economic assistance within Gaza,

Recalling that a lasting solution to the Israeli-Palestinian conflict can only be achieved by peaceful means,

Reaffirming the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Stresses* the urgency of and *calls for* an immediate, durable and fully respected ceasefire, leading to the full withdrawal of Israeli forces from Gaza;
2. *Calls for* the unimpeded provision and distribution throughout Gaza of humanitarian assistance, including of food, fuel and medical treatment;
3. *Welcomes* the initiatives aimed at creating and opening humanitarian corridors and other mechanisms for the sustained delivery of humanitarian aid;



4. *Calls on* Member States to support international efforts to alleviate the humanitarian and economic situation in Gaza, including through urgently needed additional contributions to UNRWA and through the Ad Hoc Liaison Committee;

5. *Condemns* all violence and hostilities directed against civilians and all acts of terrorism;

6. *Calls upon* Member States to intensify efforts to provide arrangements and guarantees in Gaza in order to sustain a durable ceasefire and calm, including to prevent illicit trafficking in arms and ammunition and to ensure the sustained reopening of the crossing points on the basis of the 2005 Agreement on Movement and Access between the Palestinian Authority and Israel; and in this regard, *welcomes* the Egyptian initiative, and other regional and international efforts that are under way;

7. *Encourages* tangible steps towards intra-Palestinian reconciliation including in support of mediation efforts of Egypt and the League of Arab States as expressed in the 26 November 2008 resolution, and consistent with Security Council resolution 1850 (2008) and other relevant resolutions;

8. *Calls for* renewed and urgent efforts by the parties and the international community to achieve a comprehensive peace based on the vision of a region where two democratic States, Israel and Palestine, live side by side in peace with secure and recognized borders, as envisaged in Security Council resolution 1850 (2008), and recalls also the importance of the Arab Peace Initiative;

9. *Welcomes* the Quartet's consideration, in consultation with the parties, of an international meeting in Moscow in 2009;

10. *Decides* to remain seized of the matter.



United Nations

PRESS RELEASE

SC/9580

21 JANUARY 2009

SECURITY COUNCIL PRESS STATEMENT ON MIDDLE EAST

Security Council press statement ON MIDDLE EAST

The following press statement on the Middle East was read out today by Security Council President Jean-Maurice Ripert (France):

The members of the Security Council were briefed this afternoon by the Secretary-General on his visit to the Middle East.

The members of the Security Council welcomed the ceasefire in Gaza, and the efforts of international and regional partners – in particular the Egyptian initiative – in helping bring this about. The members of the Security Council expressed their strong appreciation for the efforts of the Secretary-General to support the implementation of resolution 1860 (2009). The members of the Council emphasized the need for full implementation of resolution 1860 (2009), in particular for the ceasefire to be durable and fully respected by all parties, for the provision of arrangements and guarantees to prevent illicit trafficking in arms and ammunition to Gaza, and to ensure the sustained reopening of the crossing points, on the basis of the 2005 Agreement on Movement and Access between the Palestinian Authority and Israel.

The members of the Security Council restated their grave concern at the humanitarian situation in Gaza and stressed the need for unimpeded provision and distribution of humanitarian aid throughout Gaza. In this regard, Council members recognized the excellent work being carried out in Gaza under very difficult circumstances by United Nations agencies, in particular the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the infrastructure of which was severely damaged. Council members called upon all parties to ensure these agencies receive the support and protection they need, and recalled the obligations of all parties to a conflict to ensure respect for international humanitarian law.

The members of the Security Council encouraged, as set out in resolutions 1850 (2008) and 1860 (2009), tangible steps towards intra-Palestinian reconciliation and stressed the need to continue to work towards a long-term solution. Members re-emphasized that only a two-State solution, with an independent and viable Palestinian State living side by side in peace and security with Israel and its other neighbours, could bring peace to both Israelis and Palestinians. Council members welcomed, in this regard, the initiatives and proposals aimed at organizing international meetings, including, as mentioned in resolutions 1850 (2008) and 1860 (2009), the Quartet's consideration, in consultation with the parties, of an international meeting in Moscow in 2009.

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! For information media. Not an official record.

**General Assembly
Security Council**Distr.: General
15 May 2009

Original: English

**General Assembly
Sixty-third session**
Agenda items 16 and 29**Security Council
Sixty-fourth year****Question of Palestine****United Nations Relief and Works Agency for Palestine
Refugees in the Near East****Letter dated 4 May 2009 from the Secretary-General
addressed to the President of the Security Council**

During the course of the recent conflict in the Gaza Strip and southern Israel, a number of incidents occurred between 27 December 2008 and 19 January 2009, in which United Nations personnel, premises and operations were affected.

In my capacity as the Chief Administrative Officer of the Organization I decided to establish a United Nations Headquarters Board of Inquiry to review and investigate nine of these incidents, in which death or injuries occurred at, or damage was done to, United Nations premises or in which death or injuries occurred, or damage was sustained, in the course of United Nations operations.

My purpose in taking this step was to develop a clear record of the facts of these serious incidents and their causes and of where, if anywhere, bearing in mind the complexities of the overall situation, responsibility for them might lie. This would make it possible for me, inter alia, to identify any gaps that might have existed in the procedures and policies of the Organization and to take any measures and put in place any arrangements that might be needed, with a view to preventing a recurrence of such incidents in the future or at least to mitigating their effects. It would also place me in a better position to determine what steps I might need to take to protect the property and assets of the Organization. These were my aims in establishing the present Board of Inquiry. I would emphasize in this connection that a Board of Inquiry is not a judicial body or court of law: it does not make legal findings or consider questions of legal liability.

I appointed Ian Martin as head of the Board. The other Board members were Larry D. Johnson, Sinha Basnayake and Lieutenant Colonel Patrick Eichenberger. Nina Lahoud served as Secretary. The Board was convened on 11 February 2009. It submitted its report to me on 21 April 2009. In this connection, I recognize the difficulty of conducting investigations such as those with which the Board was tasked, in particular the difficulty in obtaining balanced and reliable evidence from



which to draw conclusions. I would like to thank the Board of Inquiry for the successful conclusion of its work.

I wish to place on record my appreciation for the cooperation provided by the Government of Israel to the Board, including its facilitation of the repeated entry of the Board into the Gaza Strip and the convening of extensive and substantive meetings with the Board. The Board also appreciated its reception by representatives of the Palestinian Authority and meetings with the local authorities in Gaza.

As with all United Nations boards of inquiry, the Board's report is an internal document and is not for public release. It contains significant amounts of information that was shared with the Board in strict confidence. It also contains a significant body of information, the disclosure of which could prejudice the security or proper conduct of the Organization's operations or activities.

At the same time, I am aware that my decision to establish a Board of Inquiry into some of the incidents that occurred in the Gaza Strip between 27 December 2008 and 19 January 2009 has given rise to considerable interest.

I have accordingly taken the decision to release a summary of the Board's report. A copy of that summary is attached to the present letter.

In order to avoid any possible misunderstanding, I wish to emphasize that this is a summary of the Board's report; it is not the report itself. That report is some 184 pages long and contains footnotes detailing relevant sources and citations, along with some 200 appendices and annexes of relevant evidence, including witness statements, investigative reports, medical reports, photographs, video footage, non-governmental organization submissions, meeting notes and other materials. Consistent with the terms of reference of the Board, the report includes details of persons killed or injured in the incidents; the causes of their deaths and the causes and nature of their injuries; and detailed descriptions of losses of and damage done to the property of the United Nations. Details of repair or replacement costs are annexed to the report, together with memorandums on the valuation methodologies used. This detailed information is not included in the attached summary.

I would also emphasize that this is the Secretariat's summary of the Board's report and that it has not been prepared by the Board itself. It contains a faithful and objective reflection of the Board's full report, including a description of the circumstances related to each of the nine incidents that the Board was tasked to review and investigate, together with a summary of the key findings on the facts and causes of each of those incidents, and on responsibility for them. It also contains a summary of the Board's conclusions. The recommendations are reproduced in full from the report.

I am carefully reviewing these recommendations with a view to determining what courses of action, if any, I should take. I am pleased to report in this connection that the Government of Israel has agreed to meet with United Nations Secretariat officials to address the Board's recommendations, in so far as they relate to Israel.

As for the Board's recommendation number 4, the Government of Israel has already confirmed to me that it is eager to build upon and further improve existing coordination mechanisms with the United Nations to help ensure the safety and

security of United Nations personnel and premises. While there is room for improvement, I wish to note the value of the cooperation between the Government of Israel's Coordination and Liaison Administration and the United Nations, which is crucial to ensuring the provision of basic humanitarian assistance.

As for the Board's recommendations numbers 10 and 11, which relate to matters that largely did not fall within its terms of reference, I do not plan any further inquiry. Regarding recommendation number 10, in which the Board addresses further incidents of death or injury to UNRWA personnel and damage to UNRWA premises that were not within the Board's terms of reference, I intend to address these incidents on a case-by-case basis, where appropriate and through dialogue with the Government of Israel, in so far as such incidents relate to Israel and the United Nations.

The Government of Israel has informed me that it has significant reservations and objections to elements of the attached summary, which has been shared with it and to which it intends to react.

In conclusion, I would like to highlight my deep and abiding concern for the civilians of the Gaza Strip and Israel, and their right to live in peace and security, free from the threat of violence and terrorism. The plight of Palestinian civilians in Gaza is reflected in the report of the Board of Inquiry. We should keep in mind that Israeli civilians in southern Israel faced and continue to face indiscriminate rocket attacks by Hamas and other militant groups. I continue to believe that the well-being and aspirations of both Palestinian and Israeli civilians will best be secured through a successful peace process that achieves the goals of the resolutions adopted by the Council, including its resolutions 242 (1967), 338 (1973), 1397 (2002), 1515 (2003), 1850 (2008) and 1860 (2009).

I should be grateful if you would bring the present letter and its attachment to the attention of the members of the Security Council for their information.

(Signed) **Ban** Ki-moon

Summary by the Secretary-General of the report of the United Nations Headquarters Board of Inquiry into certain incidents in the Gaza Strip between 27 December 2008 and 19 January 2009

1. On 11 February 2009, I convened a United Nations Headquarters Board of Inquiry¹ (hereinafter “the Board”) to review and investigate the following incidents that occurred in the Gaza Strip between 27 December 2008 and 19 January 2009 and in which death or injuries occurred at, and/or damage was done to, United Nations premises or in which death or injuries occurred, and/or damage was sustained, in the course of United Nations operations:

(a) Injuries occurring at and damage done to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) Khan Younis Preparatory “A” Girls School on 29 December 2008 and the subsequent death of the person injured;

(b) Deaths occurring at and damage done to the UNRWA Asma Elementary School in Gaza City on 5 January 2009;

(c) Deaths and injuries occurring at and in the immediate vicinity of, and damage done to, the UNRWA Jabalia Preparatory Boys “C” School on 6 January 2009;

(d) Injuries occurring at and damage done to the UNRWA Bureij Health Centre on 6 January 2009;

(e) Small-arms fire affecting an UNRWA convoy in the Ezbet Abed Rabou area on 8 January 2009 and related damage to a United Nations vehicle;

(f) Injuries occurring at and damage done to the UNRWA Field Office compound in Gaza City on 15 January 2009;

(g) Deaths and injuries occurring at and damage done to the UNRWA Beit Lahia Elementary School on 17 January 2009;

(h) Damage done to the Gaza compound of the Office of the United Nations Special Coordinator for the Middle East Peace Process (UNSCO) on 29 December 2008;

(i) Damage done to the World Food Programme (WFP) Karni Warehouse between 27 December 2008 and 19 January 2009.

2. As set out in its terms of reference, the detailed tasks of the investigation team were as follows:

(a) To gather and review all existing documentation related to the incidents, including the report of the inquiry into incidents affecting United Nations premises that Prime Minister Olmert has promised to the Secretary-General, if available, and any other available report that might result from national and other investigations;

¹ The team was headed by Ian Martin and composed of Larry D. Johnson, Sinha Basnayake and Lieutenant Colonel Patrick Eichenberger as Board members and Nina Lahoud as Secretary of the Board.

- (b) To identify and interview all relevant witnesses and others who could help the investigation and make a record of their statements;
- (c) To visit the sites where the incidents occurred;
- (d) To produce a Headquarters report on the incidents, to include the following:
 - (i) Findings on the facts of the incidents, including: the full names of deceased and injured persons; dates, times and places of their deaths or injuries; nature of their injuries; the causes of their deaths or injuries; whether those persons who were United Nations personnel were on duty at the time of the incidents; in the case of those persons who were not United Nations personnel, the reason for their presence at or in the immediate vicinity of the scene of the incident; and descriptions of losses of and damage to property of the United Nations and of the deceased and injured persons;
 - (ii) Findings on the causes of the incidents;
 - (iii) Findings on the responsibility of any individuals or entities for the incidents;
 - (iv) Recommendations concerning any action that, in the opinion of the team, should be taken by the United Nations, including any actions or measures that should be taken to avoid a recurrence of the incidents;
 - (v) Relevant evidence, to be added as appendices and annexes, including photographs, post-mortem reports and so on.

3. The Board noted that it was not within its terms of reference to address the wider aspects of the conflict in Gaza, its causes, or the situation affecting the civilian populations of Gaza and southern Israel in the period before “Operation Cast Lead” was launched. Its task was limited to considering the nine incidents identified in its terms of reference.

4. The Board reached the following conclusions regarding the facts and causes of, and responsibility for, each of those incidents. Complete findings of fact, together with supporting evidence and documentation and the rationale for the conclusions summarized below, are contained in the Board’s full report, which was submitted to the Secretary-General in confidence, consistent with standard practice for United Nations Boards of Inquiry.

Incident (a): Injuries occurring at and damage done to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) Khan Younis Preparatory “A” Girls School on 29 December 2008 and the subsequent death of the person injured

5. The UNRWA Khan Younis Preparatory “A” Girls School is located about 1 km north-west of the city of Khan Younis. Adjacent to the school is a kindergarten, also operated by UNRWA. The Board noted that the Global Positioning System (GPS) coordinates of the school had previously been communicated to the Israel Defense Forces (IDF) and that the school appeared on a map that had been prepared by the Coordinator of Government Activities in the Territories (COGAT) and shared with the United Nations for the purposes of coordinating United Nations activities with those of the IDF (the “joint coordination map”).

6. On 29 December, the school was closed on the occasion of the Islamic New Year. This date fell two days after the commencement of “Operation Cast Lead” and during the Operation’s first week, when it consisted exclusively of aerial attacks on Gaza. On the day of the incident, an UNRWA employee was working at the school as a guard. Another UNRWA employee was working as a guard at the adjacent kindergarten.

7. Opposite the school, on the other side of the street, was a civil defence centre housing a fire brigade. Because their centre had received a warning by telephone, the civil defence firefighters feared that the centre might be targeted. They warned the UNRWA guard to leave the school because he could also be targeted, but he decided to stay.

8. At about 3.30 p.m., an explosion occurred. The Board found that the UNRWA guard at the school had been struck by a weapon, or fragments from a munition, outside the gate of the school. He was taken to hospital, where he later died. The Board found that the UNRWA guard at the kindergarten next door had suffered injuries from the same munition. The school had also been damaged.

9. The Board was unable, with the limited information available to it, to reach any conclusions as to the nature or origin of the missile. While finding that the killing of the UNRWA guard was without any justification and clearly wrongful, the Board could not reach a conclusion as to which individuals or entities were responsible.

Incident (b): Deaths occurring at and damage done to the UNRWA Asma Elementary School in Gaza City on 5 January 2009

10. The UNRWA Asma Elementary Co-educational “A” School is situated in the centre of Gaza City. The main school block is a two-storey building containing classrooms and rooms for employees, including small toilets, one for girls and one for boys. The compound contains a playground, a building housing a canteen, and two toilet blocks, one for ladies and one for gentlemen.

11. The school was closed on 27 December 2008 because of the military operations which formed part of “Operation Cast Lead”. It was formally opened on 5 January 2009 as a shelter for Palestinians affected by the conflict; however, the fact that the school was being used as an emergency shelter was not notified to the IDF until the morning of 6 January. UNRWA Gaza Field Office records show that 406 people had sought shelter in the school by the night of 5 January. UNRWA procedures required that those seeking shelter be searched, in particular for weapons. The Board noted that there were accounts both that they were so searched, and that they were not searched because they were seen as obviously carrying little or nothing. Those seeking shelter in the school were registered. A shelter identification card was issued to the head of each family seeking shelter. After registration, the family members were allocated classrooms as accommodation. The shelter manager tried to keep families together as much as possible. Three young men, aged 25, 24 and 19, together with other members of their extended family, were allocated a room on the second floor.

12. During the evening of 5 January, an UNRWA guard was positioned at the doors between the inside and outside compounds of the school. According to the information that he provided, at approximately 11 p.m., he allowed the mother of

one of the young men and a young man of the family through the doors to use the outside bathroom. After they returned, he allowed three young men through to use the bathroom.

13. At approximately 11.15 p.m., a missile struck within the school compound close to the toilet blocks. It killed the three young men who had left the school building just minutes before. It also caused damage to the school premises. The Board found that the missile was fired from the air by the IDF.

14. The Board considered the possibility that the three young men were engaged, or about to engage, in military activity. It concluded that, on balance, it was more probable that they were going out to use the toilets in the school compound as they normally would, and were not preparing to engage in military activity. In this connection, the Board noted that no weapons or ammunition were found on the premises and that, on a balance of probability, it was difficult to accept that a weapon was smuggled into the compound before the incident and out of the compound afterwards.

15. As to whether the IDF would have known that the school was functioning as a centre for civilians, the Board noted that, on the day of the attack, the IDF had dropped 300,000 warning leaflets and, by this and other means, had urged civilians to move to city centres. It also noted that several hundred Palestinians had been gathering at the Asma School seeking shelter since the day prior to the incident, and from noon had been queuing in the playground to register and were thus easily visible to aerial monitoring.

16. The Board concluded that the IDF carried out a direct and intentional strike on United Nations premises. It considered that this amounted to an egregious breach of the inviolability of United Nations premises and a failure to accord the property and assets of the Organization immunity from any form of interference. It noted that such inviolability and immunity could not be overridden by demands of military expediency. The Board found that the Government of Israel was therefore responsible for the deaths of the three young men who were sheltering in the school and for the damage to the premises caused by its actions.

17. The Board found, moreover, that the IDF did not make sufficient efforts or take adequate precautions to fulfil the responsibilities of the Government of Israel to protect United Nations personnel and civilians sheltering on United Nations premises and to protect United Nations premises and property.

Incident (c): Deaths and injuries occurring at and in the immediate vicinity of, and damage done to, the UNRWA Jabalia Preparatory Boys “C” School on 6 January 2009

18. The UNRWA Jabalia Preparatory Boys “C” School serves children who are transitioning from primary to secondary education, and is also known as the Al-Fakhoura School, after the name of the neighbourhood. The school is in a three-storey building, within a compound enclosed by a wall approximately three metres high, and is entered through a gate of similar height. The western side of the school is bordered by the Al-Fakhoura road, which is broad enough at one section adjacent to the school that a traffic island has formed, where people sometimes gather and where a fruit and vegetable stall was set up on the day of the incident.

19. The Board noted that the GPS coordinates of the Jabalia School had been previously communicated to the IDF through regular updates and that the school appeared on the Joint Coordination Map prepared and shared by COGAT. It also noted that the school was included on the list of 91 provisional shelters that had been communicated to the IDF prior to “Operation Cast Lead”. It was opened as a shelter for civilians on 5 January 2009.

20. The Board found that, in the mid-afternoon of 6 January 2009, a series of mortar shells struck the immediate vicinity of the UNRWA Jabalia School, causing injuries to seven persons inside the school — six shelter residents and an UNRWA guard. The Board stated that it was unable to carry out the extensive investigations necessary to reach firm conclusions about the number of persons killed and injured in the immediate vicinity of the school. It noted that the Office for the Coordination of Humanitarian Affairs and local human rights organizations had estimated the number of dead at between 30 and 40, and the number of injured at 50. It found that one of those killed outside the school was a 14-year-old boy who had taken shelter in the school with his family, and was outside the school gates when killed.

21. The Board found that the undisputed cause of the injuries to the UNRWA guard and the people who had taken shelter in the UNRWA Jabalia School, of the damage to the school, and of the deaths and injuries to persons in the immediate vicinity of the school, was the firing of 120 mm mortar rounds by the IDF that landed on the road outside the school and at the compound of a family home nearby.

22. The Board noted that, in public statements and press reports at the time of incident, the Israeli authorities stated that the IDF had been responding to mortar fire from within the UNRWA school and that the school had been booby-trapped with explosives. It also noted that the allegation of Hamas mortar fire from within the UNRWA school compound was still posted on the website of the Ministry of Foreign Affairs of Israel at the time of the drafting of the Board’s report. The Board found that there was no firing from within the compound and no explosives in the school.

23. The Board further noted that, according to some statements issued following the incident, the IDF had responded to mortar fire from the immediate vicinity of the school. The Board stated that it was unable to reach any conclusion as to whether or not mortars were being fired and directed against the IDF from near to the school. However, it noted that the majority of witness statements received by or presented to the Board stated that this was not the case.

24. The Board noted that the means of response to an identified source of mortar fire that would have carried the least risk to civilians and property, including the UNRWA school, would have been a precisely targeted missile strike. It was not in a position to assess whether such a means of response was available to the IDF at the time and, if it was not, the length and consequences of any delay until it might have become available.

25. The Board found that, in firing 120 mm high explosive mortar rounds, the IDF had not maintained an adequate safety distance between whatever its target point might have been and the school. The Board found that one shell had hit only 20 metres from the school and the resulting shrapnel had caused injury to persons inside the school compound. It also noted that, even if the safety distance from the

school had been adequate, that would not have addressed the issue of the deaths and injuries that were caused in the immediate vicinity of the school.

26. The Board concluded that the IDF had breached the inviolability of United Nations premises and had failed to respect the immunity of the Organization's property and assets from interference. It noted that such inviolability and immunity could not be overridden by demands of military expediency. The Board therefore found the Government of Israel responsible for the injuries to members of the families sheltering in the school and for the damage to UNRWA premises and property caused by its actions.

27. Moreover, the Board found that the IDF did not make sufficient efforts or take adequate precautions to fulfil the responsibilities of the Government of Israel to protect United Nations personnel and civilians sheltering on United Nations premises and to protect United Nations premises and property.

28. With respect to civilians outside the school, including children and women, the Board noted that the responsibilities of the parties to the conflict were to be assessed in accordance with the rules and principles of international humanitarian law. It stated that the number of such deaths, the number and nature of injuries and the extent to which they could be categorized as acting in a non-civilian capacity could not be adequately investigated within the Board's constraints.

Incident (d): Injuries occurring at and damage done to the UNRWA Bureij Health Centre on 6 January 2009

29. The UNRWA Bureij Health Centre is a facility consisting of a single-storey building located in the centre of the Bureij Camp in Gaza. The Board noted that the GPS coordinates of the Centre had been previously communicated to the IDF through regular updates and that the Centre appeared on the Joint Coordination Map prepared and shared by COGAT.

30. The Centre does not have resident patients, but provides primary health care to visitors (outpatients). On 6 January 2009, the date that the Centre was damaged and its personnel and patients injured, the Board noted that 40 employees had reported for duty and that there were approximately 600 patient consultations.

31. The Centre is located in a populated urban area. Across the access road to the Centre stood a four-storey apartment building. The Board noted that the distance separating the Centre from that apartment building was approximately 20 metres. It found that on 6 January at about 10.40 a.m., the apartment building was hit by a small missile. The missile caused no injury to any person and physical damage only within a restricted area. The UNRWA head doctor at the Centre informed the Board that he thought that this might be a "warning missile", which might be followed by a much more destructive and dangerous strike, and that he therefore ordered his staff to ask patients to remain inside the Centre building, and not outside. However, he was unable to stop new patients from arriving at the Centre. The Board observed that the occupants of the apartment building appeared to have interpreted the strike similarly and had vacated the building, because it did not hear of any deaths of, or injuries to, the occupants as a result of the strike.

32. The Board found that, about 10 minutes later, a powerful aerial bomb hit the apartment building, rendering it a shell. The building did not collapse into the street or against the adjacent buildings, but the explosion did cause debris and shrapnel to

be thrown on to the Centre building and into the Centre compound, causing damage to the building and to the Centre's vehicle parked there.

33. The Board found that, as a result, nine Centre employees suffered personal injuries, while three patients who were approaching or entering the Centre's gate also suffered extensive personal injuries, one of whom later died as a result.

34. The Board found that the undisputed cause of the injuries to UNRWA personnel in the Centre, of the death and injuries to patients present at the Centre, and of the damage to the Centre and its vehicle, was a precision aerial bomb dropped by the IDF on the apartment building opposite the Centre.

35. The Board noted that, while it had received information that some occupants of that apartment building had Hamas affiliations, it did not consider that the information it had received as a whole had enabled it to reach a conclusion as to whether or not the building was being used by Hamas for operational purposes.

36. As regards the small missile used on the building by the IDF as a warning, the Board noted that it was fortunate that the head doctor at the Centre realized that this might be the precursor to a very destructive strike, which might even affect the Centre, and that he therefore ordered his staff to ask the patients to remain inside the Centre building. It noted that, nonetheless, a number of Centre employees inside were injured by the effects of the strike. The Board observed that the light missile, even coupled with the doctor's order, was therefore insufficient as a warning to guard against injury to the occupants of the Centre. Moreover, the Board observed that it could not help UNRWA to protect the Centre building and the vehicle, both of which suffered damage from the main strike.

37. The Board noted that no specific advance warning was given to UNRWA, even though the IDF would have known in advance that it was planning a future military operation in proximity to the Centre. The Board observed that sufficient advance warning would have enabled UNRWA to take the necessary protective measures to ensure the security and safety of UNRWA employees on the premises and of patients present at the Centre, as well as the safety of the UNRWA vehicle in the compound, and that it might also possibly have enabled UNRWA to mitigate the damage to the building itself. The Board therefore found that the IDF had failed to take sufficient precautionary measures in relation to the Centre.

38. The Board concluded that there had been a breach of the inviolability of United Nations premises and a failure to accord the property and assets of the Organization immunity from any form of interference. It noted that such inviolability and immunity could not be overridden by demands of military expediency. It found that the Government of Israel was therefore responsible for the deaths and injuries caused to patients present at the Centre and for the injuries to UNRWA personnel, as well as for the damage caused to UNRWA vehicles and property caused by its actions.

39. The Board found, moreover, that the IDF did not make sufficient efforts or take adequate precautions to fulfil the responsibilities of the Government of Israel to protect United Nations personnel and civilians present at the Bureij Health Centre and to protect United Nations premises and property.

Incident (e): Small-arms fire affecting an UNRWA convoy in the Ezbet Abed Rabou area on 8 January 2009 and related damage to a United Nations vehicle

40. Around 5 January 2009, an UNRWA Field Procurement and Logistics Officer became aware of the death of one of her staff and learned that his family were not in a position to retrieve his body. A decision was accordingly made that UNRWA should try to retrieve the body of its staff member for burial by his family. This would necessitate the dispatch of a convoy through the Ezbet Abed Rabou area, which was by that time occupied by the IDF. It would therefore be necessary to coordinate the recovery operation with the IDF, through its Coordination and Liaison Administration (CLA), to ensure a safe route and time for travel. The UNRWA Field Procurement and Logistics Officer concerned routinely coordinated the entry of trucks into Gaza with the IDF. Although another United Nations official routinely coordinated the movements of United Nations staff, his usual counterparts in the CLA were the same as those with whom the Procurement and Logistics Officer routinely dealt. She accordingly contacted one of her regular counterparts in the CLA and provided him with the necessary details and was given a “go-ahead” for a specific date and time. The CLA gave instructions not to take a particular road.

41. The Board found that the convoy left the UNRWA Gaza Field Office on the afternoon of 8 January 2009. It consisted of three vehicles — a leading car, carrying United Nations personnel and flying a United Nations flag, a Ministry of Health ambulance and another car, also containing United Nations staff. The convoy avoided taking the road mentioned by the CLA. The UNRWA Field Procurement and Logistics Officer who was in the lead car informed the Board that seven or eight rounds of small-arms fire were directed towards the lead car. The Board found that the car was hit three times, but that no injuries were sustained. The front car stopped and the firing ceased. Following an abortive attempt to contact the CLA, a decision was taken that the convoy should return to the UNRWA Field Office compound, which it did without further incident.

42. The Board noted that, as a result of that and other previous incidents, UNRWA announced on 9 January 2009 a temporary suspension of all movements of personnel throughout the Gaza Strip due to a breakdown in the effectiveness of coordination mechanisms between UNRWA and the Israeli authorities. The Board observed that this suspension affected UNRWA humanitarian operations. Later that day, at a high-level meeting, the United Nations received credible assurances that the security of United Nations personnel, installations and humanitarian operations would be fully respected and that there would be undertakings for improved liaison and more effective internal coordination within the IDF. The United Nations subsequently resumed movements of its personnel.

43. The Board concluded that the firing came from the IDF and was intended as a warning. It found that the UNRWA Field Procurement and Logistics Officer who initiated the coordination of the convoy did not commit any error in coordination procedures or in her interface with the CLA. It further found that the firing occurred as a result of failure of communication within the IDF, specifically between the CLA and forces on the ground.

44. The Board concluded that there was a failure to accord the property and assets of the Organization immunity from any form of interference. It noted that such immunity could not be overridden by demands of military expediency. It found that

the Government of Israel was therefore responsible for the damage to United Nations property and assets caused by its actions.

45. The Board found, moreover, that the IDF did not make sufficient efforts or take adequate precautions to fulfil the responsibilities of the Government of Israel to protect United Nations personnel and other civilians travelling as part of the convoy and to protect United Nations property.

Incident (f): Injuries occurring at, and damage done to, the UNRWA Field Office compound in Gaza City on 15 January 2009

46. The UNRWA Field Office compound houses the UNRWA Gaza headquarters, including the Office of the Commissioner-General, as well as the Field Office for the Gaza Strip. It is the hub and nerve centre for all UNRWA operations in Gaza, with administrative offices, fuel storage facilities, and warehouses for food, medicines, blankets and other provisions for humanitarian assistance. It is situated in a residential area. The Board noted that the GPS coordinates of the compound had been previously communicated to the IDF by the United Nations and that the compound appeared on the joint coordination map prepared by COGAT.

47. The ground war phase of “Operation Cast Lead” began on 3 January 2009. It involved incursions by IDF forces deep into areas of the Gaza Strip. By the evening of 14 January, these incursions had reached the southern suburbs of Gaza City. UNRWA staff told the Board that the shelling drew closer and closer to the compound during the night of 14 January and that, by the morning of 15 January 2009, shells were landing nearby and showering the compound with dust and concrete. UNRWA senior management and staff were greatly concerned, as the compound contained some 170,000 litres of diesel in underground storage tanks. Eight fuel tankers, three of which were full, were also parked there. As artillery fire increased, UNRWA let into the compound about 600 to 700 civilians seeking shelter, all of whom were searched and kept in one area by UNRWA staff. Buildings next to the compound were struck by artillery, and the first direct hits on the compound, including the training centre and parking lot, occurred at about 7.45 a.m. Fires and smoke began erupting throughout the compound, including the parking lot and the warehouse. United Nations international staff contacted their IDF and Israeli counterparts repeatedly, asking them to stop the firing at and near the compound. Assurances were given by the IDF in response, but the Board found that those were ineffective and not matched by action on the ground for a period of more than two hours.

48. At 9.45 a.m., two UNRWA staff became aware of burning white phosphorous-impregnated wedges under a fuel truck and scattered on the ground around the warehouse and fuel tank area. Despite incoming artillery shells, they went out into the compound and attempted to put out the fire under the fuel tanker. They were unable to do so, but succeeded in moving the burning fragment from underneath it. Although greatly concerned about the fuel tankers, UNRWA staff decided that any efforts to move the tankers to a safer place would have to wait until after incoming fire had stopped. Sometime between 12 p.m. and 12.30 p.m., UNRWA staff managed to move the fuel tankers and some other vehicles from the compound. However, fires had spread throughout the compound in the course of the afternoon. As the UNRWA rooftop water tanks had been smashed by incoming shell fire sometime earlier the same day, there was no water available. Staff told the Board that, when

the fire engulfed the vehicle repair workshop, with its highly flammable contents, it was impossible to prevent the fire from spreading to the warehouse area, which held medicines, food, general supplies and blankets.

49. The Board noted that, on the day of the incident, press reports carried statements to the effect that Government of Israel officials claimed that Palestinian elements had fired from the UNRWA compound, including anti-tank weapons, and that the IDF had responded. The Board stressed that UNRWA staff stated that they heard no gunfire from within the compound or in the immediate vicinity on the morning of 15 January 2009 and did not see or hear anything that might have suggested the presence of militants within the compound. The Board went on to confirm that there was no evidence whatsoever that any military activity against the IDF originated from within the compound.

50. The Board found that the artillery firing by the IDF caused three 155 mm M107 High-Explosive artillery shells to explode within the UNRWA Field Office compound. It also found that that same firing caused at least eight shell casings from 155 mm M825A1 smoke projectiles containing white phosphorus, together with a large number of burning white phosphorus-impregnated wedges, to fall within the compound, specifically on to the warehouse area.²

51. The Board found that this artillery firing by the IDF caused injuries to one UNRWA employee and to two unidentified persons who had taken shelter in the compound. Specifically, the Board found that these three persons were injured by shrapnel from one of the high explosive shells that landed in the compound.

52. The Board also found that very substantial damage was caused to buildings, vehicles and supplies, both from the direct impact of the shelling and from the resulting conflagration. That conflagration consumed entire warehouses and buildings containing food, medicines and other goods essential for the delivery of humanitarian assistance by UNRWA to the people of Gaza. UNRWA humanitarian operations in Gaza suffered significant adverse effects as a result.

² The Board made the following technical findings with respect to these projectiles. Such projectiles are intended to be used to create a smokescreen, impeding visibility between the forces employing them and enemy forces. Each projectile consists of its main body (the shell casing) and a cylindrical carrier canister containing 116 felt wedges, impregnated/saturated with white phosphorous. The projectile is set to base-eject the canister, normally at between 100 and 400 metres above the ground. This releases the wedges, which ignite upon air contact, producing smoke. The burning wedges fall to the ground, taking 3 to 10 seconds, in an elliptical pattern spread over a surface of about 100 to 150 metres. Each felt wedge is 190 mm thick, and continues to burn for 5 to 10 minutes once on the ground. The total weight of white phosphorous in the wedges in each projectile is 5.78 kg. The shell casing, projectile base, metal ribs and other parts fall to the ground. The total weight of each projectile is about 46 kg.

The Board went on to observe that the International Committee of the Red Cross states that, “if used against military targets in or near populated areas, weapons containing this substance [sc. white phosphorous] must be used with extreme caution to prevent civilian casualties”. White phosphorous burns at over 800 degrees Celsius (about 1,500 degrees Fahrenheit) and that burning will continue until the phosphorous has been completely depleted or until it is no longer exposed to oxygen. Human health, the Board noted, can be adversely affected in several ways: by burn injuries, inhalation of smoke from burning white phosphorous, oral exposure, or the persistence of white phosphorous particles in the environment. The Board noted that death or serious injuries could also be caused by the falling shell casing, weighing up to 15 kg, and other metal components or fragments of the projectile; and that, while such projectiles are not intended as incendiary weapons, they can obviously have serious incendiary effects.

53. The Board found that many deaths and injuries and further destruction could have been caused, had it not been for the prompt and courageous action of two UNRWA personnel.

54. The Board concluded that there was a breach of the inviolability of United Nations premises and a failure to accord the property and assets of the Organization immunity from any form of interference. It noted that such inviolability and immunity could not be overridden by demands of military expediency. The Board found that the Government of Israel was therefore responsible for the injuries suffered and the very substantial damage done to UNRWA property and assets caused by its actions.

55. The Board found, moreover, that the IDF did not make sufficient efforts or take adequate precautions to fulfil its responsibilities to protect United Nations civilians and civilian objects on United Nations premises. The Board considered that the IDF had a particularly high degree of responsibility to take effective precautions to ensure the safety of UNRWA premises, which were the centre of United Nations humanitarian action in Gaza, as well as of United Nations personnel and civilians sheltering there.

56. The Board found that any precautions that were taken by the IDF were clearly inadequate, in view of the firing of high-explosive shells into the compound and the firing of projectiles containing white phosphorus-impregnated wedges above the compound, exposing United Nations premises and personnel to the impact of heavy metal shell casings and to the incendiary effect of burning wedges, which placed the lives of those in the compound at risk, and could have ignited fuel in underground storage tanks and in three fuel tankers parked in the compound. It concluded that, given all the circumstances, the firing by the IDF of artillery with high explosives and projectiles containing white phosphorus into, over or in such close proximity to UNRWA headquarters as to cause injuries to persons and very substantial damage to property was grossly negligent and amounted to recklessness.

Incident (g): Deaths and injuries occurring at and damage done to the UNRWA Beit Lahia Elementary School on 17 January 2009

57. The UNRWA Beit Lahia Elementary School is a three-storey building constructed around a central courtyard. It is situated within a compound enclosed by a wall approximately three metres high, with an equally high metal gate. The Board noted that the GPS coordinates of the school had been communicated to the IDF and that the school had appeared on the joint coordination map prepared by COGAT and was also included on the list of 91 provisional shelters that had been communicated to the IDF prior to “Operation Cast Lead”.

58. On 5 January 2009, UNRWA opened the school as a shelter, and the IDF was informed accordingly. Guards were stationed at the shelter at all times, including at least one at the gate. The Board noted that the guard at the gate would check all people entering the school to make sure that no weapons were brought in. The Board further noted that people entering the school were registered and that by 16 January, according to UNRWA records, 1,891 people were sheltering in the school, including 265 children under the age of 3.

59. The Board found that, on 17 January at approximately 6.40 a.m., two ordnance rounds exploded above the school, dispersing dozens of burning white phosphorus-

impregnated felt wedges into the air over the compound and down on to the school itself. One shell casing struck the school compound wall, and another landed about 20 metres outside the school. The shelter manager ordered people to evacuate the school and to seek refuge at the Kamal Radwan Hospital or in nearby homes.

60. A few minutes later, the Board found, an ordnance shell casing crashed through the roof of the school building, and another hit the outer edge of the open-air corridor linking the classrooms on the top floor. The Board found that the shards from one of those two shell casings, as well as building debris, entered a classroom where many people were still taking shelter, and two young children, aged 5 and 7, were killed and their mother and cousin seriously injured.

61. The Board found that, about five minutes later, another ordnance round exploded above the school, followed two to three minutes later by a further round, both dispersing dozens of burning fragments that fell on the school compound and on the people fleeing the classrooms. Some of the burning white phosphorus wedges set fire to a classroom. The fire was put out before it could spread. The white phosphorus wedges continued to burn on the ground in the school compound for several minutes, releasing a white smoke that later would be determined by doctors to be the cause of some of the injuries among the victims. Some staff at the school tried to put out the fires with water, creating noxious fumes which could themselves cause long-term harm to health. Professional first responders began pouring sand on the white phosphorus.

62. The Board found that two children were killed in the incident and a total of 13 people were injured — some very seriously, others less so. Damage was also caused to the school building.

63. The Board found that the undisputed cause of the deaths, injuries and damage was artillery firing by the IDF, specifically the firing of 155-mm M825A1 smoke projectiles containing white phosphorous-impregnated felt wedges. The two deaths and some of the injuries were caused by the impact of shrapnel from the casings of those projectiles. Other injuries were caused by contact with burning fragments or shards of shell casing, yet others by inhalation of the fumes of burning white phosphorous. Damage to the premises was caused by the impact of the shell casings. Burning white phosphorous-impregnated wedges falling within the school compound set fire to a classroom and caused other damage.

64. The Board stated that it was not in a position to make any finding as to whether Hamas units were present in the Beit Lahia neighbourhood on the morning of 17 January 2009, whether IDF forces were exposed to fire or whether the laying of a smokescreen or other reactive measures were necessary in consequence. It found that, in view of what happened, any buffer zone that was being applied around the school in connection with the use of M825A1 shells was obviously ineffective. It further found that any precautions that were being taken to ensure that the white phosphorous-impregnated wedges from those shells burned up before reaching the ground were also clearly inadequate.

65. The Board concluded that there was a breach of the inviolability of United Nations premises and a failure to accord the property and assets of the Organization immunity from any form of interference. It noted that such inviolability and immunity could not be overridden by demands of military expediency. The Board found that the Government of Israel was therefore responsible for the deaths and

injuries caused to members of the families sheltering in the school and for damage to UNRWA premises and property caused by its actions.

66. The Board found, moreover, that the IDF did not make sufficient efforts or take adequate precautions to fulfil its responsibilities to protect United Nations personnel and civilians sheltering within United Nations premises and to protect United Nations premises and property.

67. The Board described the potential consequences that could arise from the use of munitions of the type that were used. It stated that those risks and dangers must have already been apparent to the IDF, following the incident at the UNRWA Gaza Field Office compound just two days earlier. The Board concluded that, whatever precautions were taken by the IDF in the current case, they were clearly inadequate in relation to the use of an extremely dangerous substance in a populated urban area. It found that United Nations premises, then in use as a shelter housing families, including small children, were exposed to the fatal impact of heavy metal shell casings and to burning white phosphorus-impregnated wedges. The Board concluded that, given all the circumstances, the firing by the IDF of projectiles containing white phosphorus in such close proximity to the school as to cause the death of two young children and serious injuries to others, as well as property damage, was highly negligent and amounted to a reckless disregard for the lives and safety of those sheltering in the school.

Incident (h): Damage done to the Gaza compound of the Office of the United Nations Special Coordinator for the Middle East Peace Process (UNSCO) on 29 December 2008

68. The UNSCO compound in Gaza is located in the centre of Gaza City. It serves as the Gaza headquarters for the Special Coordinator in the implementation of his political and humanitarian coordination mandate. The offices of the Office for the Coordination of Humanitarian Affairs and the Food and Agriculture Organization of the United Nations in Gaza were co-located within the compound at the time of the incident. There is a bomb shelter — essentially a metal container office with reinforced concrete and steel roofing and sides — at the southernmost end of the compound. The bunker does not contain toilets and is not equipped as a living space. The rooftops of the buildings in the compound have the letters “UN” written on them in very large black writing on a white background. At the time of the incident, 10 vehicles belonging to UNSCO and the Office for the Coordination of Humanitarian Affairs were in the compound’s car park, all painted white and with clear United Nations markings.

69. Along the entire length of its easternmost side, the UNSCO compound is bordered by the compound of the Presidential Guest House. The two compounds are separated by a chain link fence. The actual buildings of the Presidential Guest House were approximately 30 metres from the chain link fence.

70. The Board noted that the GPS coordinates of the UNSCO compound had been previously communicated to the IDF through regular updates and that the compound appeared on the joint coordination map prepared and shared by COGAT.

71. The Board found that, at the time of the incident, one UNSCO policy officer, acting as Officer-in-Charge of the Gaza office, and three UNSCO security guards were in the UNSCO compound. On the instruction of the Officer-in-Charge, the

guards were staying in the bomb shelter. The Officer-in-Charge was in the main building. At about 1.25 a.m. on 29 December, the guards completed a tour of the compound. At about 1.35 a.m., less than a minute after one guard had returned to the bomb shelter, there was a huge explosion. Between 5 and 10 minutes later, the four UNSCO personnel heard a second, even louder explosion and again heard rubble falling on the roofs of the buildings and the vehicles in the car park.

72. The Board found that the undisputed cause of the incident was aerial bombing by the IDF of the adjacent Presidential Guest House building. The Board found that there were no direct hits on the UNSCO compound. However, the Board found that the strike on the adjacent building caused large quantities of shrapnel or concrete debris to fly into the UNSCO compound, leading to substantial physical damage to the premises and to United Nations vehicles parked in the compound and risking death or injury to any United Nations personnel who might have been on duty within the compound at the time. The Board observed that the foresight of the Officer-in-Charge and the three guards themselves, and the existence of a bunker, were instrumental in ensuring that there were no deaths or injuries.

73. The Board considered whether Hamas might have been using the Presidential Guest House as a command and control centre or as a munitions store. The Board stated that it was unable to reach any conclusion in that regard, though it noted that UNSCO personnel had no reason to believe that it was.

74. The Board considered that the IDF's general warnings to civilians to keep away from facilities used by Hamas did not serve as a warning to the United Nations that the Presidential Guest House might be a target and that the UNSCO building might be at risk from collateral damage. Indeed, the Board observed, the general warnings involved instructions to the population to move to city centres, including therefore the area of the UNSCO premises, such that UNSCO personnel considered the premises to be safe. The Board considered that the IDF could have given a specific warning to UNSCO of the impending attack. That, it said, would have decreased the risks of death or injury to United Nations personnel and possibly made it possible to mitigate or avoid some of the damage, in particular to the vehicles. The Board believed that any risk that such a warning would have jeopardized the goal of the IDF operation was not high.

75. The Board concluded that there was a breach of the inviolability of United Nations premises and a failure to accord the property and assets of the Organization immunity from any form of interference. It noted that such inviolability and immunity could not be overridden by demands of military expediency. The Board found that the Government of Israel was therefore responsible for the substantial damage to United Nations premises and property, including vehicles, caused by its actions.

76. The Board found, moreover, that the IDF did not make sufficient efforts or take adequate precautions to fulfil the responsibilities of the Government of Israel to protect United Nations personnel within UNSCO premises and to protect United Nations premises and property.

Incident (i): Damage done to the World Food Programme (WFP) Karni Warehouse between 27 December 2008 and 19 January 2009

77. The warehouses in the Karni industrial zone are located some 200 metres from a barrier marking the eastern edge of the Gaza Strip and are guarded by the IDF. They were built to provide temporary storage facilities close to the Karni crossing and are the only cargo terminal designed for the passage of large containers into the Gaza Strip.

78. Once the crossing point was closed by the Israeli authorities to regular traffic in 2007, several United Nations entities, including UNRWA and WFP, rented warehouses at the Karni facility for stocking foodstuffs and other goods prior to their distribution within Gaza. At the time of the incident, the WFP warehouse contained 400 tons of food commodities, such as oil, tuna, sugar, maize and wheat flour, among other goods.

79. The Board observed that, from the start of “Operation Cast Lead” on 27 December 2008, the security situation made it impossible for WFP personnel to reach the warehouse, and, as a result, there were no United Nations personnel present at the warehouse from that date onward. Food stocks at the warehouse remained inaccessible from the beginning of the Operation until 5 February.

80. WFP informed the Board that its personnel were first able to return to the warehouse on 22 January. They determined that the warehouse had been damaged by small-arms fire and what they thought was probably a rocket or a mortar round, fragments of which were on the warehouse floor. They noted the following damage: a large hole in the roof; partial flooding from rain; damage to the walls and windows, probably caused by small-arms fire or the rocket or mortar; damage to numerous windows; damage to the drainage system; damage to the electrical distribution system (there was no electrical supply to the warehouse at the time); and damage to food items stored in the warehouse. Concerned that there might be unexploded ordnance on the premises, the following day WFP declared the warehouse off-limits to its personnel.

81. In the absence of any employees at the warehouse during the conflict, or any witnesses in what was a largely industrial zone, the Board was unable to determine when the warehouse was hit by ordnance.

82. Having inspected the site, the Board concluded that some of the holes in the walls could have been caused by small-arms fire, but it was impossible to confirm when or its source. The Board found that the bulk of the damage done to the WFP Karni Warehouse and its contents was caused by a Qassam-type, not industrially manufactured, rocket, which had most likely been fired from inside Gaza by Hamas or another Palestinian faction and which had hit the warehouse at some point during “Operation Cast Lead”.

83. The Board found that there was a breach of the inviolability of United Nations premises and a failure to accord the property and assets of the Organization immunity from any form of interference. It noted that such inviolability and immunity could not be overridden by demands of military expediency. It concluded that Hamas or another Palestinian actor was therefore responsible for the damage caused by its actions to the WFP Karni Warehouse and the goods stored within it.

84. The Board went on to state that it considered that the military actor that fired the rocket, whether Hamas or another Palestinian faction, had a responsibility to respect the rules and principles of international humanitarian law in carrying out the military action that caused damage to the WFP Karni Warehouse. In that regard, the Board noted that the not industrially manufactured rockets used by Hamas, such as the rocket the remains of which were found in the warehouse, were indiscriminate weapons. It also found that, when such rockets were fired from Gaza, their use implied a willingness or intention to cause loss of civilian life, injury to civilians and damage to civilian objects in Israel, and that they also carried significant risks of incidental loss of civilian life, injury to civilians and damage to civilian objects in Gaza itself.

Conclusions and recommendations

85. The Board noted that it was required by its terms of reference to gather and review all existing documentation related to the nine incidents specified and that, as with other boards of inquiry, its report should include findings on the facts of those incidents, on the causes of those incidents and on the responsibility of any individuals or entities for those incidents, and recommendations concerning any action that, in the opinion of the Board, should be taken by the United Nations, including any actions or measures that should be taken to avoid the recurrence of the incidents.

86. A summary of the Board's specific findings of fact, cause and responsibility with respect to each incident is set out above.

87. As emerges from these summaries, in six of the nine incidents, the Board concluded that the death, injuries and damage involved were caused by military actions, using munitions launched or dropped from the air or fired from the ground by the IDF. Thus:

- In the case of the **UNRWA Asma School**, the Board found that the undisputed cause was a single missile strike from the air by the IDF. It found that this caused the deaths of three young men who were members of the families sheltering in the school, as well as damage to the school premises.
- In the case of the **UNRWA Jabalia School**, the Board found that the undisputed cause was the firing of heavy mortar rounds by the IDF. It found that those mortar rounds landed outside the school, causing injuries to seven members of the families sheltering in the school, as well as damage to the school premises. It found that they also caused the deaths of, and injuries to, many persons in the immediate vicinity of the school, including women and children, one of whom was a 14-year old child whose family had taken shelter inside the school.
- In the case of the **UNRWA Bureij Health Centre**, the Board found that the undisputed cause was an aerial bomb dropped by the IDF on a building opposite the Centre. It found that the explosion caused the death of one patient and serious injuries to two other patients who were present at the Centre and that it also caused injuries to nine UNRWA personnel, as well as damage to the premises and to an UNRWA vehicle.

- In the case of the **UNRWA Field Office compound**, the Board found that the undisputed cause was artillery firing by the IDF. It found that the firing caused three high-explosive shells to explode within the compound and at least eight shell casings from projectiles containing white phosphorus, together with a large number of burning white phosphorus-impregnated wedges, to fall within the compound. It found that the firing caused injuries to one UNRWA employee and to two persons who had taken shelter in the compound. It also caused very substantial damage, the Board found, to buildings, vehicles and supplies, both from direct impact and from the resulting conflagration. UNRWA humanitarian operations in Gaza were adversely affected as a result. The Board observed that, had it not been for the prompt and courageous action of two UNRWA personnel, many deaths and injuries could have been caused, along with further destruction of the UNRWA headquarters and operational centre in Gaza.
- In the case of the **UNRWA Beit Lahia School**, the Board found that the undisputed cause was artillery firing by the IDF. It found that this firing caused two shell casings to fall on to the school, causing the deaths of two children, as well as very serious and less serious injuries to members of the families who had taken shelter in the compound. It found that the firing also caused a large number of burning white phosphorus-impregnated wedges to fall within the school compound, setting fire to a classroom and causing further damage to the school premises.
- In the case of the **UNSCO compound**, the Board found that the undisputed cause was the aerial bombing by the IDF of the Presidential Guest House building adjacent to the compound. It found that this caused substantial damage to United Nations premises and to United Nations vehicles in the compound, and risked causing death or injury to United Nations personnel on duty at the time.

88. In one further incident, the Board concluded that damage to a United Nations vehicle was caused by firing by the IDF:

- In the case of the **UNRWA convoy** in the Ezbet Abed Rabou area, the Board concluded that the incident involved small-arms fire coming from the IDF, intended as a warning, as a result of a failure of communication within the IDF. The Board found that the firing caused damage to an UNRWA vehicle, which was carrying international and national United Nations personnel. The incident contributed to the temporary suspension by UNRWA of staff movements in Gaza, affecting its humanitarian operations, the Board found.

89. In one incident, the Board concluded that damage to United Nations premises was caused by a Palestinian faction, most likely Hamas:

- In the case of the **WFP Karni Warehouse**, the Board concluded that the most serious damage sustained was caused by a rocket fired by a Palestinian faction, most likely Hamas, which was intended to strike in Israel but which fell short.

90. In one incident, the Board was unable to reach any conclusions as to the cause:

- In the case of the **UNRWA Khan Younis School**, the Board stated that it was unable, with the limited information available, to reach conclusions as to the

source of the munitions that caused the death of one UNRWA employee, injury to another and damage to the school premises.

91. The Board recalled that United Nations premises were inviolable. That inviolability, it noted, could not be set aside by any Member State on the grounds that, in the special circumstances of hostilities, it must be qualified or overridden by demands of military expediency. The Board also recalled that the property and assets of the United Nations were immune from any form of interference and that that immunity also could not be overridden by such demands.

92. The Board further observed that United Nations personnel and all civilians within United Nations premises, as well as civilians in the immediate vicinity of those premises and elsewhere, were to be protected in accordance with the rules and principles of international humanitarian law.

93. Against that background, the Board found that the Government of Israel was responsible for the deaths and injuries that occurred within United Nations premises and the physical damage that was done to United Nations premises and property in incidents (b), (c), (d), (e), (f), (g) and (h) — the UNRWA Asma School, the UNRWA Jabalia School, the UNRWA Bureij Health Centre, the UNRWA convoy, the UNRWA Gaza Field Office compound, the UNRWA Beit Lahia School and the UNSCO Gaza compound.

94. The Board found that, in those seven incidents, UNRWA sustained losses of and damage to property with a total estimated repair and replacement cost of more than \$10.4 million, while UNSCO incurred losses of and damage to property with an estimated total repair and replacement cost in excess of three quarters of a million dollars.

95. The Board further found that the Palestinian faction that launched the rocket involved, most likely Hamas, was responsible for physical damage to the premises in incident (i) — the WFP Karni Warehouse. The Board noted that, at the time of its report, the assessment of losses and damage sustained in that incident was not yet fully complete, but that the estimated repair and replacement costs were some \$29,000.

96. The Board stated that it was unable to make a finding of responsibility for the death, injury and physical damage in incident (a) — the UNRWA Khan Younis School.

97. The Board stated that it was not within its scope to assess general allegations or denials regarding the manner in which military activity was conducted during “Operation Cast Lead”. The Board concluded, though, that no military activity was carried out from within United Nations premises in any of the incidents. In its assessments of each incident, the Board referred to the witness statements and other information given to it regarding possible military activity close to United Nations premises and possible military use of nearby buildings, but the Board noted that it was not within its scope or capacity to reach conclusions on those matters.

98. In its conclusions, the Board made a number of observations regarding steps that might have been taken to minimize risks for civilians and civilian objects.

99. The Board noted that, according to the Ministry of Foreign Affairs of Israel, 980,000 leaflets were dropped over Gaza during the first nine days of the conflict; in addition, there were radio broadcasts and thousands of telephone calls. The Board

observed that giving effective advance warning, unless circumstances did not permit, of attacks that might affect the civilian population contributed to discharging the obligation to protect civilians against dangers arising from military operations. However, it noted that the ability of civilians in Gaza to respond to those warnings by moving to safety was greatly limited. Warnings stated that the IDF “will hit and destroy any building or site containing ammunition and weapons”, but in many cases, the Board remarked, civilians could not be expected to be aware that particular buildings were in fact used for such purposes or that the IDF might believe them to be so used. Although it was reported that a specific warning was often issued to civilians living in proximity to a military target, the Board noted that no such warnings were given to the United Nations before attacks on targets in close proximity to United Nations premises. The Board stated that it believed that this could have and should have been done, most obviously in the cases of incidents (d) and (h) — the Bureij Health Centre and the UNSCO Gaza compound.

100. The Board noted further that most warnings did not make any reference to when a particular area would be attacked or were not specific to a location at all, stating simply the intent to “act against any movements and elements conducting terrorist activities against the residents of the State of Israel”. The Board further noted that, given the blanket non-specific warnings, the widespread attacks in all population centres and the fact that the civilian population was prevented from leaving the Gaza Strip, civilians increasingly responded to general warnings and ongoing attacks by seeking refuge within UNRWA premises, on the assumption that United Nations premises would be immune from attack. The influx of civilians into UNRWA shelters, the Board observed, rose dramatically after 600,000 leaflet warnings were dropped on 3 and 5 January by the IDF and radio broadcasts by the IDF on 5 January called for civilians to go to city centres. The Board stated that it believed that the IDF, having issued so many warnings, must have expected that many civilians would respond by seeking shelter away from their homes, and had an obligation to take account of such movements of the civilian population in its military operations, which presumably had the benefit of considerable aerial observation. The Board considered that responsibility for the incidents at UNRWA temporary emergency shelters should be viewed in that context, specifically the cases of the UNRWA Asma School, the UNRWA Jabalia School, the UNRWA Beit Lahia School and the UNRWA Field Office compound.

101. In relation to those incidents caused by military actions carried out by the IDF, the Board found that it could not accept that sufficient efforts and precautions were made to fulfil the responsibilities of the Government of Israel to respect the inviolability of and non-interference with United Nations premises and property or to fulfil its responsibilities to protect civilians and civilian objects on United Nations premises. The Board concluded that IDF actions involved varying degrees of negligence or recklessness with regard to United Nations premises and to the safety of United Nations staff and other civilians within those premises, with consequent deaths, injuries and extensive physical damage and loss of property. In the case of the UNRWA Jabalia School, it concluded that the precautions that the IDF may have taken as regards United Nations premises were inadequate, while the responsibility of the parties with respect to the many civilians killed and injured outside the school was to be assessed in accordance with the rules and principles of international humanitarian law, and required further investigation.

Responsibilities of the United Nations and communication with the Israel Defense Forces

102. The Board noted that it had discussed closely with the UNRWA and Department of Safety and Security personnel concerned the coordination arrangements and the communications between them and the IDF. It had also examined relevant documentation. It found no deficiencies in the efforts of United Nations personnel to communicate to the IDF all information that was needed to enable necessary action to be taken to ensure the safety and security of United Nations personnel. To the extent that any lack of awareness by IDF forces of the location of United Nations premises or of the movement of United Nations personnel contributed to any of the incidents, as the Board found that it might have done at least in incident (e), it was failures of communication within the IDF, and not between the United Nations and the IDF, that were responsible, the Board stated. The Board did not find that any action or inaction by United Nations personnel contributed in any way to the incidents within its terms of reference.

103. The Board noted that further incidents affecting United Nations premises occurred after previous incidents had been protested orally and in writing by the United Nations and deeply regretted by the IDF, further assurances had been given, the need to improve humanitarian coordination mechanisms of the IDF had been recognized and arrangements were said to have been strengthened. In that connection, the Board noted that, on 8 January 2009, in response to incidents in which UNRWA staff, convoys and installations had come under attack up to that date, UNRWA suspended staff movements, as it had decided that the risks to its staff exceeded the threshold required for operational safety. The Board went on to note that, at a high-level meeting at Ministry of Defense headquarters on 9 January, the United Nations had received assurances that the security of United Nations personnel, installations and humanitarian operations would be fully respected, including through undertakings of improved liaison and more effective internal coordination within the IDF. On that basis, the Board observed, United Nations staff movements that had been suspended were resumed. The Board stated it was of particular concern that, whatever measures might then have been taken to improve the effectiveness of coordination within the IDF, they did not prevent the subsequent incident at the **UNRWA Field Office compound** on 15 January or bring an earlier end to the artillery firing that caused very substantial damage there, nor did they prevent the incident at the **UNRWA Beit Lahia School** on 17 January.

104. Indeed, at the **UNRWA Field Office compound**, the Board observed that it was action beyond the call of duty by two UNRWA staff members that probably averted deaths, injuries and far greater physical damage. This would have resulted if fuel in tankers and underground storage tanks in the compound had been ignited by the burning white phosphorus-impregnated wedges from IDF shells that the staff members dislodged from under a fuel tanker. That action was taken at risk to their own lives, while heavy metal shell casings and white phosphorus-impregnated wedges were continuing to fall in the compound. The two UNRWA staff concerned were then assisted by other staff members in efforts to save property and limit the spread of the warehouse fire. The Board noted that those and many other UNRWA personnel, including during other incidents investigated by the Board in which they suffered injury or dealt with the deaths and injuries of others, showed exemplary

commitment to the work of the United Nations during a time of great personal difficulty, extreme stress and danger.

105. The Board reported that it had also discussed with UNRWA managers the efforts made to prevent any entry onto or misuse of United Nations premises by those engaged or likely to be engaged in military activity. Those efforts included the instructions and training given to staff to prevent such persons and weapons from entering United Nations premises. The Board found evidence that such efforts were indeed made by UNRWA staff at the three schools that were being used as shelters in incidents (b), (c) and (g) — the UNRWA Asma School, the UNRWA Jabalia School and the UNRWA Beit Lahia School. The Board noted that, at a meeting with UNRWA officials, the Commander of the Gaza Division of the IDF confirmed that the IDF had not found munitions in UNRWA schools, recognized that UNRWA had procedures in place to protect its schools from any abuse and undertook to ensure that troops were so informed.

106. The Board expressed the view that public allegations by a Member State of misuse of United Nations premises for military activity should only be made on the basis of certainty, because of the gravity of such allegations, their effect upon public perceptions of the Organization and their serious implications for the safety and security of its staff in the area of ongoing military operations. The Board recognized that, during ongoing military activities, the circumstances of incidents commanding media attention might not immediately be fully known. However, the Board remained extremely concerned by the initial statements made by the IDF and other spokespersons of the Government of Israel in two cases:

- In incident (c), that the IDF was responding to Hamas mortar fire from within the **UNRWA Jabalia School**, that Hamas had been hiding in or had taken over the school and that the school was booby-trapped with explosives.
- In incident (f), that Hamas had fired from the **UNRWA Field Office compound** before it was hit by IDF artillery.

107. The Board found that those allegations were untrue, continued to be made after it ought to have been known that they were untrue and were not adequately withdrawn and publicly regretted. The Board noted that, at the time of writing its report, the allegation that there was firing from the **UNRWA Jabalia School** remained posted on the website of the Ministry of Foreign Affairs of Israel.

Matters requiring further investigation

108. The Board observed that its terms of reference with respect to incident (c) required it to consider deaths and injuries occurring in the immediate vicinity of the **UNRWA Jabalia School**, as well as injuries inside the school. It noted that this incident involved the greatest loss of life of any of the incidents included in the terms of reference. The Board recalled its conclusion that those deaths and related injuries were caused by heavy mortar rounds fired by the IDF. The Board stated that, in view of the constraints to which it was subject, it could not adequately investigate the number of those deaths, which included women and children, the number and nature of injuries, or the civilian status of all those killed and injured. It expressed the view that those required a broader investigation to assess the responsibilities of

the parties in accordance with the rules and principles of international humanitarian law.

109. The Board went on to note that, in the course of its investigations, it became aware of a number of incidents involving deaths and injuries not included in its terms of reference, for which it considered that the United Nations had a particular responsibility, because of the employment or other relationship of the victims to the Organization, to ensure adequate investigations. The Board further remarked that it was also aware that there were many cases outside its terms of reference in which United Nations property sustained physical damage during the period covered by "Operation Cast Lead". It noted that, according to UNRWA, those included 36 of the 120 UNRWA schools (five of which were being used as temporary emergency shelters at the time), 7 of the 17 UNRWA health centres and 2 of the 11 UNRWA distribution centres.

Recommendations

110. The terms of reference of the Board included making recommendations concerning any action that, in the opinion of the team, should be taken by the United Nations, including any actions or measures that should be taken to avoid recurrence of the incidents. The Board made the following recommendations:

Regarding compensation and reparation

Recommendation 1

The Board recommended that the United Nations should seek formal acknowledgement by the Government of Israel that its public statements alleging that Palestinians had fired from within the UNRWA Jabalia School on 6 January and from within the UNRWA Field Office compound on 15 January were untrue and were regretted.

Recommendation 2

The Board recommended that the United Nations should take appropriate action to seek accountability and pursue claims to secure reparation or reimbursement for all expenses incurred and payment made by the United Nations in respect of:

- death of or injury to any United Nations personnel or any third party on United Nations premises; and**
- the repair or replacement of damaged, destroyed or lost property of the United Nations or United Nations personnel**

where the death, injury, damage, destruction or loss was found to be the responsibility of the Government of Israel, Hamas or any other party.

Recommendation 3

The Board recommended that the United Nations should promote the provision of assistance to civilians not employed by the United Nations who were killed or injured within United Nations premises, as well as to other civilians who themselves incurred injury or suffered the death of family members. Such

provision should include, inter alia, medical treatment, prosthetics and psychosocial support. Particular attention should be paid to the needs of children traumatized by the conflict and of caregivers for victims.

Regarding future coordination

Recommendation 4

The Board recommended that the United Nations should request the Government of Israel to strengthen internal mechanisms, especially those within the IDF, so as to ensure that United Nations personnel, operations and premises were not put at risk in the event of any future military operations affecting Gaza. The Board further recommended that the United Nations should request the Government of Israel to designate a high-level coordination focal point, to whom the United Nations could convey any problems which it believed needed to be addressed in respect of coordination and clearance arrangements in order to ensure the security of all United Nations personnel and premises, and the safe continuation of United Nations operations, in Gaza.

The Board recommended that the United Nations should request the Government of Israel to strengthen coordination arrangements for the safe movement of United Nations personnel and/or vehicles within Gaza during any future military operations and, as part of revised procedures, to ensure that written responses were provided in response to requests for clearance.

Recommendation 5

The Board recommended that the United Nations should request the Government of Israel to give a commitment that, in the event that it planned any future military operation in proximity to United Nations premises, advance warning would be given, sufficient to enable the United Nations to ensure the security and safety of its personnel or other civilians within its premises.

Recommendation 6

The Board recommended that the United Nations should request the Government of Israel to give a commitment that, at any time it believed that it had information that United Nations premises had been misused for military purposes, such information would be promptly conveyed to senior management of UNRWA or any other United Nations entity concerned, in confidence, so that they could fulfil their responsibility to investigate and take any appropriate action.

Commendation

Recommendation 7

The Board recommended that particular commendation should be conveyed to UNRWA staff Jodie Clark and Scott Anderson for their courageous action on 15 January 2009 to prevent the combustion of the fuel stored in the UNRWA Gaza Field Office compound during continuing IDF military action affecting the compound and, assisted by others, to minimize damages and loss at the compound, risking their own lives.

Regarding investigations

Recommendation 8

The Board, noting that the then Prime Minister of Israel promised to the Secretary-General that the report of the inquiry into incidents affecting United Nations premises would be provided to the United Nations, recommended that the United Nations should pursue the request for that to be done.

The Board recommended that the United Nations should request the Government of Israel to give a commitment that, in the case of any future incident involving death or injury of United Nations personnel or damage to United Nations premises or sustained in the course of United Nations operations, which appeared to have been caused by IDF military action, prompt investigations would be carried out, that the report of such investigations would be made available to the Secretary-General and to any board of inquiry or other inquiry body he might establish in a timely manner, and that such a body would have access to IDF officers with relevant coordinating, operational or investigative responsibility.

Recommendation 9

The Board recommended that, in order to enable prompt and effective investigations, the United Nations should consider establishing stand-by arrangements to deploy trained investigators rapidly to any United Nations presence where such experts were not available, including persons with military, munitions, forensic and other relevant expertise, who could conduct initial investigations and assess, record and preserve evidence before a board of inquiry or other inquiry body visited the locations concerned.

Recommendation 10

The Board recommended that the Secretary-General, in consultation with the Commissioner-General of UNRWA, should ensure the timely investigation of the other incidents involving the death or injury of UNRWA personnel, on or off duty, and/or physical damage to UNRWA premises that were not included in the Board's terms of reference.

Recommendation 11

The Board noted that it was restricted to examining the nine incidents specified in its terms of reference. The Board further noted that it was not within its scope or capacity to reach conclusions on all aspects of those incidents relevant to the assessment of the responsibility of the parties in accordance with the rules and principles of international humanitarian law. The Board specifically recalled in that regard that it had been unable to investigate fully all circumstances related to the deaths and injuries that occurred in the immediate vicinity of the UNRWA Jabalia School, which involved the greatest loss of life of any of the incidents included in its terms of reference. It also referred to the incident involving the deaths of nine trainees from the UNRWA Gaza training centre, which occurred on 27 December 2008 immediately across the road from the UNRWA compound in Gaza City. It went on to state the view that the deaths, injuries and damage caused by the firing of smoke projectiles containing white phosphorus into populated urban areas of Gaza,

including in the incidents at the UNRWA Field Office compound and the UNRWA Beit Lahia School, also required further examination in relation to the rules and principles of international humanitarian law. More generally, the Board noted that it was deeply conscious that those were among many incidents during “Operation Cast Lead” involving civilian victims and stated that, where civilians had been killed and there were allegations of violations of international humanitarian law, there should be thorough investigations, full explanations and, where required, accountability. **It accordingly recommended that those incidents should be investigated as part of an impartial inquiry mandated, and adequately resourced, to investigate allegations of violations of international humanitarian law in Gaza and southern Israel by the IDF and by Hamas and other Palestinian militants.**



Security Council

Distr.: General
11 May 2009

Original: English

Statement by the President of the Security Council

At the 6123rd meeting of the Security Council, held on 11 May 2009, in connection with the Council's consideration of the item entitled "The situation in the Middle East, including the Palestinian question", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council stressed the urgency of reaching comprehensive peace in the Middle East. Vigorous diplomatic action is needed to attain the goal set by the international community — lasting peace in the region, based on an enduring commitment to mutual recognition, freedom from violence, incitement and terror, and the two-state solution, building upon previous agreements and obligations.

"In this context the Security Council recalls all its previous resolutions on the Middle East, in particular resolutions 242 (1967), 338 (1973), 1397 (2002), 1515 (2003), 1850 (2008), 1860 (2009), and the Madrid principles, and the Council notes the importance of the 2002 Arab Peace Initiative.

"The Security Council encourages the Quartet's ongoing work to support the parties in their efforts to achieve a comprehensive, just and lasting peace in the Middle East.

"The Security Council reiterates its commitment to the irreversibility of the bilateral negotiations built upon previous agreements and obligations. The Council reiterates its call for renewed and urgent efforts by the parties and the international community to achieve a comprehensive, just and lasting peace in the Middle East, based on the vision of a region where two democratic States, Israel and Palestine, live side by side in peace within secure and recognized borders.

"The Security Council further calls upon the parties to fulfil their obligations under the Performance-Based Road-map refraining from any steps that could undermine confidence or prejudice the outcome of negotiations on all core issues.

"The Security Council calls on all States and international organizations to support the Palestinian government that is committed to the "Quartet" principles and the Arab Peace Initiative and respects the commitments of the Palestine Liberation Organization, and the Council encourages tangible steps towards intra-Palestinian reconciliation, including in support of Egypt's efforts, on this basis. It calls for assistance to help develop the Palestinian



economy, to maximize the resources available to the Palestinian Authority and to build Palestinian institutions.

“The Security Council supports the proposal of the Russian Federation to convene, in consultation with the Quartet and the parties, an international conference on the Middle East peace process in Moscow in 2009.”



Security Council

Distr.: General
1 June 2010

Original: English

Statement by the President of the Security Council

At the 6326th meeting of the Security Council, held on 1 June 2010, in connection with the Council's consideration of the item entitled "The situation in the Middle East, including the Palestinian question", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council deeply regrets the loss of life and injuries resulting from the use of force during the Israeli military operation in international waters against the convoy sailing to Gaza. The Council, in this context, condemns those acts which resulted in the loss of at least ten civilians and many wounded, and expresses its condolences to their families.

"The Security Council requests the immediate release of the ships as well as the civilians held by Israel. The Council urges Israel to permit full consular access, to allow the countries concerned to retrieve their deceased and wounded immediately, and to ensure the delivery of humanitarian assistance from the convoy to its destination.

"The Security Council takes note of the statement of the UN Secretary-General on the need to have a full investigation into the matter and it calls for a prompt, impartial, credible and transparent investigation conforming to international standards.

"The Security Council stresses that the situation in Gaza is not sustainable. The Council re-emphasizes the importance of the full implementation of Resolutions 1850 and 1860. In that context, it reiterates its grave concern at the humanitarian situation in Gaza and stresses the need for sustained and regular flow of goods and people to Gaza as well as unimpeded provision and distribution of humanitarian assistance throughout Gaza.

"The Security Council underscores that the only viable solution to Israeli-Palestinian conflict is an agreement negotiated between the parties and re-emphasizes that only a two-State solution, with an independent and viable Palestinian State living side by side in peace and security with Israel and its other neighbours, could bring peace to the region.

"The Security Council expresses support for the proximity talks and voices concern that this incident took place while the proximity talks are underway and urges the parties to act with restraint, avoiding any unilateral and provocative actions, and all international partners to promote an atmosphere of cooperation between the parties and throughout the region."





United Nations

PRESS RELEASE

SC/10829

21 NOVEMBER 2012

Security Council Press Statement on Ceasefire in Gaza Strip

Security Council Press Statement on Ceasefire in Gaza Strip

The following Security Council press statement was issued today by Council President Hardeep Singh Puri (India):

The members of the Security Council welcomed the ceasefire agreement reached in relation to the Gaza Strip in order to bring about a sustainable and durable cessation of hostilities that had been affecting the Gaza Strip and Israel. The members of the Council called on the parties to uphold the agreement and to act seriously to implement its provisions in good faith. They expressed their continued support for the ongoing international efforts to consolidate this agreement.

The members of the Council strongly commend the efforts of Egyptian President [Mohamed] Morsy and others to achieve the ceasefire. The members of the Council also expressed strong appreciation for the efforts of United Nations Secretary-General Ban Ki-moon in this regard.

The members of the Council affirmed the need for the people of Israel and the Palestinian people in the Gaza Strip to live without fear. They called on the international community to contribute to improving the living conditions of the people in the Gaza Strip, notably through providing additional emergency aid through appropriate established channels to the Palestinian people in the Gaza Strip and to work in this regard with Israel, the Palestinian Authority, and Egypt for the expeditious and unimpeded delivery of such humanitarian assistance, including of food, fuel and medical treatment.

The members of the Security Council deplored the loss of civilian lives resulting from this situation and reiterated the need to take appropriate steps to ensure the safety and well-being of civilians and their protection in accordance with international humanitarian law.

The members of the Council stressed the urgency of the restoration of calm in full and reiterated the importance of achieving a comprehensive peace based on the vision of a region where two democratic States, Israel and Palestine, live side by side in peace with secure and recognized borders.

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! For information media. Not an official record.



United Nations

PRESS RELEASE

SC/11460
1 JULY 2014

**Security Council Press Statement on Killing of Teenagers
Discovered Near Hebron**

Security Council Press Statement on Killing of Teenagers Discovered Near Hebron

The following Security Council press statement was issued today by Council President Eugène-Richard Gasana (Rwanda):

The members of the Security Council expressed their profound outrage at and condemned in the strongest terms the killing of three teenagers, whose bodies were discovered near the city of Hebron on 30 June.

The members of the Security Council extended their condolences to the families of the victims of this heinous act and to the people and Governments of Israel and the United States.

The members of the Security Council underlined the need to bring perpetrators of these acts to justice, and encouraged Israel and the Palestinian Authority to continue working together to do so. They reiterated the need to take appropriate steps to ensure the safety and well-being of civilians and their protection and urged all parties to abide by their obligations under international humanitarian law. They also urged all parties to refrain from steps that could further destabilize the situation.

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! For information media. Not an official record.



United Nations

PRESS RELEASE

SC/11462
2 JULY 2014

**Security Council Press Statement on Killing of Palestinian
Teenager**

Security Council Press Statement on Killing of Palestinian Teenager

The members of the Security Council expressed profound sorrow and condemned in the strongest terms the abduction and killing of a Palestinian teenager from East Jerusalem on 2 July, and extended their condolences and sympathies to the family of the victim of this heinous act and to the Palestinian people. The members of the Security Council underlined the need to bring the perpetrators of this deplorable act to justice. The members also called for immediate calm.

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! For information media. Not an official record.



United Nations

PRESS RELEASE

SC/11472
12 JULY 2014

Security Council Press Statement on Middle East

Security Council Press Statement on Middle East

The following Security Council press statement was issued today by Council President Eugène-Richard Gasana (Rwanda):

The Security Council members expressed serious concern regarding the crisis related to Gaza and the protection and welfare of civilians on both sides.

The Security Council members called for de-escalation of the situation, restoration of calm, and reinstatement of the November 2012 ceasefire.

The Security Council members further called for respect for international humanitarian law, including the protection of civilians.

The Security Council members also expressed their support for the resumption of direct negotiations between the Israelis and Palestinians with the aim of achieving a comprehensive peace agreement based on the two-State solution.

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! For information media. Not an official record.

**Security Council**

Distr.: General
21 July 2014

Original: English

Letter dated 21 July 2014 from the Secretary-General addressed to the President of the Security Council

On 10 July 2014, I expressed my alarm to the Security Council at the renewed escalation of violence between Gaza and Israel following weeks of tension in the West Bank. I also welcomed the press statement by the Council, on 12 July 2014, which called unequivocally for a de-escalation of the situation, the restoration of calm and the reinstatement of the November 2012 ceasefire. I remain deeply concerned about the continuation of hostilities and the increasing number of civilian victims. I hope that ongoing efforts to reach a ceasefire will bear immediate and lasting results before the underlying causes of the repeated rounds of violence can be duly addressed.

As the crisis continued, I received, on 13 July 2014, the attached letter from Mr. Mahmoud Abbas, President of the State of Palestine (see annex), which requests that “the territory of the State of Palestine be placed under an international protection system by the United Nations”, with the central aim of “ensuring the protection of the Palestinian people”. In light of the serious issues regarding Palestine, I am currently reviewing this request with my senior advisers.

I would be grateful if you could bring this letter and its annex to the attention of the members of the Security Council.

(Signed) **BAN** Ki-moon



Annex

Placing Palestine under an international protection system administered by the United Nations

Against the backdrop of decades-long, contentious and entrenched Israeli colonial occupation, preventing the exercise by the Palestinian people of their fundamental right to self-determination in an independent state of their own in the West Bank, including East Jerusalem, and the Gaza Strip on the 1967 borders, I hereby officially request that the territory of the State of Palestine be placed under an international protection system by the United Nations.

The objectives of the international protection system for Palestine, in accordance with the purposes of the United Nations, international law and international humanitarian law, including the Fourth Geneva Convention, and human rights treaties are:

- The maintenance of international peace and security and taking effective collective measures, in conformity with international law, for the prevention and removal of threats to the peace, acts of aggression and breach of peace resulting from Israel's continued occupation and illegal colonization of the occupied State of Palestine;
- To promote the political, economic, social rights, well-being and advancement of the Palestinian people and their progressive development towards independence in a state of their own in the West Bank, including East Jerusalem, and the Gaza Strip on the 1967 borders, which constitutes the internationally recognized self-determination unit of the Palestinian people;
- To ensure respect for human rights, fundamental freedoms and international law and international humanitarian law and to provide protection for the Palestinian people and civilian population from Israel's ongoing occupation and acts of aggression.

The establishment of a protection system for the people of Palestine is commensurate with the objectives and purposes of the Charter of the United Nations and the responsibility of the international community under international law and international humanitarian law, in particular the Fourth Geneva Convention and the First Additional Protocol to the Geneva Conventions. These norms were upheld in numerous resolutions of the United Nations Security Council, including resolutions 607 (1988), 608 (1988), 636 (1989), 672 (1990), 681 (1990), 694 (1991) and 699 (1991).

I urge you, Mr. Secretary, to take all of the effective measures required to establish a protection system for Palestine, with the aim of ensuring the protection of the Palestinian people from the Israeli aggression, continued occupation and violation of international law, in particular its escalation and its bombardments against the civilian population in the Gaza Strip.

(Signed) Mahmoud **Abbas**
President of the State of Palestine
Chairman of the PLO Executive Committee



Security Council

Distr.: General
28 July 2014

Original: English

Statement by the President of the Security Council

At the 7225th meeting of the Security Council, held on 28 July 2014, in connection with the Council's consideration of the item entitled "The situation in the Middle East including the Palestinian question", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council expresses grave concern regarding the deterioration in the situation as a result of the crisis related to Gaza and the loss of civilian lives and casualties.

"The Security Council calls for full respect of international humanitarian law, including the protection of civilian population, and reiterates the need to take appropriate steps to ensure the safety and well-being of civilians and their protection.

"The Security Council expresses strong support for the call by international partners and the Secretary-General of the United Nations for an immediate and unconditional humanitarian ceasefire, allowing for the delivery of urgently needed assistance, and they urged all parties to accept and fully implement the humanitarian ceasefire into the Eid period and beyond. The Security Council commends the Secretary-General of the United Nations and the U.S. Secretary of State John Kerry for their efforts in this regard.

"The Security Council also calls on parties to engage in efforts to achieve a durable and fully respected ceasefire, based on the Egyptian initiative. In this regard, the Security Council welcomes the efforts of international partners and the convening of the international meeting to support the ceasefire held in Paris on July 26, 2014 and urges all concerned regional and international parties to vigorously support efforts to consolidate an agreement between the parties.

"The Security Council emphasizes that civilian and humanitarian facilities, including those of the UN, must be respected and protected, and called on all parties to act consistently with this principle.

"The Security Council calls for the full implementation of resolution 1860 (2009) and stressed the need for immediate provision of humanitarian assistance to the Palestinian civilian population in the Gaza Strip, including through urgent additional contribution to UNRWA. The Security Council recognizes and commends the vital role played by the Agency, along with



other United Nations agencies and humanitarian organizations, in addressing the critical humanitarian needs in Gaza.

“The Security Council urges the parties and the international community to achieve a comprehensive peace based on the vision of a region where two democratic states, Israel and Palestine, live side by side in peace with secure and recognized borders as envisioned in Security Council resolution 1850 (2008).”



United Nations

PRESS RELEASE

SC/11699-PAL/2183

12 DECEMBER 2014

**Security Council Press Statement on Death of Palestinian Minister
Ziad Abu Ein**

The following Security Council press statement was issued today by Council President Mahamat Zene Cherif (Chad):

The members of the Security Council expressed their sorrow at the death of Palestinian Minister Ziad Abu Ein, which occurred after a demonstration in the Palestinian village of Turmus Ayya.

The members of the Security Council expressed their condolences to the family of Minister Abu Ein, the Palestinian people and the Palestinian Authority.

The members of the Security Council encouraged the parties to ensure that a swift and transparent investigation is undertaken. Council members took note of the willingness of the Government of Israel to conduct a joint investigation into the incident.

The members of the Security Council called on all sides to exercise maximum restraint and to refrain from steps that could further destabilize the situation.

PALESTINIAN ISSUES

! For information media. Not an official record.



Security Council

Distr.: General
27 April 2015

Original: English

Letter dated 27 April 2015 from the Secretary-General addressed to the President of the Security Council

During the course of the last conflict in the Gaza Strip and southern Israel, a number of incidents occurred between 8 July and 26 August 2014 affecting or involving United Nations personnel, premises and operations.

In my capacity as the Chief Administrative Officer of the Organization, I decided to establish a United Nations Headquarters board of inquiry to review and investigate 10 of those incidents, in which death or injuries occurred at, or damage was done to, United Nations premises, or in which the presence of weaponry was reported at those premises.

My aim in taking this step was to develop a clear record of the facts of those serious incidents and their causes and to determine the persons or entities to which they might be attributable. That would make it possible for me, inter alia, to identify any gaps that there might have been in the Organization's procedures and to take any measures and put in place any arrangements that might be needed, with a view to preventing a recurrence of such incidents in the future, or at least to mitigate their effects. It would also put me in a better position to determine what steps I might need to take to protect the Organization's property and assets.

I would emphasize in this connection that a board of inquiry is not a judicial body or court of law; it does not make legal findings and does not consider questions of legal liability.

I appointed Mr. Patrick Cammaert as head of the Board. The other Board members were Ms. Maria Vicien-Milburn, Mr. Pierre Lemelin, Mr. K. C. Reddy and Ms. Lee O'Brien (who resigned from the Board for medical reasons on 29 December 2014). Mr. Stephane Wohlfahrt served as Secretary.

The Board was convened on 10 November 2014. It conducted a field visit from 26 November to 13 December 2014 and submitted its report to me on 5 February 2015. I would like to thank the Board for having concluded its work successfully. In doing so, I recognize the difficulties that it naturally faced in obtaining clear and reliable evidence concerning precisely what happened in each of the incidents that it was tasked to investigate, those incidents occurring, as they did, in a situation of armed conflict and, in some but not all cases, in close proximity to where intense fighting was taking place.



I wish to place on record my appreciation for the cooperation provided to the Board by the Government of Israel, including its facilitation of the entry of the Board to the Gaza Strip and the convening of extensive meetings with the Board. I also appreciate the reception of the Board by representatives of the State of Palestine and the meetings with the local authorities in Gaza. I share the appreciation of the Board members for the cooperation extended to them by United Nations officials and entities on the ground. I welcome the efforts of the Government of Israel in establishing criminal investigations into certain incidents that occurred during the conflict, including some of those falling within the scope of the Board's terms of reference. I hope that the Government of Palestine will also conduct examinations into possible criminal activity during the conflict. Swift investigations must be undertaken, in accordance with international standards.

As with all United Nations boards of inquiry, the Board's report is an internal document and is not for public release. It contains significant amounts of information that was shared with the Board in strict confidence. It also contains a significant body of information the disclosure of which could prejudice the security or proper conduct of the Organization's operations or activities.

At the same time, I am aware that my decision to establish a board of inquiry into certain of the incidents that occurred in the Gaza Strip has given rise to considerable interest. In view of this fact and the seriousness of the events, I have taken the decision to release a summary of the Board's report, which is annexed to the present letter.

I wish to emphasize that the annexed document is a summary of the Board's report and not the report itself. The difficulties in obtaining evidence notwithstanding, the report runs to some 207 pages with footnotes detailing relevant sources and citations and is accompanied by some 160 annexes and appendices containing relevant evidence, including witness statements, investigative reports, including on weaponry, medical reports, photographs, video footage, audio recordings, submissions of non-governmental organizations, meeting notes and other materials.

I would also emphasize that the annexed document is the Secretariat's summary of the Board's report and that it has not been prepared by the Board. It contains a faithful and objective reflection of the Board's full report, including a description of the circumstances relating to each of the 10 incidents that the Board was tasked to review and investigate, together with a summary of the Board's key findings on the facts of each of those incidents, on its causes and on the persons or entity to which it is attributable. It also contains a summary of the Board's conclusions. The recommendations to me are reproduced in full from the Board's report.

With regard to the Board's recommendations concerning communication and coordination and safety and security, as well as the first of its two general recommendations, I have decided to establish an ad hoc group of senior managers, consisting of the Under-Secretaries-General for Political Affairs, Legal Affairs and Safety and Security, to carefully review these recommendations and advise me on what courses of action I should take.

With regard to the second of the Board's two general recommendations, I have already initiated actions with the United Nations Relief and Works Agency for Palestine Refugees in the Near East and relevant United Nations departments aimed

at providing counselling to affected staff to address potential post-traumatic stress disorder.

Regarding the seven incidents in which death or injuries occurred at, or damage was done to, United Nations premises, I deplore the fact that at least 44 Palestinians were killed as a result of Israeli actions and at least 227 injured at United Nations premises being used as emergency shelters. United Nations premises are inviolable and should be places of safety, in particular in a situation of armed conflict. It is a matter of the utmost gravity that those who looked to them for protection and who sought and were granted shelter there had their hopes and trust denied. I will work with all concerned and spare no effort to ensure that such incidents will never be repeated.

Concerning the discovery by the United Nations of weaponry on United Nations premises, I am dismayed that Palestinian militant groups would put United Nations schools at risk by using them to hide their arms. The three schools at which weaponry was found were empty at the time and were not being used as shelters. However, the fact that they were used by those involved in the fighting to store their weaponry and, in two cases, probably to fire from is unacceptable. It serves to undermine the confidence that all concerned should have that United Nations premises are civilian objects and may therefore not be made the object of attack. I am determined to take the necessary steps towards ensuring that there is no repetition of any such incident in the future, whether in times of armed conflict or not.

Above all, I intend, as and where appropriate, to address further issues arising from the incidents that were the subject of the Board's report through dialogue with the Governments of Israel and Palestine.

In conclusion, I note that this is the second time during my tenure as Secretary-General that I have been obliged to establish a board of inquiry into incidents involving United Nations premises and personnel in Gaza that occurred during the course of tragic conflicts in the Gaza Strip. The implementation of recommendations of the 2009 Board of Inquiry, especially in the area of coordination and communication, certainly contributed to the implementation of improved protocols and procedures during the crisis in 2014. However, the recent crisis has brought about new challenges that need to be addressed and I intend to do so in the follow-up to the Board's report. In particular, I remain concerned for the security and safety of United Nations personnel working in Gaza, in particular, should a new crisis develop. In this regard, I wish to reiterate my profound appreciation to the Organization's staff for their relentless efforts on the ground during the recent conflict, 11 of whom paid the ultimate price.

Once again, I must stress my profound and continuing concern for the civilian population of the Gaza Strip and Israel and their right to live in peace and security, free from the threat of violence and terrorism. It remains of the greatest importance that the parties ensure that innocent civilians do not become victims of hostilities. The agony of Palestinian civilians in Gaza, and the tragic, decades-long predicament that they endure there, is reflected in the report of the Board of Inquiry. We should also bear in mind that Israeli civilians in southern Israel continue to face the threat of rocket and terrorist attacks by Hamas and other militant groups.

Despite recent events, it is still my belief that the well-being and aspirations of both Palestinians and Israelis will best be secured through a successful peace process that achieves the goals of the resolutions adopted by the Security Council, including its resolutions 242 (1967), 338 (1973), 1397 (2002), 1515 (2003), 1850 (2008) and 1860 (2009).

I would be grateful if you could bring the present letter and its annex to the attention of the members of the Security Council for their information.

(Signed) **BAN** Ki-moon

Annex

Summary by the Secretary-General of the report of the United Nations Headquarters Board of Inquiry into certain incidents that occurred in the Gaza Strip between 8 July 2014 and 26 August 2014

1. On 10 November 2014, I convened a United Nations Headquarters board of inquiry to review and investigate the following incidents affecting schools of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) that occurred in the Gaza Strip between 8 July 2014 and 26 August 2014:

(a) Injuries occurring at and damage done to UNRWA Maghazi Preparatory Girls “A/B” School on 21 and 22 July 2014;

(b) Injury occurring at and damage done to UNRWA Deir El Balah Preparatory Girls “C” School on 23 July 2014;

(c) Deaths and injuries occurring at and damage done to UNRWA Beit Hanoun Elementary Co-educational “A” and “D” School on 24 July 2014;

(d) Injuries occurring at and damage done to Zaitoun Preparatory Girls “B” School on the night of 28/29 July 2014;

(e) Deaths and injuries occurring at and damage done to UNRWA Jabalia Elementary Girls “A” and “B” School on 30 July 2014;

(f) Deaths and injuries occurring at and/or in the immediate vicinity of and damage done to UNRWA Rafah Preparatory Boys “A” School on 3 August 2014;

(g) Damage done to UNRWA Khuza’a Elementary College Co-educational “A” and “B” School between 17 July and 26 August 2014;

(h) Presence of weaponry at UNRWA Gaza Beach Elementary Co-educational “B” School on 16 July 2014;

(i) Presence of weaponry at UNRWA Jabalia Elementary “C” and Ayyobiya Boys School on 22 July 2014;

(j) Presence of weaponry at UNRWA Nuseirat Preparatory Co-educational “B” School on 29 July 2014 and on 17 August 2014.

2. The Board was headed by Major General (retired) Patrick Cammaert, a former Military Adviser in the Department of Peacekeeping Operations. It also comprised Ms. Maria Vicien-Milburn, a former General Counsel of the United Nations Educational, Scientific and Cultural Organization; Ms. Lee O’Brien, a former Senior Political Officer in the Department of Political Affairs (Ms. O’Brien resigned from the Board for medical reasons on 29 December 2014); Mr. Pierre Lemelin, United Nations Mine Action Service Programme Manager in Côte d’Ivoire and a former Chief Ammunition Technical Officer in the Canadian Forces; and Mr. Kovvurichina Reddy, a former Chief of Security for a number of United Nations field presences.

3. As set out in its terms of reference, the detailed tasks of the Board were:

(a) To gather and review all available investigation reports and other relevant source materials, including any available reports from national investigations;

- (b) To identify and interview relevant witnesses and others who can help the investigation and make a record of their statements;
- (c) To visit the sites where the incidents occurred;
- (d) To produce a Headquarters report on the incidents including:
 - (i) Findings on the facts and circumstances related to the incidents (to include the full names of the deceased and injured persons and the dates, times, places of deaths or injuries; if these persons were United Nations personnel, whether they were on duty at the time of the incidents or, if these persons were not United Nations personnel, the reason for their presence at or in the vicinity of the scene of the incident; descriptions of losses of and damage to property of the United Nations and of the deceased and injured persons; and, in the case of incidents (h) to (j), the nature, state and location of the weaponry);
 - (ii) Findings on the causes of the incidents;
 - (iii) Findings on the attributability of the incidents to any individuals or entities;
 - (iv) Recommendations concerning any action that, in the opinion of the team, should be taken by the United Nations, including any actions or measures that should be taken to avoid recurrence of such incidents;
 - (v) Relevant evidence, to be added as appendices and annexes, including photographs, post-mortem reports and so on.

4. As is standard practice for United Nations boards of inquiry, the Board was directed not to include in its report any findings of law or any recommendations regarding compensation, disciplinary action or legal liability.

5. In its report, the Board noted that it was not within its terms of reference to address the wider aspects of the conflict in Gaza, its causes or the situation affecting the civilian populations of Gaza and Israel in the period before Operation Protective Edge was launched. Its task was limited to considering the 10 incidents identified in its terms of reference.

Position of the Government of Israel on Operation Protective Edge

6. The Government of Israel provided background information to the Board regarding Operation Protective Edge. The operation had taken place in several phases: an initial air campaign from 8 July to 17 July, which was supplemented from 17 July to 5 August by a ground operation following an attack by militants inside Israel on 17 July carried out by means of a tunnel from inside Gaza, the launch of an unmanned aerial vehicle into Israeli airspace, an attempted infiltration by sea into Israel by Hamas naval commandos, continued rocket fire from Gaza and Hamas' refusal to accept a ceasefire. The operation had two objectives: to destroy the rocket arsenal in Gaza and to neutralize the "attack tunnels" leading into Israeli territory, the latter being the focus of the ground operation.

7. The Government highlighted the complexities of carrying out military operations in urban environments. It stated that Hamas had been better prepared and armed than at the time of Operation Cast Lead in 2009 and Operation Pillar of Defense in 2012. It had pre-positioned weapons and military equipment and

prepared fighting positions in various locations to allow fighters to move freely without carrying weapons and to blend into the civilian population. Mosques, schools, hospitals and other civilian objects had been used to embed rockets, weapons caches and command centres. These conditions made it difficult for the Israel Defense Forces (IDF) to distinguish “enemy” forces and activity from the civilian population, while the limited visual and communications contact with “friendly” forces decentralized the decision-making capacity of the higher command, with the consequence that junior commanders were required to make decisions in real time under fire.

8. The Government stated that the objectives of instructions issued by IDF to troops had been, inter alia, to ensure compliance with the law of armed conflict and minimize harm to civilians and sensitive sites. It stated that those instructions were more stringent regarding the use of force than international humanitarian law required. Legal advice was also integrated into IDF activities both in operational planning and in real time. Such advice was binding and generally could not be overridden by operational commanders. The Government further stated that there had been specific and separate directives for the approval of predetermined and time-critical targets, for operations around sensitive sites and for safety ranges relating to civilian objects. Targeting processes had been improved on the basis of lessons learned from previous operations in Gaza.

9. The Government identified the following specific measures that had been taken by IDF to minimize harm to civilians: reliance on intelligence; selective choice of weapons and ammunition, including the use of precision-guided missiles; marking sensitive sites on command and control systems and on maps available to forces operating on the ground; and the issuance of general and specific warnings to the civilian population and to specific persons or officials. IDF would cancel attacks or divert missiles if potential harm to civilians could be identified.

10. Specifically with regard to United Nations premises, the Government stated that it had routinely updated the location of all such premises on the IDF command and control system and coordination maps and had issued special and restrictive rules for engaging targets that would affect them. On the basis of lessons learned from previous operations in Gaza, IDF had attempted to provide early warnings of possible attacks in the vicinity of United Nations premises, quickly and thoroughly investigated incidents involving death and injuries at or damage to those premises and provided warnings of abuses of them, as possible.

United Nations premises

11. On 11 July 2014, the United Nations Special Coordinator and the UNRWA Commissioner-General jointly addressed a letter to the Minister of Defence of Israel, attaching an updated list of all United Nations facilities in Gaza as well as their coordinates. The schools involved in the incidents enumerated in the Board’s terms of reference were included in that list.

12. In their joint letter, the United Nations Special Coordinator and the UNRWA Commissioner-General warned that, in case of displacement resulting from military operations, some United Nations installations could be used to shelter civilians. They also stated that they relied on the cooperation of the Minister of Defence to protect United Nations operations, personnel and premises, which had to remain

inviolable in accordance with applicable international law, including the Convention on the Privileges and Immunities of the United Nations of 1946.

13. UNRWA sent twice-daily communications to the Israeli Coordinator of the Government Activities in the Territories and the Coordination and Liaison Administration, informing them of the Global Positioning System (GPS) coordinates of premises currently being used as designated emergency shelters. All the UNRWA schools involved in the incidents enumerated in the Board's terms of reference were included in those communications. In its communications to the Coordinator of Government Activities in the Territories and the Coordination and Liaison Administration, UNRWA consistently recalled the relevant provisions of the Convention on the Privileges and Immunities of the United Nations and reminded the Israeli authorities that they were obligated to respect the inviolability of the premises of the United Nations, including those of UNRWA, and to ensure the protection and security of its personnel, installations and property. UNRWA also reminded the Coordinator of Government Activities in the Territories and the Coordination and Liaison Administration of the requirement that IDF must take all actions necessary to prevent any damage to United Nations facilities and threats to the safety and security of United Nations personnel.

Findings of the Board on the causes of the incidents and their attribution

14. In accordance with its terms of reference, the Board describes in detail in its report the on-site visits that it conducted during its stay in Gaza and its interviews with staff of the Organization, including UNRWA staff, as well as with relevant authorities and witnesses who could assist in its investigation. The Board refers to a number of investigative reports and other relevant source materials regarding the incidents as well as to information provided by the Government of Israel.

15. The Board reached the following conclusions regarding the facts, causes and attribution of each of the incidents enumerated in its terms of reference. Complete findings of fact, together with supporting evidence and documentation and the rationale for the Board's conclusions, are contained in the Board's full report, which was submitted to the Secretary-General in strict confidence, in accordance with its terms of reference and consistent with standard practice for United Nations boards of inquiry.

Incident (a): Injuries occurring at and damage done to UNRWA Maghazi Preparatory Girls "A/B" School on 21 and 22 July 2014

16. UNRWA Maghazi Preparatory Girls "A/B" school is located within the Maghazi refugee camp, in the Middle Governorate of the Gaza Strip. It is situated 2 km from Israel and within the 3 km "buffer zone" that was created by IDF during Operation Protective Edge. The school is gated and surrounded by a high wall.

17. On 19 July 2014, IDF issued messages to the residents of the Maghazi refugee camp asking them to evacuate to Deir Al Balah, further south-west. On the same day, the school opened as a designated emergency shelter, with possibly as many as 2,000 persons sheltering there at some point as, despite shelling in the area from 19 to 21 July, people came to the school thinking that it would remain a safe place.

18. On 21 July, the security situation in the Maghazi refugee camp deteriorated rapidly, with shelling increasing in the vicinity of the school. UNRWA management

advised that persons seeking shelter there should be instructed to abandon the school and relocate to another school about 5 km away. By the time of the incident, most had done so, but up to 300 people remained. At about 1650 hours, the school was struck at roof level by direct fire from an IDF tank, likely involving a 120 mm high-explosive anti-tank multipurpose or high explosive projectile. Injuries were caused to a man and a child sheltering at the school and the school premises were damaged. The Board noted that timely action by UNRWA management and the shelter manager in informing persons sheltering at the school that it was no longer safe and asking them to relocate to an alternative site had prevented further injuries and perhaps deaths.

19. The Board noted that none of the witnesses who had testified to UNRWA had been aware of any activity by militant groups in the school or in its vicinity. The Board further noted that it appeared that the school gate was guarded at all times by UNRWA guards and was closed at night and that all persons who entered the school were registered. The Government of Israel, on the other hand, informed the Board that IDF had identified significant enemy presence in the area around, and apparently also within, the school. The Government further informed the Board that the incident was under examination at the request of the Military Advocate General, that IDF infantry and armoured units had been engaged in military activity approximately 1 km south of the school at the time of the incident and that it was suspected that the school had been hit by 120 mm tank ammunition.

20. Later in the day of 21 July, UNRWA removed the school from its list of designated emergency shelters. In the morning of 22 July 2014, UNRWA and IDF coordinated a two-hour window to allow safe passage for an UNRWA team to visit the school and investigate the previous day's incident. The team arrived at the school during that period. They were in clearly marked United Nations vehicles and parked in full view in the middle of the school courtyard. One member of the team, wearing a vest with a luminescent United Nations insignia, went to the roof to examine the previous day's strike. While he was there, two mortar rounds hit buildings in close proximity to the school. The team member ran from the roof. Two further mortar rounds then struck the roof of the school at the exact location where he had been standing. The UNRWA team immediately evacuated the area. No injuries resulted from this incident, but the school was damaged.

21. The Government of Israel informed the Board that, as a result of the examination that had been initiated at the request of the Military Advocate General, it had been found that, on 22 July, IDF was engaged in mortar fire in the area of Maghazi, but that all fire was directed at open areas at least 2 km away. Moreover, IDF munitions experts who had examined photographs of a fragment of a mortar round that had been collected by UNRWA at the scene of the incident had been unable to determine whether it was a remnant of an IDF 81 mm mortar round as opposed, for example, to an 82 mm round, a weapon that, it was said, was used by Hamas. Such determination would require physical examination of the remnant. The Board found, however, that the school had been hit by 81 mm mortar rounds fired by IDF.

Incident (b): Injury occurring at and damage done to UNRWA Deir El Balah Preparatory Girls “C” School on 23 July 2014

22. UNRWA Deir El Balah Preparatory Girls “C” School is located in an urban area in the Middle Governorate of the Gaza Strip. The school has one gate and is protected by a high wall. The school was opened as a designated emergency shelter on 19 July. At the time of the incident, some 1,500 displaced persons were sheltering there.

23. The Board was informed that IDF had conducted operations around the area of the Middle Governorate of Gaza during the night of 22 to 23 July 2014, that air strikes had been carried out by the Israeli Air Force on targets in Deir El Balah camp and that heavy clashes had taken place to the east of Deir El Balah throughout the night. The Board noted that witnesses had testified to UNRWA that, during the night, they could hear shelling in the area, but not near the school. It also noted that witnesses had testified to UNRWA that there was no militant activity in or around the school at the time of the incident. The Board was further informed that UNRWA had put security measures in place to ensure that no armed persons entered the school.

24. Between 0545 and 0615 hours on the morning of 23 July, the medical isolation room on the third floor of the school was hit by a projectile, which passed through a window and two walls of an elevator shaft, partially striking the external veranda wall before exiting the school grounds. Three displaced persons among the approximately 40 persons sleeping in the room at the time of the incident suffered light injuries. No one was killed. There was relatively minor damage to the school.

25. The Government of Israel informed the Board that the incident was under examination further to a request by the Military Advocate General and that it had not been possible to identify any IDF operations that could be connected to the incident. The Board found, however, that the school had been hit by direct fire from IDF, using a 120 mm high-explosive anti-tank projectile.

Incident (c): Deaths and injuries occurring at and damage done to UNRWA Beit Hanoun Elementary Co-educational “A” and “D” School on 24 July 2014

26. UNRWA Beit Hanoun Elementary Co-educational “A” and “D” School is located in Beit Hanoun town. Portions of Beit Hanoun, including the school, fell within the so-called “buffer zone” that was created by IDF during Operation Protective Edge. During the operation, the area surrounding the school was particularly dangerous and, as hostilities intensified, the entire area was exposed to fierce combat. As a result of the mass displacement of civilians and their need for shelter, UNRWA designated the school an emergency shelter on 18 July.

27. The Board noted that most witnesses had testified that shelling in the vicinity of the school was a daily occurrence and that some of the residents of the school were injured by shrapnel from the shelling outside the school. The Board also noted that an UNRWA security official had testified to having received multiple calls from the Israeli Coordination and Liaison Administration during the three or four days prior to the incident indicating that, according to IDF, rockets were being fired from and around the school and that it needed to be evacuated. On the other hand, the Board noted that witnesses interviewed by UNRWA had said that there was no

militant activity either inside or in the near vicinity of the school, although the launching of rockets from areas further away could be heard.

28. The Board noted that the school is enclosed by a high wall and has one gate, which was watched by at least one guard and closed at night. In the period prior to the incident, UNRWA was sometimes unable to provide food, water and other supplies to the school because of lack of authorization by IDF. Residents of the school would therefore be obliged to obtain their own supplies by going to their homes or asking others to go out to buy them. The Board noted that residents had testified that, to this end, they had opened two holes in the school wall. There was evidence that these holes had been closed with desks and tables on the night prior to the incident.

29. On the day prior to the incident, the situation around the school worsened. The International Committee of the Red Cross (ICRC) visited the school in an attempt to evacuate it, but the majority of the residents refused to leave. That night, witnesses described shelling in the vicinity of the school, projecting shrapnel into the school, and gunfire hitting the school. The UNRWA Gaza Field Office received calls from IDF indicating that they would target the school and that the displaced persons should be evacuated.

30. In the morning of 24 July, military activity appeared to have de-escalated and many of the residents chose to leave. As a result, the number of residents in the school had decreased by the time of the incident from the 2,000-4,000 who had been there earlier to approximately 450 people. That same morning, UNRWA decided to evacuate its staff from the school, in view of the risk of an imminent attack by IDF. UNRWA contacted the Coordination and Liaison Administration and repeatedly requested that a window of opportunity be granted for that purpose. No such opportunity had been granted by the time the incident took place. An attempt was made by UNRWA to persuade the residents of the school to leave, but they said that they would remain. UNRWA called the Coordination and Liaison Administration, stating that UNRWA would not be evacuating the residents and recalling that the school was a civilian object.

31. The same morning, the UNRWA Gaza Field Office received a call from an IDF field commander indicating that IDF were going to target a cluster of four other schools in Beit Hanoun, 800 m away from Elementary Co-educational "A" and "D" School. The field commander said that they were sitting on a Hamas arsenal and that UNRWA should evacuate any people who were in the schools. The CLA Coordination and Liaison Administration also contacted local officials in Beit Hanoun and told them to prepare the residents of Elementary Co-educational "A" and "D" School for evacuation. At 1400 hours, an employee of the municipality, who was also a *mukhtar*, arrived at the school, together with another *mukhtar*. He told the remaining residents that the school was not safe and that, with the cooperation of ICRC and UNRWA, they would arrange for buses to evacuate the residents. The residents then went to the schoolyard to await evacuation and the guards opened the gate in anticipation.

32. At approximately 1500 hours on 24 July, the school was hit by indirect artillery fire. At least two 120 mm high-explosive mortar projectiles struck the school, one hitting the middle of the schoolyard and a second hitting the steps in front of the school's entrance. Between 12 and 14 residents were killed and 93 injured, some

severely. No major damage was done to the school. The Board found that the incident was attributable to IDF.

33. The Government of Israel stated that the Coordination and Liaison Administration had made extensive attempts via UNRWA and ICRC to evacuate the school in order to minimize the risk of incidental harm to civilians as a result of the intensive fighting in the area. It also stated that the school had not been the object of the attack. It further informed the Board that, as a result of fact-finding carried out by IDF, there existed “grounds for a reasonable suspicion that the incident involved a deviation from IDF regulations” and that the Military Advocate General had ordered a criminal investigation into the incident.

Incident (d): Injuries occurring at and damage done to Zaitoun Preparatory Girls “B” School on the night of 28/29 July 2014

34. UNRWA Zaitoun Preparatory Girls “B” School is located in a densely built-up neighbourhood of Gaza city, near the UNRWA headquarters compound. The school was opened as a designated emergency shelter on 19 July. By the evening of 27 July, it was sheltering some 1,700 persons. The Board noted that the UNRWA school guard had testified that there were no militants or unregistered people inside the school. Guards were present at all times at the gate of the school, which was locked at night with entry and exit prohibited.

35. There was intense artillery shelling and air bombardment throughout 28 July in Gaza Governorate. In the evening, the shelling gained in intensity in the immediate vicinity of the school, where militant activity was also noted. On 29 July, at approximately 0130 hours, a projectile struck the roof of the school, penetrating the ceiling and striking the wall immediately adjacent to the door of a classroom in which approximately 40 people were sleeping. Seven residents were injured and damage was caused to the school.

36. The Government of Israel stated that an examination of the incident had been requested by the Military Advocate General and that it was ongoing. It had not been possible to identify any IDF operational activity on the date in question that could be connected to the incident, including any aerial strike on the school or in its vicinity. IDF munitions experts had also been unable to determine, from the photographic evidence available, the type of munition that had hit the school. The Board found, however, that the school had been hit by a missile, possibly a “Spike” missile, launched from the air by IDF.

Incident (e): Deaths and injuries occurring at and damage done to UNRWA Jabalia Elementary Girls “A” and “B” School on 30 July 2014

37. UNRWA Jabalia Elementary Girls “A” and “B” School is located in a heavily built-up area in the centre of the Jabalia refugee camp. The school opened as a designated emergency shelter on 16 July 2014. By 30 July, it had approximately 3,000 registered residents, most of them from the towns of Beit Lahiya, Beit Hanoun, Jabalia and other areas in northern Gaza.

38. The school is enclosed by a 3 m-high wall and has only one gate. Two UNRWA school attendants were looking after the school, one working the day shift and the other the night shift. Guards hired as part of the UNRWA Job Creation Programme stayed awake throughout the night to monitor the school and ensure that

residents abided by the rules. Weapons were prohibited inside the school and witness testimony appeared to the Board to confirm that that rule was strictly observed. The Board noted that it appeared from witness testimony that there were two guards at the school gate at all times as well as additional guards within the school to maintain security and ensure that armed individuals did not enter. It also appeared from witness testimony that the gate was closed at night and that no one was seen climbing the school wall, including on the night before, and the morning of, the incident.

39. In the weeks and days prior to the incident, there were several incidents of shelling by IDF of buildings in the vicinity of the school. In the days prior to the incident, armed clashes between militants and IDF took place in the east of the Jabalia camp and IDF dropped leaflets requesting residents to move to Gaza city. The Board noted that witnesses interviewed by UNRWA had stated that there was no militant activity in the school or in its close vicinity, although one person stated that she had heard rockets not far from the school in the days before the incident.

40. The Board noted that most witnesses had testified to UNRWA that the hours before the incident were relatively calm. However, at some time between 0430 and 0445 hours in the morning of 30 July, an explosion occurred outside the school, projecting shrapnel into the schoolyard. At approximately 0445 hours, the school was hit by a barrage of four 155 mm high-explosive projectiles, an artillery indirect fire weapon. Between 17 and 18 people were killed, including an UNRWA staff member and two of his sons and a guard hired by UNRWA under its Job Creation Programme. Ninety-nine residents of the shelter suffered injuries. Very significant damage was done to the school. Injuries were also caused to persons and animals and buildings in the immediate vicinity of the school were damaged. The Board found that the incident was attributable to the actions of IDF and that no prior warning had been given by the Government of Israel of the firing of 155 mm high-explosive projectiles on, or in the surrounding area of, the school.

41. The Government of Israel stated that 155 mm shells had been fired at military targets and that the school had not been the object of the attack. The Military Advocate General had ordered a criminal investigation into the incident.

Incident (f): Deaths and injuries occurring at and/or in the immediate vicinity of and damage done to UNRWA Rafah Preparatory Boys “A” School on 3 August 2014

42. UNRWA Rafah Preparatory Boys “A” School is located in the densely populated city of Rafah, on the southern tip of the Gaza Strip. A wall encloses the school and there is only one main gate, accessed from a busy street. The school was designated as an emergency shelter for civilians on 18 July 2014 and was sheltering approximately 2,700-2,900 persons on the day of the incident.

43. The Board noted that witnesses had described the situation in the area of the school in the morning of 3 August 2014 as calm, when they suddenly heard a drone. An undetermined number of civilians, including street vendors who had set up stalls, were standing next to the school gate, which had just opened to allow an UNRWA vehicle to enter the premises. Between 1040 and 1045 hours, a precision-guided missile, launched from the air by IDF, struck the road outside the school, 5-6 m from the gate. Fifteen persons who were in the vicinity of the gate at the time were killed, including a guard hired by UNRWA under its Job Creation Programme

who was inside the school compound at the time. Between 25 and 30 people who were in the vicinity of the gate were injured. The school wall and the guards' container by the school gate suffered minor damage from shrapnel. The Board found that the missile had been directed at a motorcycle carrying three individuals.

44. The Government of Israel stated to the Board that an examination of the incident was being undertaken at the request of the Military Advocate General. IDF had fired an aerial-launched missile at the motorcycle, which had been carrying three militants belonging to Palestinian Islamic Jihad. By the time it became apparent that the strike would coincide with the moment the motorcycle would pass by the school gate, it was no longer possible to divert the missile.

Incident (g): Damage done to UNRWA Khuza'a Elementary College Co-educational "A" and "B" School between 17 July and 26 August 2014

45. UNRWA Khuza'a Elementary College Co-educational "A" and "B" School is located in a residential area in the middle of the farming village of Khuza'a, about 1.3 km from Israel. The school was not used as an emergency shelter during Operation Protective Edge. However, as was the case concerning the other schools involved in the incidents that were the subject of the Board's inquiry, UNRWA had informed the Israeli authorities of the school's location and its status as a United Nations facility. The Board noted that the school buildings had been locked at the start of Operation Protective Edge and that no civilians were present at the time of the incident.

46. IDF ground troops entered the village of Khuza'a on or around 23 July. There appears to have been heavy shelling and clashes between IDF and militants in the area after that date. On or around 28 July, one block of the school — block A — was entirely demolished. On or around the same date, a 120 mm high-explosive anti-tank projectile hit another block of the school — block D — causing extensive damage.

47. The Government of Israel stated to the Board that an examination of the incident had been undertaken at the request of the Military Advocate General. Throughout the fighting in Khuza'a, IDF commanders on the ground had received numerous indications that the school compound was being used as an observation post and a command and control centre. On the night of 27 July, IDF forces had accordingly positioned themselves in a nearby structure and, to ensure that that structure functioned as an adequate defensive position and thus would provide sufficient force protection from a range of potential threats, several of the surrounding structures, including part of the school, were demolished. On 28 July, an IDF detachment entered the school to search the buildings for enemy presence and found a Palestinian Islamic Jihad operational map and other military equipment. In the course of the search, the commander on the ground decided, for imperative reasons of military necessity, to clear an additional area of structures that were part of the school compound to improve the force protection of IDF. The forces that searched the school did not employ any gunfire or explosives and the damage to block D was unlikely to have been the result of a hit from a 120 mm tank shell.

48. The Board found that block A of the school had been demolished by IDF bulldozers and that block D had been damaged as a result of the impact of a 120 mm high-explosive anti-tank projectile fired by an IDF tank.

Incident (h): Presence of weaponry at UNRWA Gaza Beach Elementary Co-educational “B” School on 16 July 2014

49. Gaza Beach Elementary Co-educational “B” School is located in the heart of the Beach refugee camp, in the midst of a densely populated area of Gaza city. Four other UNRWA schools and an UNRWA health centre are located on the opposite side of the street. The school buildings are enclosed by a wall and there is one main gate. On two of its four sides, the schoolyard is surrounded by houses, which are built on the school’s boundary wall. The lower floors of those houses have windows opening on to the schoolyard; one house connects with the schoolyard through a gate. Also next to the school, adjacent to the house with the connecting gate, is a private building whose main gate is located next to the school gate. That house was bombed during Operation Protective Edge, prior to the incident.

50. Because of the summer vacation, the school was not in use at the time of Operation Protective Edge, nor was it used as a designated emergency shelter.

51. The Board was informed that two UNRWA school attendants were looking after the school prior to and on the day of the incident. One worked the morning shift and the other the afternoon shift. Five guards hired as part of the UNRWA Job Creation Programme were also assigned to the school, one working the morning shift and the other four sharing the night shift in pairs. In addition, the school principal inspected all the classrooms on some days.

52. The Board was informed that one of the school attendants had testified that he had performed his normal duties prior to and on the day of the incident. The other had testified that, for safety reasons, he was told to stay away from the school and to relocate to the health centre across the street and watch the school from there. Prior to and on the day of the incident, the Job Creation Programme guards were also not present at the school but at the health centre, in accordance with the same instruction. The Board was informed that an UNRWA official had issued this instruction for fear that the building next door to the school would be shelled again.

53. The Board was informed that the school gate was unlocked during the period leading up to the incident in order to allow children access to the schoolyard. It was also informed that there were two sets of keys to the classrooms, one for the morning shift and the other for the afternoon. One set of keys was kept in the school principal’s office. It was unclear where the other set was kept.

54. A team of Operations Support Officers had inspected the school on 2 June as part of a regular inspection programme for all UNRWA facilities, designed to prevent breaches of their “neutrality”. No weapons or signs of militant activity were reported by the team during that inspection. No further inspections were conducted by Operations Support Officer teams after that date following the declaration of a state of emergency by the UNRWA Gaza Field Office on 8 July. The Operations Support Officer teams then ceased to operate and their members were assigned to other, emergency-related functions.

55. On 16 July 2015, a 120 mm mortar tube, a mortar bipod and twenty 120 mm mortar-round containers, with ammunition, were discovered under a blanket in a corner of a locked classroom. The weaponry was photographed.

56. UNRWA senior management notified the local authorities in Gaza and asked that the weapons be removed. The United Nations Department of Safety and

Security contacted the Special Protection Unit of the local police and also asked that the weapons be removed; this would presumably be done by the local police explosive ordnance detachment. The Unit asked that the United Nations guarantee that IDF would not strike while the weapons were being removed and that a United Nations vehicle be used to remove the weapons. The Department refused.

57. The Board was informed that UNRWA had received testimony that two individuals identifying themselves as policemen had gone to the school, claimed that they knew who was responsible for the cache of weapons and left a telephone number. Upon being contacted, one of the individuals stated that the weapons would be removed from the school in the early morning. The Board was further informed that, early in the morning of 17 July, the door to the classroom in question was found locked, with no signs of forced entry or exit, and that the weapons had been removed.

58. On 17 July, UNRWA informed the Ministry of Foreign Affairs of Israel about finding the weapons and their subsequent disappearance. In the afternoon of 17 July, UNRWA issued a press release stating that a cache of approximately 20 rockets (sic) had been found hidden in a vacant school. Under the misapprehension that the explosive ordnance detachment of the local police had removed the weaponry, the press release stated that UNRWA had informed the relevant parties and had successfully taken all measures necessary for the removal of the objects in order to preserve the safety and security of the school.

59. The Board found that, in the light of the situation in the vicinity, the security measures at the school were weak prior to and on the day of the incident, owing partly to the fact that the personnel charged with the school's security were subject to life-threatening circumstances. It also found that an unidentified Palestinian armed group had used the school premises to hide the weaponry.

Incident (i): Presence of weaponry at UNRWA Jabalia Elementary "C" and Ayyobiya Boys School on 22 July 2014

60. Jabalia Elementary "C" and Ayyobiya Boys School is one in a row of five schools situated in an urban area to the east of the Jabalia refugee camp. Behind the school is a large open area with agricultural land used for small-scale farming. The Board was informed that the area was known to be used by armed groups as a site for firing weapons and that it had been targeted by IDF in past conflicts.

61. The school was never identified in the UNRWA emergency management plan as a potential shelter because of security and safety concerns. At the time of the incident, it was in recess for the summer.

62. The Board was informed that of the four school attendants normally employed by the school, three of them were absent at the time of the incident. One school attendant resided at the school but was on leave at the time and, afraid, spent most of his time indoors. In addition, the Board was informed that five guards hired as part of the UNRWA Job Creation Programme had been assigned to the school and were scheduled to work there from evening until morning. However, at the time of the incident, none of them was at the school. The school has one main gate which, the Board was informed, was not usually locked. The school wall is not high enough to prevent intruders from climbing into the school.

63. A team of Operations Support Officers had inspected the school on 12 May as part of the regular inspection programme for all UNRWA facilities described above. No issues had been identified that compromised the neutrality of the premises. No further inspections had been conducted by Operations Support Officer teams after that date for the reasons outlined above.

64. However, following the discovery of weaponry at Gaza Beach Elementary Co-educational "B" School on 16 July, UNRWA management issued an instruction on 17 July that daily inspections should be conducted of all UNRWA schools, including those that were not being used as shelters, to ensure that no weapons were being stored in them and that the premises were not being misused. Two UNRWA staff members were then tasked to conduct daily inspections of all the schools in the area concerned. School attendants present at the schools were instructed to ensure that the daily inspections were conducted. The Board was informed that the school had been inspected on 19 July and that nothing unusual had been found, although not every part of the premises had been checked.

65. The area behind the school wall was known at the time to be used by militants, including for the firing of projectiles. The Board accordingly noted the dangerous nature of the inspection of the premises and found that, although a thorough inspection of the premises should have been conducted, such inspection could have taken place only in the presence of qualified security personnel.

66. On the morning of 22 July, a crowd of approximately 300 persons arrived at the school gate and entered the schoolyard. Heavy shelling was occurring at the time in the area of Beit Hanoun, near Jabalia, and IDF had dropped leaflets over Beit Hanoun warning the civilian population to evacuate the area. This had created a mass movement of people seeking shelter.

67. UNRWA management was alerted to the arrival of the displaced persons and sent an official to the school to ascertain whether it could be opened as a designated emergency shelter. Upon arrival, the official was immediately alerted by the displaced persons to the presence of an object that seemed to be a weapon. Other UNRWA officials then came to the school to inspect the premises. They saw an object that seemed to be a weapon, covered with a piece of cloth, in an area under the cover of some trees behind the toilet block and near the boundary wall separating the school from the open area behind it. No one approached the object to confirm whether it was a weapon. No photographs of it were taken and, for this reason, the Board was unable to confirm with certainty what type of weapon might have been hidden at the school. However, it concluded that it was highly likely that a Palestinian armed group might have used the premises to hide weapons.

68. The area was immediately evacuated and the UNRWA officials went to the neighbouring schools to determine whether any of them would be suitable for sheltering the hundreds of displaced persons who were arriving. About an hour later, they returned to the school, to be informed by the displaced persons that the object had been removed. They then confirmed that the object was no longer at the rear of the school.

69. Following the finding of the object, UNRWA officials contacted the local authorities in Gaza, the Coordination and Liaison Administration and the Ministry of Foreign Affairs of Israel. On the evening of 22 July, UNRWA issued a press release stating that rockets (sic) had been found hidden in a vacant school in Gaza

and that UNRWA was pursuing all possible measures for their removal in order to preserve the safety and security of the school. The Board was informed that, at the time, UNRWA senior officials understood that the suspected weapon or weapons were still at the school. The following morning, the Deputy Commissioner-General informed the Ministry of Foreign Affairs of Israel of the plan to remove the suspected weapon or weapons. Later that same day, having learned of their disappearance, she informed the Ministry accordingly. The Board found that communications within UNRWA may have been confusing at critical times during the management of the incident. However, it also noted the enormous pressure under which UNRWA staff were operating, often handling multiple complex and life-threatening situations.

70. The Government of Israel showed the Board a video, which the Board concluded was authentic, showing the launching of a projectile from within the school premises on 14 July. The Government also provided a document that was said to identify the places close to the school from which rockets had been launched, together with the dates of those launches. The Board concluded that it was highly likely that an unidentified Palestinian armed group could have used the school premises to launch attacks on or around 14 July.

Incident (j): Presence of weaponry at UNRWA Nuseirat Preparatory Co-educational “B” School on 29 July 2014 and on 17 August 2014

71. UNRWA Nuseirat Preparatory Co-educational “B” School is located in a semi-rural area, north-west of the Nuseirat camp, south of Gaza city. Two houses and a mosque are located less than 1 m from the school wall and an apartment building is less than 100 m away. The school is enclosed by a wall. There is one main gate and a small pedestrian door adjacent to it, and one secondary gate in a side wall.

72. The school was in recess at the time of the incident. It was not used as a designated emergency shelter.

73. The Board was informed that during the recess the main gate was locked, but not the adjacent pedestrian gate. The secondary gate was kept locked. Students would regularly climb up the front wall to enter the school. At the time of the incident, none of the classrooms were locked.

74. The school had only two attendants, who worked the morning shift on alternate days. One was not present on some days because of the security situation and the shelling. In addition, five guards hired as part of the UNRWA Job Creation Programme were assigned to the school, one on the afternoon shift and the others, in pairs, on the night shift. There was evidence that, on several occasions, including on the day of the incident, the Job Creation Programme guards were not present at the school when the school attendant arrived in the morning.

75. A team of Operations Support Officers had inspected the school on 19 May as part of the regular inspection programme for all UNRWA facilities described above. The team reported no weapons or signs of militant activity. No further inspections had been conducted by Operations Support Officer teams after that date for the reasons set out above. Upon the discovery of weapons at Gaza Beach Elementary Co-educational “B” School on 16 July, the school attendants were instructed to inspect the school daily. However, the Board was informed that one of the

attendants did not do so. The last inspection was carried out on 27 July. The day after was Eid al-Fitr and there was no school attendant at the school, though the Job Creation Programme guards were present.

76. On 29 July, a 120 mm mortar tube, a 120 mm mortar bipod and three 120 mm mortar containers were found, covered by a blanket, behind a locked internal gate leading to a stairwell. The weapons were photographed.

77. The same day, UNRWA officials informed the Israeli authorities and the local authorities in Gaza. In accordance with guidance provided by United Nations Headquarters, a mission was arranged for later that day to verify the presence of the weapons and render them safe. However, it was later called off because of the security situation in the vicinity of the school. In the evening, UNRWA issued a press release reporting that rockets (sic) had been found in an UNRWA school, that all parties had been informed and that United Nations munitions experts had been unable to access the school because of the security situation but would do so once it had improved.

78. On 30 July, UNRWA officials went to the school, ahead of a visit by United Nations munitions experts. They found no school attendants or Job Creation Programme guards at the premises; the lock on the gate to the stairwell had been broken and the weapons had disappeared.

79. The Board was informed that, between 30 July and 17 August, security at the school may have been compromised on at least one occasion by the presence of unidentified individuals and, possibly, of mortar weaponry.

80. On 17 August, a 120 mm mortar tube, a 120 mm mortar bipod and twenty 120 mm mortar containers were found in a small room under a stairwell. Water, lubricant-oil bottles and boards apparently used as beds were also found as well as a blackboard with Arabic writing, seemingly depicting military operations. At the rear of the school, a mortar base plate was found embedded in the sand. The items were photographed. The mortar cases, mortar tube, bipod and base plate were removed from the school and rendered safe.

81. The Board was informed that UNRWA officials contacted the Israeli authorities and explained that the weapons were in the possession of the United Nations and that they would not be handed over to any party. The Deputy Prime Minister of the Palestinian Government of National Consensus was also informed.

82. The Board found that, in the light of the security situation around the school at the time, the security measures at the school were weak, both prior to and on the days of the two incidents, owing partly to the fact that the personnel charged with security at the school were subject to life-threatening circumstances. The Board also found that the presence of weapons and other evidence found in the school indicated that the premises could have been used for an unknown period of time by members of a Palestinian armed group and that it was likely that such a group may have fired the mortar from within the premises of the school.

Safety and security challenges

83. The Board considered that the infrastructure of some UNRWA schools, particularly those built years ago, were unsuited to the general security situation in Gaza. Some schools had low perimeter walls, for example, that could permit

individuals to gain unauthorized access. The Board was informed that while a programme for school improvements existed, it did not include any standards with respect to the minimum height of fences or boundary walls and no construction standards that might limit opportunities for unauthorized access. The Board further noted that arrangements relating to the securing and locking of entrance gates outside working hours and during recess did not always function efficiently. It was not always clear, for example, how the keys were kept and by whom.

84. The Board was informed that UNRWA had only 237 guards serving on staff contracts to provide security for all UNRWA installations. To assist in maintaining security during the conflict, the UNRWA Gaza Field Office consequently recruited local workers through its Job Creation Programme. The recruits had no prior security training and the training provided to them upon their recruitment was minimal. They were retained on three-month contracts with no expectation of renewal. The Board was told that additional funding had been sought to convert those contracts into staff contracts, but that the request had apparently been rejected. As at the end of November 2014, 897 guards had been hired under the Job Creation Programme.

85. The Board noted that the security of UNRWA premises, particularly during times of conflict, is a matter of paramount importance that needs to be addressed seriously. In relying upon the Job Creation Programme, UNRWA was entrusting one of the most dangerous and fundamental functions to low-paid individuals with no training in security and no expectation of continued employment. The Board considered that a task bearing such a high level of responsibility requires specialized and properly trained individuals.

86. The Board further noted that Job Creation Programme guards typically work afternoon and night shifts; no guards are therefore on duty in the mornings. The function of securing schools during that time is assumed by school attendants, whose primary task is to maintain the cleanliness of the schools, not their security. Like Job Creation Programme guards, school attendants are not trained to deal with security issues. They also report to a different authority from the one to which the Job Creation Programme guards report. The Board considered that the existence of two reporting lines for the performance of the same task was bound to lead to confusion, particularly in times of crisis.

87. The Board noted that UNRWA has no standard operating procedures articulating the duty of all staff members to report security incidents and the modalities for doing so. Witnesses informed the Board that there was no list of staff who should be informed of incidents, no lists of actions to be taken in the event of specific situations and no central mechanism for keeping a log of all events. As such, the transmission of information and the assignment of required actions were somewhat ad hoc, negatively affecting the ability of UNRWA to establish facts and account for actions taken and to be taken.

88. The Board further found that UNRWA did not have a policy or standard operating procedures to address situations involving the unauthorized presence of weapons on UNRWA premises. After the disappearance of weapons from UNRWA Jabalia Elementary “C” and Ayyobiya Boys School on 22 July, United Nations Headquarters suggested a procedure to be followed. Those suggestions have yet to be “operationalized” through the issuance of detailed standard operating procedures. The Board also noted that there was no reference document setting out security

levels, standards for the identification and evaluation of security risks and mitigation measures that need to be in place for UNRWA premises, including its schools.

89. The Board was informed that, during normal times, UNRWA carries out unannounced inspections of UNRWA facilities, including schools, to ensure their neutrality, with each facility being visited at least once every four months. These visits are carried out by teams of Operations Support Officers. Each team includes an international staff member. These inspections were discontinued during the conflict and the international staff members were regarded as non-essential staff.

90. The Board concluded that, during the conflict, UNRWA was operating in Gaza with an understaffed Safety and Security Division, which struggled to secure hundreds of premises with unskilled personnel. The Board considered that priority should be given to enabling the UNRWA Gaza Field Office to obtain appropriate resources so as to improve security at UNRWA schools and other UNRWA installations in the Gaza Strip, and that this should include resources for the recruitment and training of the required number of guards, on staff contracts, to secure its schools and other installations under a shift system operating 24/7. The Board also considered that, as a matter of priority, UNRWA should reconsider its security approach in relation to its schools and other installations, both in the context of emergency situations and during normal operations, and revisit its school inspection systems, including during emergencies.

Communication and coordination issues

91. The Board noted that humanitarian response and continued operations of United Nations entities in Gaza during Operation Protective Edge required the coordination of the following functions: ensuring that IDF were aware of all United Nations installations, in particular those in use as designated emergency shelters; coordinating movements of United Nations personnel within Gaza and into and out of Israel; coordinating pauses in hostilities for humanitarian activities such as food deliveries; and coordinating the entry of humanitarian assistance into, and its distribution within, the Gaza Strip.

92. The Board found that the United Nations took a considerable number of measures to ensure the proper coordination of these functions. Unlike the situation in 2009 during Operation Cast Lead, efforts were made to deploy staff with the skills necessary to operate during armed conflict and humanitarian emergencies. The Organization had also built up the capacity of the inter-agency Access Coordination Unit, which had established relations with IDF at various levels prior to the conflict. However, key personnel were unable to organize in a manner that was sustainable for a prolonged emergency, owing to the relatively small numbers of international staff available to assume managerial emergency functions, the unexpectedly long duration of the conflict and the demands put upon staff in terms of caring for displaced persons and the shelters. The Board also noted that new emergency management systems had been introduced by the humanitarian country team and by the UNRWA Gaza Field Office in June 2014 and that no proper training had been conducted on them prior to Operation Protective Edge.

93. The Board found that, at times, there were multiple channels of communication, both within the United Nations and with outside interlocutors. While this could be helpful, it could also lead to misunderstandings. The Board also

found that the existence of two United Nations emergency operations rooms, one organized and coordinated by the Office for the Coordination of Humanitarian Affairs and the other by UNRWA, could lead to confusion, even though they carried out distinct functions that were clear to United Nations actors on the ground.

94. The establishment of a joint coordination room, bringing together the Israeli Coordinator of Government Activities in the Territories, the United Nations and ICRC, had contributed significantly to the coordination of United Nations activities in Gaza.

95. The Government of Israel had endeavoured to improve its internal structures of communication between the Coordinator of Government Activities in the Territories and IDF units. The Board could not properly assess internal coordination structures within IDF, but was briefed on all the mechanisms and measures to ensure that fighting troops were aware of sensitive sites as well as of the humanitarian situation and needs. All coordinates of United Nations installations were available to units on the ground and were clearly and visibly marked on maps. The Board noted, however, that, in spite of such measures, UNRWA facilities were hit.

96. While they were channelled by the United Nations to IDF in a timely manner, the Board sensed a degree of confusion concerning the names and coordinates of installations: on one occasion, IDF and the United Nations used different map references, and some schools have multiple names. In this regard, the Board welcomed the news that UNRWA and the Israeli Coordination and Liaison Administration intended to refer to installations in the future by numbers rather than names.

Recommendations

97. The terms of reference of the Board included making recommendations concerning any action that, in its opinion, should be taken by the United Nations, including actions or measures to avoid recurrence of the incidents. The Board made the following recommendations.

Regarding safety and security

98. In the light of its findings, noted above, on issues of safety and security, the Board recommended that:

(a) The United Nations should consider sending a team of experts to review the entire UNRWA security management system, with particular emphasis on conducting a detailed risk assessment for UNRWA operations in normal circumstances as well as in emergencies. The team should focus, inter alia, on the functioning of emergency operations rooms and the procedures for reporting incidents and on assisting in the review of security-related guidance documents applicable to UNRWA staff and premises. The team should also consider how to benefit from the standard-setting role of the United Nations Department of Safety and Security in addressing the safety and security challenges identified in the Board's report;

(b) The Office of the Commissioner-General of UNRWA should consolidate existing practices on neutrality into a framework document to ensure a consistent and coherent approach, agency-wide. This framework document should take into consideration staff neutrality, premises/installations and assets, such as vehicles, and

operations. It should also outline the roles and responsibilities for various aspects of neutrality, including approval, review and maintenance of relevant documentation. The mechanism for monitoring and handling of neutrality-related incidents should also be described;

(c) To improve the security of its schools and other installations in Gaza, UNRWA should consider developing standard guidelines inspired by the Organization's minimum operating security standards system. It should also consider increasing the number of guards serving on fixed-term appointments and enhance the training of an effective guard force, managed in shifts on a 24/7 basis;

(d) To assist the senior management in the UNWRA Field Office in Gaza to address issues of weapons, ammunition, unexploded ordnance and explosives found on United Nations premises, a weapons/ammunition and explosive expert should be posted permanently at the UNWRA Gaza Field Office;

(e) UNRWA should: develop agency-specific implementation plans for addressing situations in which weapons are discovered and their subsequent handling, taking into consideration agency-specific needs and the operating realities of each field office; assign roles and responsibilities for carrying out these tasks; and ensure that staff are properly trained;

(f) UNRWA should operationalize the guidance provided by United Nations Headquarters on the handling of incidents involving weapons found in UNRWA facilities by drafting standard operating procedures that incorporate actions and responsibilities of staff, with clear lines of accountability, and mitigation measures with regard to the security of the UNRWA personnel concerned;

(g) UNRWA should consider changing the inspection process for UNRWA installations and strengthen the inspection regime by establishing an objective and effective inspection regime by international staff members such as Operations Support Officers, who should be in office during normal times as well as during times of conflict and who should be regarded as essential staff during emergencies. As for the quarterly inspections by Operations Support Officer teams, detailed guidelines should be designed to enhance institutional memory. Those procedures should clearly state the roles and responsibilities of each UNRWA staff member involved in the inspection process as well its monitoring;

(h) UNRWA should provide to its personnel tasked with managing shelters training on post-emergency confirmation of casualties and deaths caused during incidents occurring on its premises. It should also train personnel or recruit personnel with knowledge of how to conduct forensic investigations and collect evidence.

Regarding communication and coordination

99. In the light of its findings, noted above, on issues of communication and coordination, as well as information on issues related to coordination of emergency response during Operation Cast Lead in 2009, the Board recommended that:

(a) The United Nations should request the Government of Israel to further strengthen internal mechanisms, especially those within IDF, so as to ensure that United Nations personnel, operations and premises are not put at risk in the event of any future military operations affecting Gaza. The United Nations should further

request the Government of Israel to establish a hotline for emergency coordination between the Director of Operations of UNRWA and the Commander of the IDF Southern Command. This would support the high-level coordination focal point, to whom the United Nations conveys the problems which it believes need to be addressed in respect of coordination and clearance arrangements in order to ensure the security of all United Nations personnel and premises and the safe continuation of United Nations operations, in Gaza;

(b) The United Nations should request the Government of Israel to give a commitment that, at any time that it believes it has information that United Nations premises have been misused for military purposes or that UNRWA staff are involved in militant activities, such information will be promptly conveyed in strict confidence to the senior management of UNRWA or other United Nations entity, so that they can fulfil their responsibilities to investigate and take whatever action they may deem appropriate;

(c) The United Nations should request the Government of Israel to give a commitment that, in the event that it plans any future military operation in proximity to United Nations premises, it will provide advance warning, sufficient to enable the United Nations to ensure the security and safety of its personnel or other civilians attending its facilities, and ensure that coordinating procedures are such that confusion or misunderstandings concerning UNRWA as well as other United Nations installations are excluded;

(d) With regard to coordination with IDF and building on positive steps already undertaken, the United Nations should continue to cultivate relations with the Israeli Coordinator of Government Activities in the Territories and IDF at various levels. The capacity of the Organization's inter-agency Access Coordination Unit should be increased and coordinating structures changed in order to allow it to fulfil the role of primary United Nations focal point with the Israeli Coordination and Liaison Administration, augmented by the United Nations Department of Safety and Security and the UNRWA Safety and Security Division as required;

(e) The Secretary-General should send a team of experts to assess coordination structures in Gaza between the United Nations, non-United Nations entities and the Government of Israel and to assess and advise how command and control procedures within UNRWA and with external actors can be improved and strengthened. The assessment and advice should include the set-up, staffing and training of a joint operations room in the United Nations Department of Safety and Security and the Safety and Security Division of UNRWA;

(f) UNRWA and the Office for the Coordination of Humanitarian Affairs should make efforts to avoid establishing two parallel structures in Gaza during emergencies. There should be one joint structure in charge of all United Nations emergency response in Gaza. Appropriate arrangements for co-location of all relevant United Nations staff during emergencies should also be made;

(g) The United Nations Department of Safety and Security senior management team should be reinforced as soon as possible;

(h) The United Nations should earmark a few military experts on mission in existing peacekeeping missions in the Middle East to augment the UNRWA Gaza Field Office and support UNRWA as duty officers in a joint operations room during crises. Regular exercises with area operations rooms should be organized;

(i) With regard to emergency management, the United Nations in the Occupied Palestinian Territory should introduce and regularly conduct inter-agency training sessions and drills for staff expected to be involved in the coordination of United Nations operations. Staff should be identified for these tasks and be fully aware of their expected responsibilities as well as those of others. Area Chiefs should receive further training on security matters and how to manage their operations rooms in a professional manner. Area operations rooms should be prepared, equipped and trained for emergency security situations by a United Nations mobile training team.

Regarding general issues

100. The Board made the following general recommendations:

- The mandate of UNRWA is essentially humanitarian in nature. UNRWA conducts its activities through programmes in education, health, relief and social services. Its staff should not be involved in issues of weaponry, ammunition and unexploded ordnance, nor should it have to collect shrapnel from schools. It requires the further assistance of qualified and experienced personnel, preferably with a military background, to support its staff.
- UNRWA international staff and senior local staff should as a matter of urgency receive counselling to address potential post-traumatic stress disorder. These staff members have gone through very stressful events for a prolonged period of time.



United Nations

PRESS RELEASE

SC/11994-PAL/2193

31 JULY 2015

Security Council Press Statement on Terrorist Attack in Village of Duma, which Killed Palestinian Child

The following Security Council press statement was issued today by Council President Gerard van Bohemen (New Zealand):

The members of the Security Council expressed profound outrage and condemned in the strongest terms the vicious terrorist attack in the village of Duma near Nablus, which killed a Palestinian child and injured his family members.

The members of the Security Council extended their condolences and sympathies to the family of the victim of this heinous act and to the Palestinian leadership and to the Palestinian people. They underlined the need to bring the perpetrators of this deplorable act to justice.

The members of the Security Council strongly condemned all such acts of violence, which have affected both the Palestinian and Israeli people, expressed concern about increased tensions and called for immediate calm. The members of the Security Council emphasized the importance of all statements condemning this attack and condemning all acts of violence, and encouraged all sides to work to lower tension, reject violence, avoid all provocations and seek a path towards peace.

The members of the Security Council reaffirmed that terrorism in all its forms and manifestations is criminal and unjustifiable, regardless of its motivation, wherever, whenever and by whomsoever committed, and should not be associated with any religion, nationality, civilization or ethnic group. The members of the Security Council reminded States that they must ensure that measures taken to combat terrorism comply with all their obligations under international law.

PALESTINIAN ISSUES

! For information media. Not an official record.



United Nations

PRESS RELEASE

SC/12052-PAL/2196
17 SEPTEMBER 2015

Security Council Press Statement on Situation in Jerusalem

The following Security Council press statement was issued today by Council President Vitaly I. Churkin (Russian Federation):

The members of the Security Council expressed their grave concern regarding escalating tensions in Jerusalem, especially surrounding the Haram al-Sharif compound, including recent clashes in and around the site.

The members of the Security Council called for the exercise of restraint, refraining from provocative actions and rhetoric and upholding unchanged the historic status quo at the Haram al-Sharif – in word and in practice. The members of the Security Council called for full respect for international law, including international human rights law and international humanitarian law, as may be applicable in Jerusalem.

The members of the Security Council urged all sides to work cooperatively together to lower tensions and discourage violence at holy sites in Jerusalem.

The members of the Security Council appealed for the restoration of calm and called for full respect for the sanctity of the Haram al-Sharif, noting the importance of the special role of Jordan, as confirmed in the 1994 peace treaty between Jordan and Israel, and encouraged increased coordination between Israel and Jordan's Awqaf department. The members of the Security Council underscored that Muslim worshippers at the Haram al-Sharif must be allowed to worship in peace, free from violence, threats and provocations. The members of the Security Council further underscored that visitors and worshippers must demonstrate restraint and respect for the sanctity of the area and for maintaining the historic status quo at the holy sites. The members of the Security Council urged that the status quo of the Haram al-Sharif should be maintained and visitors should be without fear of violence or intimidation.

The members of the Security Council called for the immediate cessation of violence and for all appropriate steps to be taken to ensure that violence ceases, that provocative actions are avoided and that the situation returns to normality in a way which promotes the prospects for Middle East peace between the Israelis and the Palestinians.

PALESTINIAN ISSUES

! For information media. Not an official record.



United Nations

PRESS RELEASE

SC/12395
9 JUNE 2016

Security Council Press Statement on Terrorist Attack in Tel Aviv

The following Security Council statement was issued today by Council President François Delattre (France):

The members of the Security Council condemned in the strongest terms the terrorist attack in Tel Aviv, Israel, on 8 June 2016, during which at least four civilians were killed and many more injured. They expressed their deepest sympathy and condolences to the families of the victims and to the Government of Israel. They wished a speedy recovery to those injured.

The members of the Security Council reaffirmed that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security.

The members of the Security Council underlined the need to bring perpetrators, organizers, financiers and sponsors of these reprehensible acts of terrorism to justice. They stressed that those responsible for these killings should be held accountable, and urged all States, in accordance with their obligations under international law and relevant Security Council resolutions, to cooperate actively with all relevant authorities in this regard.

The members of the Security Council reiterated that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed. They reaffirmed the need for all States to combat by all means, in accordance with the Charter of the United Nations and other obligations under international law, including international human rights law, international refugee law and international humanitarian law, threats to international peace and security caused by terrorist acts.

! For information media. Not an official record.



Resolution 2334 (2016)

**Adopted by the Security Council at its 7853rd meeting, on
23 December 2016**

The Security Council,

Reaffirming its relevant resolutions, including resolutions [242 \(1967\)](#), [338 \(1973\)](#), [446 \(1979\)](#), [452 \(1979\)](#), [465 \(1980\)](#), [476 \(1980\)](#), [478 \(1980\)](#), [1397 \(2002\)](#), [1515 \(2003\)](#), and [1850 \(2008\)](#),

Guided by the purposes and principles of the Charter of the United Nations, and reaffirming, inter alia, the inadmissibility of the acquisition of territory by force,

Reaffirming the obligation of Israel, the occupying Power, to abide scrupulously by its legal obligations and responsibilities under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and *recalling* the advisory opinion rendered on 9 July 2004 by the International Court of Justice,

Condemning all measures aimed at altering the demographic composition, character and status of the Palestinian Territory occupied since 1967, including East Jerusalem, including, inter alia, the construction and expansion of settlements, transfer of Israeli settlers, confiscation of land, demolition of homes and displacement of Palestinian civilians, in violation of international humanitarian law and relevant resolutions,

Expressing grave concern that continuing Israeli settlement activities are dangerously imperilling the viability of the two-State solution based on the 1967 lines,

Recalling the obligation under the Quartet Roadmap, endorsed by its resolution [1515 \(2003\)](#), for a freeze by Israel of all settlement activity, including “natural growth”, and the dismantlement of all settlement outposts erected since March 2001,

Recalling also the obligation under the Quartet roadmap for the Palestinian Authority Security Forces to maintain effective operations aimed at confronting all those engaged in terror and dismantling terrorist capabilities, including the confiscation of illegal weapons,



Condemning all acts of violence against civilians, including acts of terror, as well as all acts of provocation, incitement and destruction,

Reiterating its vision of a region where two democratic States, Israel and Palestine, live side by side in peace within secure and recognized borders,

Stressing that the status quo is not sustainable and that significant steps, consistent with the transition contemplated by prior agreements, are urgently needed in order to (i) stabilize the situation and to reverse negative trends on the ground, which are steadily eroding the two-State solution and entrenching a one-State reality, and (ii) to create the conditions for successful final status negotiations and for advancing the two-State solution through those negotiations and on the ground,

1. *Reaffirms* that the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace;

2. *Reiterates* its demand that Israel immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem, and that it fully respect all of its legal obligations in this regard;

3. *Underlines* that it will not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations;

4. *Stresses* that the cessation of all Israeli settlement activities is essential for salvaging the two-State solution, and calls for affirmative steps to be taken immediately to reverse the negative trends on the ground that are imperilling the two-State solution;

5. *Calls* upon all States, bearing in mind paragraph 1 of this resolution, to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967;

6. *Calls* for immediate steps to prevent all acts of violence against civilians, including acts of terror, as well as all acts of provocation and destruction, calls for accountability in this regard, and calls for compliance with obligations under international law for the strengthening of ongoing efforts to combat terrorism, including through existing security coordination, and to clearly condemn all acts of terrorism;

7. *Calls upon* both parties to act on the basis of international law, including international humanitarian law, and their previous agreements and obligations, to observe calm and restraint, and to refrain from provocative actions, incitement and inflammatory rhetoric, with the aim, inter alia, of de-escalating the situation on the ground, rebuilding trust and confidence, demonstrating through policies and actions a genuine commitment to the two-State solution, and creating the conditions necessary for promoting peace;

8. *Calls upon* all parties to continue, in the interest of the promotion of peace and security, to exert collective efforts to launch credible negotiations on all

final status issues in the Middle East peace process and within the time frame specified by the Quartet in its statement of 21 September 2010;

9. *Urges in this regard* the intensification and acceleration of international and regional diplomatic efforts and support aimed at achieving, without delay a comprehensive, just and lasting peace in the Middle East on the basis of the relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet Roadmap and an end to the Israeli occupation that began in 1967; and *underscores* in this regard the importance of the ongoing efforts to advance the Arab Peace Initiative, the initiative of France for the convening of an international peace conference, the recent efforts of the Quartet, as well as the efforts of Egypt and the Russian Federation;

10. *Confirms its determination* to support the parties throughout the negotiations and in the implementation of an agreement;

11. *Reaffirms* its determination to examine practical ways and means to secure the full implementation of its relevant resolutions;

12. *Requests* the Secretary-General to report to the Council every three months on the implementation of the provisions of the present resolution;

13. *Decides* to remain seized of the matter.



United Nations

PRESS RELEASE

SC/12670
8 JANUARY 2017

Security Council Press Statement on Terrorist Attack in Jerusalem

The following Security Council press statement was issued today by Council President Olof Skoog (Sweden):

The members of the Security Council condemned in the strongest terms the terrorist attack in Jerusalem on 8 January, in which 4 Israelis were killed and 15 injured. They expressed their deepest sympathy and condolences to the families of the victims and to the Government of Israel. They wished a speedy recovery to those injured.

The members of the Security Council reaffirmed that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security.

The members of the Security Council underlined the need for those responsible for this reprehensible act of terrorism to be held accountable.

The members of the Security Council reiterated that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed. They reaffirmed the need for all States to combat by all means, in accordance with the Charter of the United Nations and other obligations under international law, including international human rights law, international refugee law and international humanitarian law, threats to international peace and security caused by terrorist acts.

MIDDLE EAST

! For information media. Not an official record.



Security Council

Seventy-second year

7908th meeting

Friday, 24 March 2017, 3 p.m.

New York

Provisional

<i>President:</i>	Mr. Rycroft	(United Kingdom of Great Britain and Northern Ireland)
<i>Members:</i>	Bolivia (Plurinational State of)	Mr. Llorentty Solíz
	China	Mr. Shen Bo
	Egypt	Mr. Moustafa
	Ethiopia	Mr. Woldegerima
	France	Mr. Delattre
	Italy	Mr. Cardi
	Japan	Mr. Bessho
	Kazakhstan	Mr. Umarov
	Russian Federation.	Mr. Safronkov
	Senegal	Mr. Seck
	Sweden	Mr. Skoog
	Ukraine	Mr. Vitrenko
	United States of America.	Ms. Sison
	Uruguay.	Mr. Rosselli

Agenda

The situation in the Middle East, including the Palestinian question

This record contains the text of speeches delivered in English and of the translation of speeches delivered in 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 U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org>).



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

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President: In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, to participate in this meeting.

The security Council will now begin its consideration of the item on its agenda.

I now give the floor to Mr. Mladenov.

Mr. Mladenov: Today, on behalf of the Secretary-General, I would like to devote my regular briefing to the Council on the situation in the Middle East to reporting on the implementation of resolution 2334 (2016). In this first report, I will focus on developments on the ground, in accordance with the provisions of the resolution, including on regional and international efforts to advocate and advance the peace process.

Let me note from the outset that none of the developments on the ground can be divorced from the broader context in which they are happening — namely, the stalled peace process, the lack of dialogue between the parties and the increased radicalization on all sides. The reporting period witnessed a notable increase in statements, announcements and decisions related to settlement construction and expansion.

Resolution 2334 (2016) calls on Israel to take steps to “cease all settlement activities in the occupied Palestinian territory, including East Jerusalem”. No such steps were taken during the reporting period. In January, two major announcements were made for a total of 5,500 housing units in settlements in Area C of the occupied West Bank. Within three weeks, some 3,000 housing units were advanced through the various stages of the planning process and over 240 units reached the final approval stage. Separately, tenders for some 800 housing units were issued. Eighty per cent of the 4,000 settlement moves during the reporting period were concentrated in and around major Israeli population centres close to the 1967 line, while some 20 per cent were in outlying locations deep inside the occupied West Bank.

Let me reiterate that the United Nations considers all settlement activities to be illegal under international law and one of the main obstacles to peace. On 1 February, the Government announced its intention to establish a new settlement for the residents of the illegal Amona outpost, following its demolition by order of the Israeli High Court of Justice on 2 February. While there was no advancement of settlement plans in occupied East Jerusalem during the reporting period, construction in at least four East Jerusalem settlements was enabled by the granting of building permits for over 900 housing units in Pisgat Ze'ev, Ramat Shlomo, Ramot and Gilo southern slopes. Overall, the past three months have seen a high rate of settlement-related activity, especially when compared to 2016, which saw tenders for only 42 units issued and some 3,000 units advanced over 12 months in Area C.

The reporting period also witnessed large-scale demolitions of structures in Palestinian and Bedouin communities in Area C of the West Bank and East Jerusalem, due to the lack of Israeli-issued building permits, which are nearly impossible for Palestinians to acquire. According to the Office for the Coordination of Humanitarian Affairs, 145 structures were demolished in Area C. It has affected the homes of some 220 people, while another 4,000 people were impacted, directly or indirectly, by the destruction of other property and infrastructure. In occupied East Jerusalem, 48 structures were demolished and two seized, displacing 80 people and affecting 210 people.

There were also a number of concerning legislative developments during the reporting period. On 6 February, the Israeli Parliament approved the so-called Regularization Law, which, if implemented, would effectively authorize the taking of privately owned Palestinian land in occupied territory that has been used for settlement purposes. It contravenes international law and is deemed unconstitutional by many Israeli legal experts, including the Attorney General. Estimates suggest that the law could enable the retroactive regularization of thousands of housing units and the gradual legalization of dozens of settlement outposts. The law marks a significant shift in the long-standing Israeli position concerning the legal status of the occupied Palestinian territory.

Allow me to turn to the problems of violence and terror, inflammatory rhetoric and provocations that remain a hallmark of the conflict. Resolution 2334 (2016) calls on all to refrain from such acts and

undertake efforts to combat them. During the reporting period, the security situation in Israel and the occupied Palestinian territory remained relatively calm. There was a rise, albeit from a low level, in certain categories of incidents, namely, rocket attacks against Israel from Gaza. Eleven Palestinians were killed and over 273 injured by the Israeli security forces, including during attacks or purported attacks, clashes and security operations. In addition, one Palestinian was killed by an Israeli civilian while attempting to carry out a stabbing attack, and two Palestinians died of wounds they had sustained in October and November 2016 from Israeli security forces.

Four Israeli soldiers were killed and 70 other Israelis were injured in attacks by Palestinians. On 8 January, a Palestinian man killed four Israeli soldiers and injured another 15 in a ramming attack in Jerusalem. On 9 February, in a terror attack in Petah Tikva, a Palestinian from Nablus shot and stabbed six Israelis. On 6 March, in a two-hour exchange of fire, a Palestinian activist, Basel Al-Araj, was killed during an arrest operation by Israeli security forces in Al-Bireh, which is near Ramallah, in Area A.

After over three months of calm, between 6 February and 19 March Palestinian extremists in Gaza fired 10 rockets towards Israel, five of which impacted without causing injury. In response to these attacks, the Israeli Defence Forces conducted 18 airstrikes at militant locations inside Gaza. In total, two Palestinians in Gaza were killed and 24 injured as a result of various Israeli military actions. On 16 January, in the village of Tuqu', near Bethlehem, a 17 year-old boy was shot dead by the Israeli security forces. The Israeli authorities have opened an investigation into the incident, bringing to at least 17 the number of investigations opened into similar incidents since September 2015. This period saw a total of over 260 Palestinians killed by the Israeli security forces, 170 of whom were carrying out or reportedly carrying out attacks.

One case, against Sergeant Elor Azaria, has led to an indictment and conviction for unlawful killing. On 4 January, Azaria was convicted of manslaughter for shooting dead an incapacitated Palestinian assailant in Hebron in March 2016. On 21 February, he was sentenced to prison for 18 months and demoted. As noted by the Spokesperson for the Office of the United Nations High Commissioner for Human Rights on 24 February 2017, such a lenient prison sentence "is difficult to reconcile with the intentional killing of an unarmed and prone

individual". On 7 March, the military prosecution, calling the current sentence "excessively lenient", filed an appeal seeking a three-to-five year term of imprisonment.

While the resolution calls upon both parties to refrain from acts of provocation, incitement, and inflammatory rhetoric, such actions continued during the reporting period. The reactions of Hamas officials to terror attacks against Israelis have been particularly reprehensible and deserve condemnation. A recent sermon by a Hamas leader and member of the Palestinian Legislative Council in Gaza included appalling and racist language inciting violence against Jews. Statements were issued by Hamas and a number of other Palestinian factions celebrating as "heroic" the terror attacks in Jerusalem and in Petah Tikva. A senior leader, addressing a rally following the truck ramming, sent

"a message of encouragement and support for every jihadi who carries out an attack that puts an end to the acts of the Zionist enemy".

Regrettably, Palestinian Authority officials have not condemned those attacks, while Fatah's social media pages continue to commemorate perpetrators of previous attacks against Israeli civilians.

Provocative statements also continued on the Israeli side. A number of politicians have called for the annexation of parts or all the West Bank and for a categorical denial of Palestinian statehood. One political leader called the notion of a Palestinian State a "historic disaster" and a "hallucination", while another spoke of only the Jewish people having "national rights" between the Jordan and the sea.

Resolution 2334 (2016) reiterates the call of the Middle East Quartet on both parties to take affirmative steps to reverse the negative trends on the ground that are imperilling the two-State solution. Allow me to outline some of the moves taken by Israel and the Palestinian Authority that may be broadly considered to be in this context.

In February, the Palestinian Authority took a significant step towards strengthening its institutions and improving governance, by finalizing the Palestinian national policy agenda for 2017-2022. The agenda reiterates the Palestinian Authority's commitment to State-building and to guaranteeing the rule of law. Continued support for the Palestinian Authority in

providing governance and security remains critical. In January, the Palestinian Government approved the general budget for 2017 and, owing to the strong fiscal performance in the previous year, was able to reduce the budget deficit. Continued fiscal discipline and a push for revenue growth will be essential during this year as economic and financial conditions are likely to continue to be restrictive.

In a positive development, on 15 January, after six years of inactivity, Israel and the Palestinian Authority agreed to reactivate the Israeli-Palestinian Joint Water Committee. It was established under the Oslo agreements in order to improve the water infrastructure and supply in the West Bank and Gaza. The new agreement outlines the types of water projects that need approval by the Joint Water Committee, and thus by default those not requiring approval. This comes on the heels of agreements on electricity, 3G and postal services that have been signed in the past six months.

It is also important to note that both Israel and the Palestinian Authority remain committed to maintaining security coordination amid increasing political and popular pressure on the Palestinian Authority to cease such coordination. I take this opportunity to note the professionalism of the Palestinian security forces in providing public order. They operate in a highly volatile environment, and I encourage Israel and the international community to continue supporting the advancement of their capacity and capability.

The reporting period also saw progress in Gaza reconstruction and recovery. More than 225,000 tons of cement were imported through the temporary Gaza Reconstruction Mechanism — a significant increase over the previous three-month period. Israel also approved nearly 3,300 residential construction and reconstruction projects, compared to only 78 over the previous three months.

During the reporting period there were no developments related to Member States' distinguishing, in their relevant dealings, between the territory of the State of Israel and the territories occupied in 1967. There have, however, been efforts by the international community to take up its responsibility to resolve the conflict. In that respect, I would like to note the international conference hosted by France on 15 January, which was attended by representatives of some 70 countries. As a follow-up, interested participants resolved to meet again before the end of

2017 to review progress and to support both sides in advancing a resolution to the conflict.

In January, representatives of most Palestinian factions, including Fatah and Hamas, met in Moscow. The Foreign Minister of the Russian Federation addressed the participants, stressing the need to overcome divisions on the basis of the Palestinian Liberation Organization political programme and the Arab Peace Initiative in order to create the conditions for meaningful negotiations.

On 7 March, I addressed a session of the Council of the Arab League in Cairo, where I spoke of the need to recognize that true peace requires the recognition that both Palestinians and Israelis have legitimate national aspirations that can be realized only in two States. The Arab League adopted a resolution that calls, inter alia, for developing an effective international mechanism to follow-up on the Paris conference for ending the Israeli occupation and achieving a two-State solution within a specific time frame.

Last week, the United States Special Representative for International Negotiations visited Israel, the West Bank and Jordan for initial meetings with political, security and civil society leaders and religious and youth groups. In statements following meetings with the Israeli Prime Minister and the Palestinian President, the Special Representative reaffirmed the United States interest in advancing a genuine and lasting peace. I am encouraged by ongoing efforts to reach agreement with the parties on steps on the ground that will create the conditions for Palestinian economic development and advancing peace.

In conclusion, I would like to share some broad observations about the reporting period. The January spike in illegal settlement announcements by Israel is deeply worrying. The large numbers of advancements, planned infrastructure development, legislative actions and moves to undertake large-scale demolitions vis-à-vis Palestinian communities in Area C indicate a clear intent to continue expanding the settlement enterprise in the occupied Palestinian territory. In the light of this, the adoption of the regularization law is a highly worrying development. Many of the advancements that have been made in the past three months will further sever the territorial contiguity of a future Palestinian State and accelerate the fragmentation of the West Bank. The expansion of the settlement of Kfar Adumim, where 320 units were moved forward during

the reporting period, is gradually dividing the northern and southern West Bank. Planned construction in Shiloh effectively extends the zone that cuts across the central West Bank. Announcements in Kokhav Yakov, situated between Ramallah and East Jerusalem, and in Shavei Shomron, located at a crossroads connecting the three major Palestinian cities of Nablus, Jenin and Tulkarem, are also of strategic significance. Such actions are in breach of international law and must stop. Settlement expansion undermines the very essence of a two-State solution. Resolution 2334 (2016) states that the international community will not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed to by the parties themselves through negotiations.

Meanwhile, there has been little progress in promoting Palestinian development in Area C. I am particularly concerned about herding communities in Area C in the West Bank, who are struggling to maintain a minimum standard of living in the face of pressure to move. The United Nations has repeatedly stated that the relocation of communities without their fair and informed consent would contravene Israel's obligations as an occupying Power under international law. To foster a climate conducive to meaningful negotiations, Israel must do more to improve the daily lives of Palestinians. It is still crucial to ensure that they introduce significant policy changes that will increase Palestinian civil authority, support Palestinian development and preserve the prospect of a two-State solution, in line with the recommendations of the Middle East Quartet. The agreement to reactivate the Joint Water Commission, after six years of inactivity, is a step in the right direction, but much more can be done by both parties. I would like to take this opportunity to commend the Palestinian President and Prime Minister for developing a national policy agenda. With foreign aid continuing to decline, it is critical that the Palestinian Authority and its international partners work together in a structured, transparent and accountable way.

The continuing deadly violence in Israel and the occupied Palestinian territory during the past three months also remains a concern. The recent increase in rockets fired from Gaza towards Israel is a worrying development. Such potentially lethal provocations are unnecessary, dangerous and risk devastating escalation. Resolution 2334 (2016) calls on all to "clearly condemn all acts of terrorism". The continued incitements to violence against Jews emanating from

Hamas extremists and some Palestinian groups is unacceptable and undermines trust and the prospects for peace. Similarly, it is important to note that despite the continuing closures on Gaza, there has been an increase in the importation of building materials under the Gaza Reconstruction Mechanism. However, the continued restrictions on importing various other materials — considered dual-use by Israel but badly needed for humanitarian and development efforts — continue to be a major obstacle. Despite this positive development, much remains to be done.

International engagement on reviving the peace process over the past three months has confirmed the consensus that a two-State solution is the only way to realize the national aspirations of both peoples. It is critical to ensure that the momentum built over the past year continues to expand and ultimately develop into a concrete vision to end the occupation and the wider conflict. Shaping a credible political horizon through reviving engagement between the parties with intensified international and regional support is essential to advancing that goal. These international efforts must be accompanied by significant steps taken on the ground by the parties themselves in order to create an environment conducive to negotiations. The United Nations will continue to call on and work with the parties and all interested stakeholders to find a just, sustainable and comprehensive solution to the Israeli-Palestinian conflict, based on the relevant Security Council resolutions.

The President: I thank Mr. Mladenov for his briefing.

I shall now give the floor to those Council members who wish to make statements.

Mr. Rosselli (Uruguay) (*spoke in Spanish*): We would like to thank Special Coordinator Mladenov for his briefing and to reiterate Uruguay's full support to his work.

Paragraph 12 of resolution 2334 (2016) says that the Security Council

"[r]equests the Secretary-General to report to the Council every three months on the implementation of the provisions of the present resolution".

Regrettably, the first of those three months were up yesterday and we still do not have the report of the Secretary-General, which we hope will be issued as soon as possible. Uruguay, as it has done since 1947, reiterates

its support to the aim of both Israel and Palestine to live peacefully side by side within secure and recognized borders in a spirit of renewed cooperation free of any threat to peace. In order to achieve that, it is vital that both the Israeli and Palestinian authorities fulfil their obligations under international law in good faith, comply with the relevant Security Council resolutions, give clear political signals that they want to move away from this vicious circle of violent confrontation and refrain from taking unilateral decisions while waiting to begin a dialogue. We are waiting for those signals. We therefore call on the parties to think carefully about their next steps and work to prevent the most extremist wings of their respective Governments from prevailing over those are genuinely committed to peace.

Uruguay, along with virtually the entire international community, firmly supports a two-State solution to the conflict, which is still the only possible way to enable Israel and Palestine to live together in peace and security. In that regard, we urge the parties to relaunch direct bilateral negotiations as soon as possible and without preconditions, which is an essential part of the path to attaining the ultimate goal. But if that is to happen, the trends on the ground that were identified in the Quartet's last report must be reversed, or it will be extremely difficult for Palestine to consolidate its State. The Security Council's adoption in December of resolution 2334 (2016) and the conference organized by France in January were clear indications of how urgent the international community considers the issue of reaching a peaceful conclusion to the process. Israel's announcements in the past two months about the construction of thousands more settlements in the West Bank and East Jerusalem, as well as the retroactive legalization of settlements on Palestinian land, runs counter to the provisions of resolution 2334 (2016), which affirms the unacceptability of the acquisition of land by force. Such measures do not promote peace and endanger the prospects for a two-State solution.

We would like to firmly emphasize that we reject all acts of terror and repudiate any glorification of violence or incitement to it. We cannot simply remain silent about such issues, for otherwise we become complicit in them. Launching rockets from Gaza into Israel is unacceptable, and it is the responsibility of Palestine to put a stop to such attacks. Lastly, we reiterate to the key actors in the process that moderation is essential and unilateral actions that may endanger a

future peace process and a solution for these two States are unacceptable.

Mr. Llorentty Solíz (Plurinational State of Bolivia) (*spoke in Spanish*): I am grateful for the briefing by the Special Coordinator for the Middle East Peace Process, Mr. Nickolay Mladenov, who has just given us updated information on the situation in the Middle East, in particular with respect to the illegal Israeli settlements in the occupied Palestinian territories.

Bolivia reaffirms its firm commitment to resolution 2334 (2016), and we urge all members of the Security Council to join forces to ensure that it is implemented without further delay. We believe that all resolutions emanating from the Council should be implemented with the same rigour and commitment that they require, with the sole purpose of guaranteeing international peace and security.

Bolivia would like to express its most profound indignation at the ongoing illegal settlement activities by the State of Israel in the occupied Palestinian territories, including East Jerusalem, despite the existence of a Council resolution that expressly reaffirms that the settlements have no legal validity and constitute a flagrant violation of international law and a major obstacle to the achievement of the two-State solution and of a comprehensive, just and lasting peace. Along similar lines, I would like to reiterate what resolution 242 (1967) demands in its article 1, namely, the "[w]ithdrawal of Israel armed forces from territories occupied in the recent conflict". It speaks of the recent conflict because the resolution was adopted in 1967, almost 50 years ago.

Today, three months after the Security Council adopted resolution 2334 (2016), we find ourselves in this meeting with less than encouraging news about the implementation of the resolution. The Israeli Government, using its extreme rhetoric in January and February of this year, announced through its authorities the construction of 6,000 new homes in the West Bank, including East Jerusalem. According to the Office of the United Nations High Commissioner for Human Rights, since January 2017 there have been almost 105 demolitions of homes of Palestinian citizens in the so-called Areas C and 14 in East Jerusalem. This type of expansionist and colonizing practices by Israel bring with them the continued confiscation of Palestinian families' land and property, leading to forced displacement of civilians and consequently the transfer

of new Israeli settlers. If we compare the figures with those from last year, where there were 1,093 demolitions, we see that resolution 2334 (2016) has had no impact on the ground. The rate of demolitions after the adoption of resolution 2334 (2016) has been the same as the rate before it.

We call on the Israeli Government to show political will and commitment to the two-State solution. We believe that it is the duty of the Security Council to immediately urge that Israel put an end to its illegal settlement activities in the occupied Palestinian territories, including East Jerusalem, and suspend all actions against the Palestinian civilian population, including the inhumane blockade of the Gaza Strip, as well as the immediate cessation of all collective and other forms of punishment.

Bolivia reaffirms its support for the self-determination of the Palestinian people and their right to a free, sovereign and independent State within pre-1967 internationally recognized borders, with East Jerusalem as its capital, in accordance with the relevant resolutions of the Security Council and the General Assembly of the United Nations. Bolivia of course wants there to be peace for both peoples — for the Palestinian people and for the Israeli people. At the same time, Bolivia rejects all forms of terrorism. We endorse the

Ambassador of Uruguay's hope that the report called for by resolution 2334 (2016) will be circulated, and we would like to ask Mr. Mladenov to include in his next briefing in this Chamber maps that show how the illegal Israeli settlements are extinguishing the possibility of a two-State solution. We think it is vital that we be able to understand visually what is happening on the ground.

Finally, it has been said in the Security Council that the United Nations — and the Security Council in particular — are fixated on this issue. I was thinking about how we could respond to this claim. Some 70 years after the adoption of the General Assembly resolution that speaks of the two States (resolution 181 (II)), 50 years after the start of the Israeli occupation of Palestinian territories, 10 years after the start of the Gaza blockade, and now three months after the adoption of a resolution that still has not been implemented, the only way I could find to respond to this claim is to repeat the words of Nelson Mandela, who said, “we know too well that our freedom is incomplete without the freedom of the Palestinians”.

The President: I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 3.35 p.m.



Security Council

Seventy-second year

7977th meeting

Tuesday, 20 June 2017, 10 a.m.

New York

Provisional

President: Mr. Llorentty Solíz (Bolivia (Plurinational State of))

Members:

China	Mr. Liu Jieyi
Egypt	Mr. Aboulatta
Ethiopia	Mr. Alemu
France	Mr. Delattre
Italy	Mr. Cardi
Japan	Mr. Kawamura
Kazakhstan	Mr. Umarov
Russian Federation	Mr. Safronkov
Senegal	Mr. Seck
Sweden	Mr. Skau
Ukraine	Mr. Yelchenko
United Kingdom of Great Britain and Northern Ireland	Mr. Wilson
United States of America	Mrs. Haley
Uruguay	Mr. Rosselli

Agenda

The situation in the Middle East, including the Palestinian question

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The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President (*spoke in Spanish*): In accordance with rule 39 of the Council's provisional rules of procedure, I invite the following briefers to participate in this meeting. Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General; His excellency Mr. Ahmed Aboul-Gheit, Secretary-General of the League of Arab States; Mr. Michael Doran, Senior Fellow at the Hudson Institute; and His Excellency Mr. Lakhdar Brahimi, member of The Elders.

Mr. Mladenov is joining today's meeting via video teleconference from Jerusalem.

The Security Council will now begin its consideration of the item on its agenda.

I now give Mr. Mladenov the floor.

Mr. Mladenov: Today I devote my regular briefing to the Security Council to reporting, on behalf of the Secretary-General, on the implementation of resolution 2334 (2016) during the period from 25 March to 19 June. I will focus on developments on the ground in accordance with the provisions of the resolution, including on regional and international efforts to advance peace.

Let me once again note that nothing in the report can be divorced from the broader context in which it is occurring — the half century of occupation, the stalled peace process, the lack of dialogue between the parties, as well as the continued illegal settlement activities, terror, violence and increased radicalization.

Allow me to note that this month's briefing coincides with the fiftieth anniversary of the Arab-Israeli war, which resulted in Israel's occupation of the West Bank, East Jerusalem, Gaza and the Syrian Golan. Achieving a negotiated two-State outcome is the only way to lay the foundations for enduring peace that is based on Israeli security needs and the Palestinian right to sovereignty and statehood. Now is not the time to give up on that goal. Now is the time to create the

conditions for a return to negotiations so as to resolve all final-status issues based on the relevant United Nations resolutions, mutual agreements and international law.

Resolution 2334 (2016), in paragraph 2, calls on Israel to take steps to

“cease all settlement activities in the occupied Palestinian territory, including East Jerusalem”.

No such steps were taken during the reporting period. In fact, since 24 March there has been a substantial increase in settlement-related announcements as compared with the previous reporting period, with plans for nearly 4,000 housing units moving forward and 2,000 tenders issued. The United Nations considers all settlement activities to be illegal under international law. Resolution 2334 (2016) states that the international community will not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed to by the parties themselves through negotiations.

Plans for approximately 3,200 units were advanced through the various stages of the planning process in 22 settlements in Area C of the occupied West Bank. Those plans include 2,000 housing units in the major population centres of Ma'ale Adumim and Ariel, and over 800 units in Kerem Reim, Oranit and Beit El. One hundred units were advanced for the new settlement of Amihai, established in the eastern Shiloh Valley for the former residents of the Amona outpost, where the Israeli authorities also declared 241 acres as State land in the same zone. Both acts would further sever the territorial contiguity of a future Palestinian State, thereby solidifying a line of settlements dividing the northern and central West Bank. As construction on the new settlement began today, the Prime Minister stated that

“There will never be a Government that is more pro-settlement than our Government”.

Separately, tenders were issued for close to 2,000 housing units in four settlements close to the 1967 line — Alfei Menashe, Beitar Illit, Beit Arie and Kamer Shomron. Infrastructure tenders for the future construction of more than 200 settlement units in Kochav Yaakov, located between Ramallah and Jerusalem, were also re-issued. In East Jerusalem 770 housing units in the Gilo southern slopes reached the final approval stage, and building permits for more

than 360 housing units were granted in Ramat Shlomo, Pisgat Ze'ev and Ramot.

Meanwhile, according to the Office for the Coordination of Humanitarian Affairs (OCHA), the reporting period witnessed a sharp decline in the number of demolished Palestinian-owned structures in Area C. Twenty-nine structures were demolished or seized — down from 149 in the previous reporting period. East Jerusalem saw a less pronounced decrease in demolished structures, from 49 to 32. However, the monthly average of demolitions in East Jerusalem since the beginning of 2017 remains at the same level as in 2016, when demolitions reached a 15-year record.

Allow me to turn to the problem of violence, which remains a hallmark of the conflict. Resolution 2334 (2016) calls on all sides to refrain from such acts and undertake efforts to combat them. During the reporting period, the security situation on the ground remained relatively calm. No rockets were fired from Gaza towards Israel, and the Israeli Defence Forces did not conduct any air strikes in Gaza.

However, according to OCHA, 17 Palestinians were killed by Israeli security forces in various incidents, including reported terror attacks, clashes and military operations. One Israeli soldier was killed in a car-ramming attack on 6 April outside the Ofra settlement, to the north-east of Ramallah, and, on 16 June a policewoman was killed in a shooting and stabbing attack by Palestinian assailants in the vicinity of the Old City of Jerusalem. On 14 April, a British exchange student was killed by a Palestinian assailant in a stabbing attack in Jerusalem.

The Israeli security forces killed a Jordanian citizen reportedly involved in a stabbing incident in the Old City on 13 May, and a Palestinian fisherman off the coast of Gaza on 25 May. The reporting period also witnessed the shooting of two Palestinian men during protests at the fence along Gaza's northern border.

On 24 March, a senior Hamas military commander was assassinated by unknown assailants in Gaza City. That was followed by a lockdown of Gaza by Hamas in which the de facto authorities did not allow Palestinians or internationals to leave the Strip for several days. In April, Hamas executed six Palestinian men for alleged collaboration with Israel — an act that was condemned by the international community.

Settler-related violence continued during the reporting period, as well. According to OCHA, 31 incidents were documented, resulting in one Palestinian killed, 10 injured and damage to Palestinian property. Much of the violence has centred around the West Bank settlement of Yitzhar near Nablus — a recurrent source of violent actions against neighbouring villages in the past. Against the backdrop of Israeli security officials reportedly warning of the increased risk of another terror attack by Jewish extremists, like the one against the Dawabsheh family two years ago, a Rabbi from Yitzhar was indicted for incitement to violence against Palestinians, while a number of others were arrested.

In paragraph 7 of resolution 2334 (2016), the Council called on both parties

“to refrain from provocative actions, incitement and inflammatory rhetoric”

and, in paragraph 6,

“to clearly condemn all acts of terrorism”.

Regrettably, such calls continued to go unanswered during the reporting period. Palestinian officials and media outlets affiliated with Fatah continued to commemorate the lives of perpetrators of past terror attacks against Israeli civilians. One community centre was recently named after a Palestinian woman who was involved in an attack in which 38 Israelis, including 13 children, were killed in Tel Aviv in 1978. UN-Women and Norway withdrew support from the organization.

Hamas leaders have also continued their deplorable practice of celebrating recent attacks against Israeli civilians as heroic, including the 1 April stabbing in Jerusalem's Old City in which two civilians were injured, and only a few hours following the complex attack at Damascus Gate last Friday, in which a policewoman was killed, Hamas was quick to praise “the three martyrs from today's heroic Jerusalem operation”.

Some Israeli officials have also employed provocative rhetoric. Politicians have repeatedly declared that there will never be a Palestinian State, while pledging to take the idea of statehood “off the agenda”. In a regrettable incident, an Israeli Minister spoke at an event attended by other members of the Knesset, celebrating the publication of a book promoting abhorrent views concerning Israel's Arab citizens. The book was condemned by the Anti-Defamation League

as dangerous and inhumane, and a number of the participants expressed regret at their attendance.

Resolution 2334 (2016) reiterated the call by the Middle East Quartet on both parties to take affirmative steps to reverse negative trends on the ground that are imperilling the two-State solution. In May, Israel approved a number of positive measures to improve the Palestinian economy. Those included the 24-hour opening of the Allenby Bridge for a three-month period effective as of today, as well as extended operating hours at the Tarkumiya, Ephraim, Gilboa, Maccabim and Reihan crossing points and the construction of a vehicular crossing point at Eyal. Furthermore, the package envisions the development of an industrial zone that includes bonded warehouses and a natural gas and fuel terminal aimed, at enhancing Palestinian authority over trade and customs issues.

The measures also included the demarcation of approximately 4,000 acres of land in Area C, including next to three major Palestinian cities—Ramallah, Nablus and Tulkarem — in which the regulation of planning and zoning will undergo changes with potentially positive implications for Palestinian development.

The Palestinian and Israeli Finance Ministries held a number of meetings to discuss fiscal leakages, which is a critical issue given the Palestinian Authority's \$800 million-financing gap. The parties have progressed in discussions on value-added tax clearance revenues. In early June, in accordance with the electricity agreement signed in September, Israel transferred \$30 million to the Palestinian Authority in lieu of equalization levies and health stamps, and agreed to conduct monthly transfers in the future. In May, the Joint Water Committee held its first meeting in seven years.

During the reporting period, the situation in Gaza heightened intra-Palestinian tensions, thereby creating an increasingly dangerous humanitarian situation and raising serious concerns about the prospects of another conflict. By establishing an administrative committee to run civilian affairs, Hamas tightened its control of Gaza and further antagonized the legitimate Palestinian authorities, reducing the prospects for reconciliation. Meanwhile, a stand-off between Fatah and Hamas over the payment of taxes on fuel led to the shut down of the only power plant in Gaza, leaving residents with four hours of electricity per day. Basic services, including health facilities, water supply and

wastewater management have almost ground to a halt, increasing the risk of health and environmental disasters. Today Gaza depends exclusively on Israeli electricity lines, which normally provide 60 per cent of supply, on Egypt and on a United Nations-managed emergency fuel operation that, given the funding available, will expire in two to three months.

On 15 May, the Palestinian Authority informed Israel that it would reduce its payment for the electricity supplied to Gaza by 30 per cent. One month later, Israel agreed to the Palestinian request. An initial 5 per cent reduction was implemented on 19 June, and further cuts are expected to have catastrophic consequences for Gaza's population.

Going beyond the scope of today's report on the implementation of resolution 2334 (2016), once again, I would like to warn all parties that Gaza is a tinderbox. If and when it explodes, it will have devastating consequences for the population and derail all efforts at advancing peace. Two million Palestinians in Gaza can no longer be held hostage by divisions. They have lived under the control of Hamas for a decade. They have had to deal with crippling Israeli closures, Palestinian divisions and have lived through three devastating conflicts. Perpetuating that situation breeds radicalism and extremism. We have a collective responsibility to prevent that situation; we have a duty to avoid a humanitarian catastrophe.

Returning to resolution 2334 (2016), during the reporting period there were no developments related to Member States' distinguishing, in their relevant dealings, between the territory of the State of Israel and the territories occupied in 1967. There were, however, continuing efforts by the international community to advance peace.

On 29 March in Jordan, at the Summit of the League of Arab States, Arab leaders committed to relaunching serious peace negotiations on the basis of a two-State solution, establishing a Palestinian State "on the lines of June 4, 1967 with its capital in East Jerusalem" and reaffirmed their commitment to the 2002 Arab Peace Initiative. In May, on his first trip abroad, United States President Trump visited Israeli and Palestinian leaders and made clear that resolving the Israeli-Palestinian conflict is critical to combating the threat of violent extremism and terrorism. He expressed his personal commitment to helping both sides achieve a peace agreement that would begin the process of peace

throughout the region. The Secretary-General looks forward to working with the United States, Russia, the European Union and regional partners towards improving the environment for peacemaking, including by engaging with all sides to improve the Palestinian economy in the West Bank and Gaza.

In conclusion, I would like to share some broad observations on the reporting period.

First, once again, I must stress the urgency of addressing the rapidly deteriorating situation in Gaza. We must acknowledge the significant budget constraints the Palestinian Authority is currently facing and the need to support the Government in addressing them. However, all decisions must be taken with due consideration of their humanitarian impact. I therefore call on Palestinian leaders to urgently reach the necessary compromises that will return Gaza to the control of the legitimate Palestinian authorities. Last month, I warned the Security Council that the crisis was leading us towards another conflict — a conflict that no one wants. I urge all parties to act before it is too late.

Secondly, the policy of continued illegal settlement construction in the occupied Palestinian territory contravenes resolution 2334 (2016). The large number of settlement-related activities documented during the reporting period undermine the chances for the establishment of a viable, contiguous Palestinian State as part of a two-State solution.

Thirdly, the continuing terror attacks, violence and incitement remain a very serious concern to all. Leaders have a responsibility to implement measures demonstrating their commitment to combating violence and any acts of provocation and inflammatory rhetoric.

Fourthly, while Israeli initiatives to improve the Palestinian economy are positive steps forward, it remains to be seen whether or not they will significantly increase Palestinian civil authority, in line with Quartet recommendations and prior commitments between the parties.

In this symbolic month, it is time to turn the challenges of the past into opportunities for the future. As the Secretary-General recently stated,

“The occupation has shaped the lives of both Palestinians and Israelis. It has fuelled recurring cycles of violence and retribution. Its perpetuation is sending an unmistakable message to generations

of Palestinians that their dream of statehood is destined to remain just that, a dream; and to Israelis that their desire for peace, security and regional recognition remains unattainable”.

Every day that passes without peace is another day we neglect our collective responsibility to advance a meaningful strategy towards a negotiated two-State solution that meets the national and historic aspirations of both peoples. The United Nations will continue its determined engagement with the parties and all key stakeholders to achieve that objective.

The President (*spoke in Spanish*): I thank Mr. Mladenov for his briefing.

I now give the floor to Mr. Aboul-Gheit.

Mr. Aboul-Gheit (*spoke in Arabic*): I would like to begin by thanking you, Mr. President, and members of the Security Council for holding today’s debate and for inviting me, as representative of the League of Arab States, to participate in the debate.

The truth is that I am deeply saddened as I speak before the Council today, exactly 50 years since the start of the Israeli occupation of Arab and Palestinian lands in June 1967. I was a young Egyptian diplomat at the time, and in those 50 years, I have held many positions of responsibility. Unfortunately, the Israeli occupation of Palestinian territories continues without the occupying Power showing any genuine attempt at reaching an acceptable settlement that would end the conflict once and for all.

We note the number of lives and opportunities that have been lost, and the wounds that have worsened in the past 50 years. We are left only to wonder about the negative effects that the conflict has had on Arab societies — how it has depleted our energy and increased our problems, exhausted our ability to develop and caused volcanoes of anger to erupt inside so many of our Palestinian and Arab young people. That anger is then expressed in several ways — some of them so vile that they strip people of their humanity.

The Arab side was defeated in June 1967 by Israeli aggression against its lands and it continues to pay the price even now. Despite the fact that the 1973 war, which I also witnessed, created a new landscape and military situation, Israelis continued to use any pretext to maintain control of Palestinian territories — that is in fact at the heart of the conflict. It has made a fair and permanent settlement extremely difficult. The

Palestinian people in particular find themselves in an extremely complicated situation. Unfortunately, after the occupation of the remaining 22 per cent of Palestinian territory under the British Mandate, they have no space that they can call their own independent State. It is an extraordinary situation that is unparalleled in modern history, but yet it has continued for half a century. Unfortunately, some Israelis continue to believe that this situation can continue for years and decades into the future.

A few months after the military operations in 1967, the Council adopted resolution 242 (1967), which rejects the occupation of the territories of others by force, as per the Charter of the United Nations. The resolution also created the basis for any acceptable settlement of this conflict, that is, the complete withdrawal by Israel from the occupied territories in return for normal, peaceful relations with Israel. That approach remains the only means to address the Palestinian issue. This logic is, in fact, what the Arab States adopted at the Summit of the League of Arab States in Beirut in 2002, in the form of the Arab Peace Initiative, which calls for the complete withdrawal by Israel and the settlement of all pending issues in return for complete and peaceful relations. That equation seems easy, acceptable and fair to everyone. It was supported by the entire international community, with the exception of Israel. To date, we have not heard of a single Israeli politician or official who has accepted the Initiative.

It is unfortunate that in return Israel presents only one alternative: continued occupation. We, in practice, have two modes of life, subjected to the authority of the Israeli State. In that alternative there is no Palestinian sovereignty over any territory. In that alternative the Palestinian Government is more like a municipal Government that manages the affairs of citizens under Israeli sovereignty. Unfortunately, Israel has buried the hope generated by the 1993 Oslo Accords. That hope has practically died, affirming the bitter reality in the West Bank and the open prison that is the Gaza Strip.

This painful reality is taking place before the eyes and ears of the world year after year. Despite how painful this reality is for the Palestinians, who are losing their lives and their time in checkpoints and behind the separation wall, this represents a complete condemnation of the international order, of which the Council is a great expression. We must all accept and admit that this system has failed after 50 years of occupation. It has failed to end this conflict, and I

cannot deny that deep disappointment is overcoming the Palestinians due to the failure of the international system to support them and transform their dreams and aspirations into reality.

The peace treaties signed between Israel, on one side, with Egypt and with Jordan, on the other, represent hope and show us that peace is not impossible. These are beacons of light in the long dark tunnel of conflict and violence. There is no doubt that they have stood the test of time; and the fact that the parties to those treaties have held onto them show that they were based on a solid foundation.

Today, after countless rounds of secret and public negotiations, after sincere efforts from all parties to arrive at a fair settlement, and after numerous interim agreements, as well as detailed agreements signed during different rounds of negotiations that I have personally witnessed, after this long history of failure to end the conflict, I say that we must be honest with ourselves. All those plans and attempts did not succeed because they did not address the heart of the conflict. They have been concerned with creating interim settlements and arrangements that do not address the heart of the matter. Practically, this has only led to prolonged conflict.

The heart of the matter is the occupation of territories in 1967. No solution will be achieved without directly and decisively addressing this matter, based on the principle of land in return for peace. Any negotiations not based on this assumption will be doomed to fail.

Our long experience in addressing this complicated conflict drives us to speak honestly about previous failures and how we must not repeat them. We must immediately address the final settlement issue. I reiterate that the goal must be to address the details of a final settlement — which is the heart of the Palestinian-Israeli conflict — most important of which are the borders, Jerusalem, security and refugees. In that regard, I would like to present to the Council the following points.

First, the relevant parties are, in general, unable to manage successful negotiations alone, without consistent and strong international support. If the two parties, the Israelis and the Palestinians, were to be left without international support, they would most likely be unable to achieve any settlement or agreement, particularly in light of the grave imbalance of power between the two parties. In that regard, I would like to

pay tribute to every State that has attempted throughout the history of this conflict to bring the viewpoints of the parties closer together. In particular I wish to mention the United States of America, the successive Governments of which have performed different roles that are significant. I hope that this positive engagement with the parties will continue in a balanced manner in order to achieve the desired settlement.

Secondly, any serious negotiation must have an agreed framework of reference. Without that, the negotiations will not succeed. That framework includes Council and General Assembly resolutions, the principle of land in return for peace, and the Arab Peace Initiative. That framework of reference must govern any negotiation process so that we do not engage in any random attempts or negotiations that go round in a vicious circle while achieving nothing.

Thirdly, the current Israeli Government is adopting a strategy that will render impossible the two-State solution. That Government is following a systematic plan of building settlements, choosing the locations of those settlements in a way that makes a viable Palestinian State of connected territories almost geographically impossible. We heard our friend Mr. Mladenov speak on this minutes ago. We may have heard the statement made by the Israeli Minister of Defence a few days ago in which he boasted that the number of building permits issued since the beginning of this year in the Jewish settlements in the West Bank and in East Jerusalem was the highest since 1992. This year alone the Israeli Government has approved 8,354 new residential units, 3,066 of which, an unprecedented number, are slated for immediate construction. In 1967, there were 12,000 settlers; in 1996, 150,000; and today there are 400,000, in addition to another 200,000 in East Jerusalem.

This situation leaves no doubt as to the fact that the plan of and the approach adopted by the current Israeli leadership is a plan for settlement, not a plan for peace. Resolution 2334 (2016), of December 2016, which was adopted with unprecedented unanimity following a long-standing failure to address the conflict, was a step in the right direction on the path towards delegitimizing the Israeli settlements by bringing increased pressure to bear on Israel to change course. Other resolutions must follow suit, particularly in terms of requesting that the Secretary-General submit a report on its implementation every three months.

Fourthly, the Arab Peace Initiative offers Israel a historic opportunity to normalize relations not only with its Arab neighbours but also with Muslim nations. The Amman summit of 29 March 2017 reaffirmed this initiative as a strategic Arab choice. However, I am compelled here to reaffirm the position of the Arab Summit: that Israel cannot reap the benefits of peace before achieving peace.

Fifthly, Arab States have noted of late continuing efforts on the part of Israel, which remains, under all norms of international law, an occupying Power, to normalize its situation in the United Nations and its specialized agencies. Most significant in this respect are Israel's efforts to become a member of the Security Council in 2019-2020. Israel is in consistent violation of the Charter of the United Nations and international law, and, accordingly, it fails to meet the minimum conditions required to become a member of the Council. Accepting Israel as a member thereof would strike at the heart of the Council's credibility and give impetus to Israeli extremists and settlers. If Israel can normalize its international status so easily, what will induce it to engage in serious negotiations aimed at ending the conflict?

It is bewildering, really, that Israel can find the courage to submit its candidature for membership in the Council. It never misses an opportunity to weaken the credibility of the United Nations. We may have heard that a few days ago the Israeli Prime Minister called for the dismantling of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, accusing it of working against Israel. This is no surprise, because the Agency represents an international commitment to refugees. The Israeli Government is trying to bury this issue completely and erase it from the international agenda.

Sixthly, addressing the issues of the border, security, Jerusalem and refugees is the basis for an acceptable and lasting solution, but the current Israeli Government continues to excel at framing the most complicated issues as though it were trying to kill all prospects for peace, for example requiring the Palestinian side to accept what is called a Jewish Israeli State and providing a minimum level of security guarantees. It is absurd, really, for a Government whose members do not accept the Palestinian right to an independent State to require that the Palestinians accept its State as a condition for negotiations.

It is painful to recall that 50 years have passed since the occupation of the Arab territories. It is time to end the nightmare of occupation, which is the underlying cause of the increase in violence, radicalization and terrorism throughout our region. I have said for many years that violence and terrorism are the direct result of our failure to resolve the Palestinian issue.

The world needs us to arrive at a just and lasting solution to the conflict, in order to pave the way for peace and development and enable the Palestinians to regain their rights. The Security Council must uphold its responsibilities in this regard. I hope that it will be able to restore confidence and hope to the Palestinians and show them that the world will not abandon them and that they will not become forgotten statistics.

The Arab League is fully ready to work with the Council to achieve the long-desired peace.

The President (*spoke in Spanish*): I thank Mr. Aboul-Gheit for his briefing.

I now give the floor to Mr. Doran.

Mr. Doran: It is an honour to appear before the Council today to discuss the fiftieth anniversary of the 1967 war and the current state of Arab-Israeli peacemaking.

Permit me to focus my remarks on the key factors that prompted Israel to take control of the West Bank in 1967, and to discuss the continued significance of those factors today.

The 1967 crisis began with a lie. In May of that year, the Soviet Union falsely accused Israel of massing troops on the Syrian border. That lie gave Egyptian president Gamal Abdel Nasser a pretext to overturn the status quo in Egyptian-Israeli relations. Reacting to the Soviets' false claim and recognizing that it was a green light from Moscow to heat up the Arab-Israeli conflict, Nasser demanded the immediate departure of the United Nations Emergency Force from the Sinai Peninsula. He quickly massed the Egyptian military in the Sinai, closed the straits of Tiran to Israeli shipping and organized an anti-Israel coalition with Jordan and Syria.

Nasser knew full well that Israel would regard these steps as a *casus belli*. Indeed, his propaganda machine boasted that Egypt had given Israel no choice but to attack, and that, moreover, the destruction of the Jewish State was imminent, a theme that leaders around

the Arab world, including the Palestine Liberation Organization, loudly echoed. Israel responded to this threat with a set of lightning attacks against Egypt, which prompted King Hussein of Jordan to open fire on Israel, a fateful decision that ended with the West Bank in Israel's hands. Make no mistake, however: from beginning to end, this was Nasser's war.

For all that the world has changed, Israel today still faces adversaries that operate according to the Nasserist playbook. The greatest of those adversaries is Iran, which has created an anti-status-quo coalition made up of itself, Syria, and their proxies, Hizbullah, Palestinian Islamic Jihad and Hamas, among others. Like Nasser's Egypt, Iran aspires to be the leading Power in the Middle East, a goal that it pursues in multiple theatres simultaneously, including the Arab-Israeli arena, where it openly advocates the destruction of Israel.

The Security Council should indeed work to advance Israeli-Palestinian relations, but, in doing so, it must avoid policies that work to the advantage of Iran and its proxies, or that allow the Palestinians to duck direct negotiations. In recent years, three prevailing fallacies have prevented the United Nations from fashioning policies that meet these needs.

The first of is the idea that the Palestinian-Israeli conflict is the core of the larger Arab-Israeli conflict and, moreover, a centre of gravity in regional politics. If Palestinian-Israeli relations were truly so influential, then we would expect the relations between Israel and the Arab States to fluctuate in accordance with changes in Palestinian-Israeli relations. Such a pattern is not, and never has been, discernable. While Jordan and Egypt have both found it wise to make peace with Israel, Syria has refused. No knowledgeable observer would ever suggest that it was the Palestinian factor that prompted Syria to reject peace. If Israeli Prime Minister Netanyahu and Palestinian President Mahmoud Abbas were to sign a peace agreement tomorrow, neither Syria — nor Iran, for that matter — would honour it.

This point is so self-evident that it hardly seems worth noting, yet in its discussions of regional peace and security the United Nations routinely accords Palestinian-Israeli relations a special status that hardly seems justified on the basis of objective observation. At the same time, it has paid comparatively little attention to, for example, Iran's arming, training and

equipping of Hizbullah in contravention of Security Council resolutions.

Iran, the Al-Assad regime and Hizbullah have exploited the fixation of the international community on Israel to deflect attention from their wider regional aspirations — aspirations that they are pursuing with particularly murderous consequences in Syria today. More people have died in Syria at their hands in the last six years than have died on both sides in the Arab-Zionist conflict from its inception in the 1920s until today. Many more people have been made homeless in Syria than were ever turned into refugees by the Arab-Israeli wars. If the United Nations had worked to deter Iran and its allies in the last five years, how many Syrian lives would have been saved, and how many families would have remained safe in their homes?

The second fallacy is the idea that Israeli settlements on the West Bank are the primary impediment to peace between the Israelis and the Palestinians. The experience of the George W. Bush Administration, in which I served, taught us the opposite. It was a relatively easy matter for a President who is sympathetic to Israel's security concerns to convince the Israeli Government to limit territorial expansion of Israeli settlements. Early reports coming from the Trump Administration suggest that President Trump may have reached, or is in the process of reaching, a similar accommodation with Prime Minister Benjamin Netanyahu.

Historically, however, it has proven much harder to convince the Palestinian Authority to cease its incitement of its own population, whether through the naming of squares after terrorists, encouraging anti-Israeli attacks, glorifying terrorism in children's textbooks, or paying Government compensation to terrorists and their families. The extensive resources that the United Nations and its Members contribute to the upkeep of the Palestinian Authority give them a right to insist that those funds be used to foster a culture of tolerance based on a vision of two States living side by side in peace.

The third fallacy is the idea that Israeli intransigence is the key stumbling block in Arab-Israeli relations, and that, therefore, Israeli concessions are the key factor that will create the conditions for a settlement. The Israeli withdrawals from Lebanon in 2000 and Gaza in 2005 should have dispelled this idea forever. Rather than having a calming effect, however, those

withdrawals served only to increase the bloodlust of Hizbullah and Hamas.

The lesson was not lost on the Israelis. Any withdrawal from territory on the West Bank, therefore, must come with ironclad guarantees of Israeli security. Given the unsettled state of the region in general, the advances of the Iranian alliance in Lebanon, Syria, Iraq and Yemen, the persistence of Al-Qaida and the Islamic State in Iraq and the Levant, and the split among the Palestinians between Hamas and Fatah, no Israeli Government could take severe risks with respect to Israeli security on the West Bank and still hope to remain in power.

Israelis are already intensely aware that in a very short period of time they might find themselves peering across the Golan Heights at Iranian soldiers ensconced in Syria. How can the world ask them to take steps that could potentially lead to the Iranian penetration of the West Bank as well?

Those three fallacies foster a general perspective that places an exaggerated importance on Israeli actions. It misinterprets the behaviour of Arab and Muslim actors as a reaction to the Jewish State rather than as a product of their own regional strategies and perceptions. It encourages the Security Council, unconsciously perhaps, to reward the Palestinian Authority's efforts to internationalize the conflict — to look to the United Nations to intercede on its behalf in negotiations with Israel.

This drift toward internationalization is fraught with danger. When the United Nations replaces the Palestinians as the interlocutor with Israel regarding the final status of the West Bank, it reduces the chances for peace, because it does nothing to allay the very real security concerns of Israel. A better path forward is to urge the Palestinians back to direct negotiations. While the likelihood that those negotiations will result in a quick resolution of the final status issues is small, there is reason to be optimistic about interim accommodations that are manifestly in the interests of both sides. The new willingness of Sunni Arab States, which share Israel's concerns about Iran, to support constructive solutions is especially heartening.

I would like again to remind the Security Council of the example of Gamal Abdel Nasser. A revisionist school of historiography claims that he never wanted war in 1967. His best military units were bogged down in Yemen, his economy was a shambles and his

relations with Jordan and Syria, his putative allies, were abysmal. Why would a leader in such a precarious position behave so recklessly?

The revisionists have much of the story correct, but they miss a crucial factor. Nasser was applying lessons that he had learned a decade earlier, during the Suez crisis. Then, as in 1967, he had precipitated a war that he could not possibly win militarily, but which he believed he could win politically, because, he gambled, the super-Powers and the United Nations would intercede on his behalf. In 1956, that proved a very smart bet. In 1967, however, it utterly failed — with disastrous consequences for Egypt — to say nothing of the Palestinians. How much better would it have been for all parties if, back in 1956, the United Nations had insisted that, in return for an Israeli withdrawal from Egyptian territory, Nasser must grant Israel meaningful security guarantees?

The key lesson of the 1967 war is that peace is best achieved not by United Nations intercession but by facilitating direct negotiations between the parties.

I thank the Council again for the honour of addressing it on this important issue.

The President (*spoke in Spanish*): I have taken note of Mr. Doran's statement.

I now give the floor to Mr. Brahimi.

Mr. Brahimi: I am deeply grateful to the President for his kind invitation. I am greatly honoured to be back in this Chamber, this time as a member of The Elders.

Our founder, Nelson Mandela, was passionate about Palestine. He spoke about it repeatedly and always forcefully. He discussed his views with Jewish leaders in South Africa and the United States, and he thought he had convinced some of them that his support for the rights of the Palestinian people to self-determination and freedom was politically and morally right. When he launched The Elders, he gave our group three priorities. Palestine was one of them. In response, The Elders visited Palestine and Israel four times in the past eight years. Neither Prime Minister Netanyahu nor any member of his Government has ever agreed to meet them. We fully share Mandela's view that the Palestinians should have their State, that the two States of Israel and Palestine should live side by side in peace and that the security of all States in the region should be assured. The sad reality, however, is that 50 years after the start of Israel's occupation of the West Bank, the

Gaza Strip and East Jerusalem, little of consequence has been done to bring about a viable Palestinian State on those territories.

I am sure that many Council members read Nathan Thrall's 2 June article in *The New York Times*. With regard to the ongoing occupation, he says that this

“resilient and eminently sustainable arrangement has stood on three pillars: American backing, Palestinian weakness and Israeli indifference. Together, these three ensure that for the Israeli Government, continuing its occupation is far less costly than the concessions required to end it”.

I believe that the article implies that there is a fourth pillar sustaining the situation, and that is the near-total paralysis of the Security Council. Which of those pillars might change in order to break the deadlock? Apparently, not America's unconditional support for Israel. Thrall says,

“Americans are told that Israel will have to choose, and very soon, to give Palestinians either citizenship or independence, and choose to either remain a democracy or become an apartheid State. Yet none of these groups calls on the United States to force this supposed imminent choice, no matter how many times Israel demonstrates that it prefers a different, far easier option: continued occupation.”

Since 1967, the Palestinian people have endured grave acts of oppression, violence and collective punishment. During that time, Israel has built approximately 125 settlements and more than 100 so-called outposts on occupied Palestinian land, all in violation of international law. They have placed roughly 650,000 illegal settlers in Palestine, with 350,000 in the West Bank and 300,000 in East Jerusalem. They have imprisoned 800,000 Palestinians and destroyed 48,000 homes. They have revoked the residence permits of 250,000 Palestinians living in the West Bank and Gaza and more than 14,000 in East Jerusalem. The West Bank is fragmented by the separation wall and a multitude of other Israeli-imposed controls that affect Palestinian dignity and prevent the people from going about their normal business unhindered.

The Palestinian population is indeed extremely vulnerable and in desperate need of protection from the international community. That protection should be provided for under international law, notably the Fourth Geneva Convention. Regrettably, however, in the

Palestinian territories today the Geneva Conventions are referred to more in the breach than the observance. I would particularly like to draw the Council's attention to the dire situation in the Gaza Strip. There, another dismal milestone is being marked this year, the tenth anniversary of the imposition of a blockade that amounts to collective punishment of all of Gaza's 1.7 million people.

I have participated in only one of The Elders visits to Gaza, and that was in 2010. The misery in that unhappy, overcrowded strip of land is difficult to describe and more difficult to endure. A young woman student told us,

“Israel put us in a concentration camp. Those who call themselves our leaders are taking away the air we breathe”.

Only through the tireless efforts of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the World Food Programme and other United Nations agencies, as well as persistent interventions by the Secretary-General's Special Coordinator for the Middle Peace Process, are Gazans able to survive. But what kind of life is it for them — a densely crowded environment, half-destroyed cities, no work, undrinkable water, electricity available for only a few hours a day when it is available at all, and their basic humanity robbed by constant humiliation and the need to depend for survival on the charity of others? To add insult to injury, the irresponsible failure of the Palestinian leaders, especially those of Fatah and Hamas, to reconcile and unite is a huge hindrance both to the daily life of the people and to the struggle of civil society, prisoners and others to mobilize national, regional and international support for the fight against occupation.

Despite James Wolfensohn's personal commitment and commendable efforts, the Quartet achieved little before the appointment of Mr. Tony Blair, and since then has been totally absent. As I am sure the Council knows, many today think that the Quartet has outlived its usefulness. Nevertheless, there is a crying and urgent need for the Security Council to play an active role in that regard. The Council might wish to begin by organizing a visit of all its members to Israel and Palestine. Remarkably, considering the longevity of this issue on the Council's agenda, and the frequency of its visits to other conflict zones, there has been no field visit for many decades. On that trip, the members could

take the opportunity to talk to all parties, but above all to civil-society representatives in Israel and Palestine. They could thereby see for themselves all the harm that has been done to the Palestinian people, as well as what the occupation is doing to the psychological and moral fibre of the men, women and children of both the occupying Power and the occupied people. In that connection, I would like to put on record The Elders appreciation for the work of the peace movement in Israel and its brave human rights defenders such as B'Tselem, Breaking the Silence, and the Israeli Committee against House Demolition, as well as the writings of such outstanding authors as Gideon Levy and Uri Avnery.

If the Council could make such a visit, its members would see how urgent it is to enforce the many binding resolutions that the Council has adopted since the June 1967 war, starting with resolutions 242 (1967) and 338 (1973) and including the most recent, resolution 2334 (2016), which focused on the illegality of settlement building. In that connection, is there any need to remind the Council that resolution 2334 (2016) is already being flouted? The recent Israeli Government decision to legalize the so-called outposts in the West Bank once again demonstrates its disregard for international law and the Council's decisions.

The not-so-discreet contacts of the Israeli Government with some countries in the region cannot be a substitute for peace with the Palestinians. Only a genuine, just solution to the Palestinian problem will open the way to lasting peace and cooperation between Israel and all its neighbours.

The Arab Peace Initiative provides a sound basis for that to happen. Issued at the Arab Summit in Beirut in 2002, the Initiative has been ignored by the Israeli Government all these years. Unanimously, Arab countries called on Israel and all Israelis

“to accept this Initiative in order to safeguard the prospects for peace and stop the further shedding of blood, enabling the Arab countries and Israel to live in peace and good neighbourliness and provide future generations with security, stability and prosperity.”

Israeli politicians of the left and of the right and the media in Israel and civil society routinely speak of the danger of apartheid. Some warn that their country may become an apartheid State; others denounce practices that are already creating an apartheid system. Be that as

it may, Palestinians have rights. They have individual rights like all human beings and they have collective rights like any other people in the world. And they have the right to fight for their rights with all the legitimate means available to them.

The Charter of the United Nations, international law and international humanitarian law, as well as all norms of international solidarity, call for effective support to be given to the legitimate struggle of the Palestinian people against occupation and oppression. Such support will in fact help liberate both Palestine and Israel.

The President (*spoke in Spanish*): I sincerely thank Mr. Brahimi, member of The Elders, for his briefing.

I shall now give the floor to those members of the Security Council who wish to make statements.

Mrs. Haley (United States of America): I thank all of our briefers who spoke with us today.

First, the United States condemns in the strongest terms the cowardly terrorist attack last week in Jerusalem. This stabbing attack left one Israeli border guard dead and wounded several others. We express our deepest sympathies to the victims and their families. The United States reiterates its commitment to stand with Israel against these forces of terror.

Hamas is one of those forces of terror, which yet again showed its true colours to the world earlier this month. It is a terrorist organization so ruthless that it will not hesitate to put the lives of innocent children on the line. A few weeks ago, United Nations officials discovered a tunnel underneath two schools run by the United Nations in Gaza. It was the exact type of tunnel that Hamas has used for years. Those tunnels are what Hamas uses to smuggle in the materials they need to make rockets or to sneak into Israel to attack civilians or kidnap them in the dead of night. Imagine children playing in their schoolyard while Hamas moves explosives underneath their feet. Imagine children trying to learn while a few feet below terrorists might have been crawling towards Israel. All of this was happening under a building flying a flag of the United Nations. It is an outrage.

But when we consider Hamas and the other terrorist organizations that operate in Gaza, the existence of that tunnel should not be a surprise. This is the way Hamas does business. Tunnels in heavily populated civilian areas are its signature. Hamas hides military

infrastructure in and around apartment buildings, hospitals and, as we saw again this month, United Nations compounds. In this way, Hamas consciously plots and plans to attack civilians and it uses the cover of civilian buildings to launch those attacks. It is a sick and cynical strategy.

There is a terrible humanitarian crisis in Gaza. We remain a strong supporter of Gaza's recovery and reconstruction. I myself was at the Gaza border earlier this month, where Special Coordinator Mladenov briefed me on the latest chilling developments. What is happening to the people of Gaza is heartbreaking, and it is so preventable. Gaza is prime real estate on the Mediterranean Sea. It has enormous potential, but the potential is being squandered by the terrorists who govern it.

Make no mistake: Israel did not cause the problems in Gaza, even though it is often the usual suspect around here. Ten years ago every Israeli soldier was withdrawn from Gaza, and for the past 10 years, there has not been a single Israeli settler in Gaza. Other outside countries and political factions are also not the cause of Gaza's problems. We all would like to see Palestinians in Gaza receive the aid they so desperately need, and we will continue to work to find avenues to get aid safely to them. But we should never forget that the responsibility for this humanitarian crisis rests squarely with the one group that actually controls Gaza: Hamas.

Hamas has exercised control over Gaza since 2007. After 10 years of Hamas rule, life for the people of Gaza is worse than ever before. Rather than govern, Hamas chooses to devote its resources to building a terrorist arsenal. Rather than pursuing peace, Hamas chooses to provoke destructive wars. Rather than allowing help to reach the Palestinian people, Hamas chooses to divert untold amounts of aid to feed its military enterprise.

I saw how this works firsthand. I walked through one of the terrorist tunnels coming out of the Gaza Strip, which Israel discovered and has since secured. The top and sides of the tunnel were lined with solid, sturdy concrete. We know how badly Palestinians in Gaza need concrete to rebuild their homes. But there, in that tunnel, we see how Hamas uses the concrete Gaza receives — not to help the people, but to fortify its terrorist infrastructure. Hamas remains a terrorist organization bent on Israel's destruction. Its goal is to defeat Israel by force. It will use all the resources it can to continue the fight.

The Security Council must stand up to condemn Hamas' terror. Hamas represents yet another regional threat that the Council far too often ignores. While United Nations agencies and Member States dissect Israel's actions, few speak out against the terror that Hamas continues to plot. Some States Members of the Organization even maintain ties to Hamas and other terrorist groups that flourish in Gaza.

The Security Council must unite to say that enough is enough. We need to pressure Hamas to end its tyranny over the people of Gaza. We should condemn Hamas in the Council's resolutions and statements. We should name Hamas as the group responsible when rockets are fired from Gaza or when fresh tunnels are discovered. And we should designate Hamas as a terrorist organization in a resolution, with consequences for anyone who continues to support it. That is how we can help build a more peaceful Middle East, and how we can fulfil our responsibility on the Council to actually maintain international peace and security. And while we must do whatever we can to ease the suffering of the people in Gaza, we must also recognize that the suffering will not be fully addressed until the terrorists lose their grip on power.

All States have a role to play here. We must do much more to show Hamas that we will never tolerate terrorism. We must show that when Hamas uses homes and schools to hide its terrorist infrastructure, there will be consequences. Those who give Hamas the arms, money and political support to operate must cease. And if they do not, Member States of the United Nations need to come together to put real pressure on supporters of Hamas to stop. Together, we can show Hamas that their terrorist tactics will lead only to more isolation. Together, we can show Hamas that their terrorist tactics will fail. We should act now, before Hamas puts the people of Gaza at risk again by building more tunnels under their feet.

I want to conclude by saying that I spent a lot of time in Israel and also in Palestinian areas. I spoke with Israeli and Palestinian leaders. I went to schools of the United Nations Relief and Works Agency for Palestine Refugees in the Near East. I went to every border of Israel. I saw the threats. There are threats that completely surround Israel from every single side.

The Council can go and do what it always does — pick a side, bashing either Israel or the Palestinian Authority. That will get us nowhere. But

anyone who has seen what I saw — the current terrorist activity in that area — would understand that every ounce of what we say in the Council, pitting the two sides against each other, is only strengthening the terrorists. Every ounce of what we do should combat Hamas. They are a dangerous actor that has no care for the Palestinians, no care for the Israelis, and is determined to destroy everything in their path.

Once again, we are having this meeting, and once again we will hear speeches on whether a country is for Israel, against Israel, for Palestinians or against Palestinians. But I would ask that each country address the real threat that is causing so many people harm — the threat of Hamas.

Mr. Wilson (United Kingdom): I join others in welcoming our briefers this morning and I thank Special Representative of the Secretary-General Mladenov for his second report on the implementation of resolution 2334 (2016) and for all his tireless work.

As each briefer made clear, the Middle East continues to face an unrelenting human tragedy of multiple conflicts and rising tensions. For many in the region, it is a tragedy that has gone on for over half a century. We recognize that the anniversary of the Six-Day War holds great significance for all sides of the Arab-Israeli conflict. For Israelis, it marks the anniversary of a war from which Israel emerged victorious against all the odds. For Palestinians, it marks an enduring tragedy of 50 years of occupation, 50 years without self-determination.

Let us be clear: half a century of Israeli occupation in the West Bank and Gaza is a tragedy for all sides — a tragedy for Palestinians, who yearn for independence, and a tragedy for Israelis, who yearn for peace and security. It is a tragedy that has been exploited, with terrorist groups such as Hamas and Hizbullah cynically manipulating the narrative of occupation for their own ends.

So many decades of violence, loss, anger and hate only prove that conflicts cannot be managed or contained in perpetuity. This year we must move towards peace, with the support of the region and the international community, rather than towards an uncertain and dangerous future. Support for a two-State solution is the only way to ensure a just and lasting resolution to the Israeli-Palestinian conflict. If we are to make that a reality, it is incumbent upon both sides

to refrain from any steps that damage the prospects of a two-State solution.

That means the people of Israel must live free from the scourge of terrorism and anti-Semitic incitement, which gravely undermine the prospects for a two-State solution. We condemn the horrific murder of Hadas Malka, a 23-year-old Israeli policewoman last Friday. We condemn the recent discovery of part of a tunnel passing under two United Nations Relief and Works Agency for Palestine Refugees in the Near East schools in Gaza. We call on Hamas to renounce violence and dismantle its tunnel network. They cannot be allowed to pose a threat to Israel's security.

If the two-State solution is to become a reality, it also must mean Israel refraining from further settlement expansion. Only last week, the United Kingdom's Foreign Secretary condemned Israel's latest announcement to build over 3,000 settlement units throughout the West Bank. The number of units planned for construction this year is now at its highest in a quarter of a century. Those moves undermine the physical viability of two States for two peoples.

Despite those challenges, the United Kingdom's long-standing position on the Middle East peace process remains clear and unchanged. We support a negotiated settlement leading to a safe and secure Israel living alongside a viable and sovereign Palestinian State based on 1967 borders — with agreed land swaps, with Jerusalem as the shared capital of both States and a just, fair, agreed and realistic settlement for refugees.

But that vision has proved elusive for far too long. The changing regional context in converging Arab and Israeli interests presents a unique opening to develop Arab-Israeli relations and create the conditions for serious Israeli-Palestinian talks to resume. With that in mind, we welcome the reaffirmation of the Secretary-General of the League of Arab States of the Arab Peace Initiative here today. We must support the leadership and engagement that President Trump and his Administration have demonstrated in reinvigorating the Middle East peace process.

We call on the region, Israelis and Palestinians to seize the opportunity that this presents and turn 2017 not just into another anniversary of occupation but a new anniversary of peace. We cannot afford to fail. As Special Coordinator Mladenov made clear, there is an urgent need to address the dire and deteriorating

humanitarian situation in Gaza with over 65,000 people currently displaced.

The ongoing energy crisis is particularly concerning. Energy supplying Gaza will soon fall to just three hours per day. That is having a serious humanitarian impact, disrupting basic services, including water treatment and essential medical operations. This latest crisis underlines the need for de-escalation, dialogue and a durable agreement between Palestinian actors that results in the Palestinian Authority's full control over the Gaza Strip.

Before I conclude, let me turn briefly to the situation in Lebanon. We welcome the new electoral law, ratified by the Lebanese Parliament on 16 June. It is an important milestone towards continued governance and stability, which paves the way for new elections. But we must not forget the importance of ensuring stability flowing across the whole of Lebanon. In that regard, we are concerned about the increase in Hizbullah rhetoric along Lebanon's southern border and we call on both sides to abide by resolutions 1701 (2006) and 1559 (2004). Renewed conflict is in neither side's interest. We call on all actors to take steps to de-escalate tensions.

Mr. Rosselli (Uruguay) (*spoke in Spanish*): I thank all of the briefers for their contributions this morning, particularly the Special Coordinator for the Middle East Peace Process, Mr. Nickolay Mladenov, and I assure him of the full support of Uruguay in carrying out his work.

Uruguay welcomes the presentation of the second report on the implementation of resolution 2334 (2016). We regret that there is no accompanying written report, as it contains a great deal of information that requires a careful reading. As such, we must now wait two or three days for the oral version to be transcribed into the Security Council meetings records. We do not understand why no written report was submitted and why we must wait for the records to be published.

Fifty years of war. Fifty years marred by violence, serious military clashes, terrorist attacks, abductions, killings and the death of tens of thousands of innocent civilians, as well as the suffering of millions. The roots of this conflict stretch far back into the pages of history. The people's hopes of living in peace and security were dashed by inequality, lack of opportunities, intolerance and mutual accusations in which one side is always right and acts properly and the other side is wrong and acts perversely.

Thus, tensions mounted every few years and clashes resulted in maximum destruction and death. Until one day, perhaps exhausted by the pointless shedding of so much blood and having understood that they could continue for years without either party emerging victorious, they had the courage to cease hostilities, sit down for talks and opt for peace.

It is clear that I am talking about the peace process in Colombia. Members will ask why I am referring today to Colombia. The answer is simple. Colombia best exemplifies that peace can be achieved after a long conflict if the parties involved show a real and firm commitment to negotiate and reach an agreement and have the courage to risk everything so as to abide by the agreement.

The Peace Agreement in Colombia sent a powerful message of hope throughout the world at a time when numerous armed conflicts continued to take place, including one of the most prolonged and complex of them, which has confronted Israel and Palestine for the past 70 years.

The United Nations and the Security Council have stood witness to the conflict between Israel and Palestine since its inception. For seven decades, unilateral, regional and multilateral efforts have been made to advance peace in the Middle East. There have been moments of real hope and milestones, such as the Oslo Accords, the Quartet's road map and the Arab Peace Initiative, among others, whereby it seems that the progress achieved is rapidly dissolved by the decisions and actions of one or both parties, thereby heightening tensions and only encouraging the most extremist positions.

Regrettably, for years, we have witnessed an unsustainable situation that risks voiding efforts made thus far to achieve peace. In that context, six months ago, the Security Council adopted resolution 2334 (2016), aimed at stabilizing and reversing negative trends on the ground that jeopardize the prospects of peace and the two-State solution. It was a clear demonstration of the importance that the international community places on the peaceful and successful conclusion of this process. Despite that, to date, Israel has stepped up its announcements to continue its settlement policy in the occupied territories, which flouts that resolution and resolution 242 (1967), which affirms that the acquisition of territory by force is inadmissible.

Similarly, the continuation of violent incidents and terrorist attacks, the silence of complicity, the lack of censure and punishment in connection with their incitement and glorification and the incomprehensible policy of financially compensating the families of prisoners or those who die in the commission of such acts does not in any way advance peace by seriously placing in jeopardy the possibility of achieving the two-State solution. Uruguay has condemned and will continue to condemn such acts vigorously.

Together with the overwhelming majority of the international community, Uruguay strongly supports the solution of two independent States and is convinced that that is the only option that will lead to the peaceful coexistence of Israel and Palestine. For that to happen, the parties will have to facilitate conditions for finding a negotiated settlement that is mutually acceptable and resolves pending issues related to the conflict.

As we have done unequivocally since 1947, we once again reaffirm our unconditional support for the right of Israel and Palestine to live in peace, within secure and recognized borders and in an atmosphere of renewed cooperation, free of any threats or actions that would jeopardize peace.

It is essential to reverse current trends on the ground that will make establishing a Palestinian State extremely difficult. It is also necessary that the Israeli and Palestinian authorities fulfil their obligations under international law and pursuant to the Council's resolutions and send a clear political message so as to break free from the vicious cycle of mutual mistrust.

After the 70 years during which Israel established itself as an integrated and modern State and a full Member of the Organization, Palestine continues to face serious difficulties in connection with its development, international integration and consolidation of its territory, which entail serious repercussions for its people and increased tensions in the entire region.

Furthermore, the Israeli occupation of territories, which constitutes a clear violation of international law and the relevant resolutions of the Council, has also contributed to causing a serious humanitarian situation for the Palestinians remaining in those territories and for those seeking refuge in other countries of the region. That is a historical injustice that must be righted by the parties with the support of international community and the Council.

Uruguay welcomes all international, regional and unilateral initiatives that will allow for progress in the quest for solutions in the peace process in the Middle East so as to achieve a peaceful, fair, negotiated and lasting solution in line with international law, thereby enshrining the legitimate aspirations of both parties. We continue to call on both parties to resume direct bilateral negotiations as soon as possible without preconditions as an essential step towards achieving peace and the two-State solution — a goal shared by the vast majority of Israelis and Palestinians and denied to them thus far by their leaders.

Mr. Liu Jieyi (China) (*spoke in Chinese*): I thank Special Coordinator Mladenov for his video briefing. I also thank Secretary-General Aboul-Gheit, Mr. Brahimi and Mr. Doran for their presence and briefings.

The question of Palestine has dragged on for years and has defied resolutions owing to its complexity. Palestine and Israel have been neighbours for ever, and their lots are closely linked. They in effect share a common destiny. Only by resolving disputes and differences through dialogue and consultations and turning their swords into ploughshares will they be able to find an answer to the Palestinian question and the more fundamental issues concerning the Middle East.

The international community should act with a renewed sense of urgency and collectively shoulder the responsibility of defending the legitimate rights and interests of the Palestinian people. There is an urgent need for both sides to exercise restraint and take concrete actions to resume peace talks without delay so as to realize the two-State solution as soon as possible.

First, an independent State of Palestine and the peaceful coexistence between Palestine and Israel is the correct path for the efforts of the international community. The establishment of a fully sovereign State of Palestine based on the 1967 borders with East Jerusalem as its capital is the inalienable right of the Palestinian people, as well as the key to resolving the Palestinian question. Based on the principle of land-for-peace, the two-State solution, the Arab Peace Initiative and the relevant Security Council resolutions, all parties should determinedly promote the peace process.

Secondly, both sides should continue to demonstrate good will and resume talks without delay in line with the interests of the two peoples. Both sides should effectively implement resolution 2334 (2016) and, in both words and actions, demonstrate their sincerity

to return to peace talks and rebuild trust. Violence directed against innocent civilians must stop. Israel should cease its settlement expansion and its closure of the Gaza Strip, and, at the same time, step up efforts to improve the livelihoods of the Palestinian people.

Thirdly, the international community should build consensus and synergy, which are an indispensable external condition for resolving the Palestinian issue. China welcomes the League of Arab States, the Organization of Islamic Cooperation and countries with influence as they play a greater role and step up their efforts with both parties to consolidate the will for peace talks and build momentum. The leading role of the United Nations should be brought into full play and any results of such efforts should be endorsed by the Security Council.

China supports all international efforts aimed at promoting peace between Palestine and Israel. Recently, the relevant parties engaged in diplomatic efforts to promote the resumption of talks. We hope that both parties will continue their positive response in order to relaunch negotiations at an early date. China is a staunch supporter of the just cause of the Palestinian people and an active mediator for peace between Palestine and Israel. In 2013, Chinese President Xi Jinping put forward a four-point proposal for resolving the Palestinian issue. In 2016, Foreign Minister Wang Yi proposed three steps and deadlines for relaunching the peace process. China's Special Envoy on the Middle East Issue recently visited Palestine and Israel to encourage both sides to meet each other halfway. China is ready to step up its efforts with all relevant parties to promote an early, comprehensive and just solution to the Palestinian-Israeli issue so as to realize peace and stability in the Middle East.

Today, 20 June, is World Refugee Day. The international community should not forget the plight of millions of Palestinian refugees and should continue to provide humanitarian assistance to them. We commend and support the efforts of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and laud the refugee-receiving countries on their contributions. China will continue to provide assistance to Palestine, including by helping Palestine to achieve social and economic development under the framework of the Belt and Road Initiative.

Mr. Safronkov (Russian Federation) (*spoke in Russian*): We would like to thank Mr. Mladenov,

Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General; His Excellency Mr. Aboul-Gheit, Secretary-General of the League of Arab States; and Mr. Lakhdar Brahimi, member of The Elders, for their detailed briefings.

The fiftieth anniversary of Israeli occupation of Palestinian territory on the West Bank of the Jordan River and the Gaza Strip occurs at a time of turbulent transformation of the Middle East and North Africa. Russia condemns terrorism in all of its forms and manifestations. We are outraged and express our condolences to all who have fallen victim to such heinous crimes.

With the rise of international terrorism to the centre stage of global affairs as the main threat, the Palestinian-Israeli conflict has been unfairly pushed into the background. In that adverse context, the Palestinian-Israeli conflict continues to deepen. The two-State prospect is waning. Rather than addressing it, destabilizing factors fraught with risk of escalation have only worsened. They now loom large over Gaza. The absence of a political horizon is due to a chronic stalemate in the peace process. It has reinforced a sense of despair for the average person, first and foremost in Palestine. As a consequence, radicals have been given additional room for manoeuvre.

Russia's position on the Middle East conflict has remained guided by principle and consistency. We firmly believe that a just solution to the Palestinian problem is of key importance for improving the situation in the entire region. If not solved, the ongoing conflict between Israel and Palestine will continue to taint international affairs, frustrate efforts to settle other regional crises and fuel terrorism. In that regard, we advocate a comprehensive, fair and lasting solution to the Palestinian-Israeli conflict on the basis of international law. That includes Security Council resolutions and the Arab Peace Initiative, which was just affirmed by His Excellency Mr. Aboul-Gheit.

We are sure that a lasting solution to the conflict can be found through direct talks between sides, without preconditions. Such talks should lead to an end to Israel's occupation of Arab land that began in 1967. They should lead to the creation of an independent, viable Palestinian State with contiguous borders, existing side by side in peace with Israel, within safe and recognized borders and with East Jerusalem as its capital and West Jerusalem as the capital of Israel.

We see no alternative to the two-State solution. We believe that it is the only realistic manner in which to halt the face-off between Israel and Palestine and the claims they levy against each another. We call upon Palestinians and Israelis to refrain from using violence and unilateral actions that might skew the outcome of the peace process. That pertains to the building of Israeli settlements on occupied Palestinian territory. We are sure that, more than ever today, there is a need to take practical steps to break the dangerous deadlock in the peace process.

To that end, we continue to make efforts to bring about the resumption of direct political dialogue between Palestinians and Israelis, bilaterally and in other formats. Our initiative to convene a meeting between President Abbas and Prime Minister Netanyahu in Moscow remains on the table. We would like to see a speedy resumption of activity from the Middle East Quartet of international mediators. Let us not forget about the issue of inter-Palestinian divisions. Regrettably, such divisions are also at their 10-year mark. Effectively overcoming divisions on the basis of the political platform of the Palestinian Liberation Organization and the Arab Peace Initiative is in line with the national interests of all Palestinians and will serve to improve the situation in Gaza and create a sound basis for the success of a future political process.

Russia is making its contribution to reinstating Palestinian unity and notes the efforts of other States, in particular the Arab Republic of Egypt.

We would like to call the attention of the Security Council to the fact that the destabilization of the situation in the Middle East and North Africa has a most serious impact on the Christians living there and on other religious and ethnic minorities. Extremists draw upon ethnic and religious factors to incite hatred and fill their own ranks. Russia continues its efforts to curb attacks on Christians and other minorities, as well as to prevent the fragmentation of civilizations and religions. That is the very lens through which we should consider the joint statement of February last year issued by Patriarch Kirill of Moscow and all Rus' and Pope Francis in Havana. It was an appeal to take swift steps to halt the mass exodus of Christians from Middle Eastern countries. That was also the goal of the 7 April Tashkent joint statement issued by the Foreign Ministers of the Commonwealth of Independent States, with regard to the inadmissibility of discrimination and

intolerance against Christians, Muslims and members of other religions.

History has many nuances but one thing remains clear. We established the Security Council to bring Member States together, not divide them. Today's review of the situation in the Middle East underscores an indisputable fact — resolving the numerous problems, new and old, in this long-suffering region is possible only through political and diplomatic means and collective efforts. A choice must be made for dialogue and engagement, rather than isolation and animosity. We think that pooling cooperation between the Security Council and the League of Arab States would serve this cause. The joint meeting between the Security Council and the League of Arab States in Cairo in May 2016 created a necessary foundation for these endeavours. However, we must realize that the situation in the Middle East can be improved only with the formation of a broad front of States working to suppress the terrorist threat. Today the relevant initiative — presented by the President of Russia, Mr. Vladimir Putin, to the General Assembly in September 2015 (see A/70/PV.13) — is gaining even more relevance. Russia stands ready to engage in collective work, and it is in constant contact with all States of the region.

Mr. Umarov (Kazakhstan): We express our appreciation to the Special Coordinator for the Middle East Peace Process, Mr. Mladenov, for his comprehensive and objective briefing. We also thank all the invited briefers for their thoughtful and important contribution to this significant issue.

As we continue to witness unprecedented, grave crises in the Middle East, which have been a major destabilizing factor in global security for five decades, we believe that now is the time to seriously address those issues. Kazakhstan's position on the Middle East process is crystal clear and remains unchanged. We support negotiations that would result in a two-State solution and call for the prompt resumption of such negotiations, especially in the bilateral format, without preconditions. The ultimate goal should be the restoration and promotion of the peace process, in accordance with resolutions 242 (1967) and 338 (1973), the Madrid principles, the land for peace formula and the Arab Peace Initiative.

Kazakhstan strongly believes that the Security Council and individual United Nations institutions should work together to develop a new, more detailed

road map reflecting the demands and wishes of Israelis and Palestinians. Such a road map could help to facilitate direct talks between the sides. There should be a stop to settlement enlargement on the Palestinian territories, which could lead to a new cycle of violence that nobody wants.

My country underscores the importance of achieving inter-Palestinian unity. There should be a unified Palestinian voice in negotiations with Israel and the international community. The difficult humanitarian situation in the region, which includes, *inter alia*, extreme poverty, growing unemployment and the chronic economic backwardness of Gaza, contributes to instability and frustration, which can, in turn, create conditions that lead to the resumption of the conflict. Kazakhstan is particularly concerned about the gravity of the Palestinian situation and calls for urgent international action to mitigate suffering. The blockades and checkpoints imposed on Gaza only aggravate the social, economic and humanitarian situation and diminish the prospects for peace.

We welcome and support Israel's decision to provide some economic concessions to the Palestinians to facilitate and ease the conditions of daily living in the territory of the Palestinian Authority.

Finally, Kazakhstan is convinced that the efforts of the co-sponsors of the peace process, international and regional organizations, as well as the good will of all sides and actors in the negotiating process, should bring a political solution to the Middle East.

Mr. Kawamura (Japan): At the outset, I would also like to thank the briefers for their informative briefings.

I appreciate Mr. Mladenov's briefing on the implementation of resolution 2334 (2016), which deals with prominent obstacles to achieving just and sustainable peace in the region. I would like to stress that the resolution must be taken as a whole, and all efforts must contribute to the re-launching of political dialogue, which is a fundamental method of conflict resolution.

Japan continues to support a two-State solution based on the 1967 lines, with mutually agreed swaps, in a way that will achieve the peaceful co-existence of a viable Palestinian State and Israel within secure and recognized borders. The obstacles mentioned in the resolution continue to exist and hamper the peace process. In the last three months, we heard announcements of

the building of a new settlement, and the expansion of housing units within existing settlements in the West Bank. Japan remains firm in its position that settlement activities are in violation of international law, and has repeatedly called upon the Government of Israel to fully freeze settlement activities.

Cases of violence, such as the shooting and stabbing attack in the vicinity of the Old City of Jerusalem last week, cannot be justified for any reason. Such attacks intensify the cycle of violence, and Japan is concerned about the further cases of violence that followed. Japan condemns all acts of violence and rejects incitement and the glorification of violence, as they are fundamentally incompatible with a peaceful resolution of the conflict. In that regard, Japan is increasingly concerned about the deteriorating situation in Gaza, which was mentioned by Mr. Mladenov in his briefing. Extreme power shortages in Gaza are affecting every aspect of human life, including health, water, sanitation and municipal services. Desperation and frustration felt on the ground may cause a further unstable security situation, and the risk is increasing as we speak today. The crisis points to the importance of promoting reconciliation among the Palestinians. Furthermore, it points to the importance of working towards easing and eventually lifting the Gaza blockade, while duly taking security concerns into account.

Japan, for its part, has provided economic assistance worth \$34 million to Palestine so far this year, half of which is used to assist the livelihood of the people of Gaza. Resolution 2334 (2016) also calls upon the parties to exert collective efforts to launch credible negotiations on final-status issues. Japan appreciates the efforts made by various parties to promote dialogue between the parties. We are especially encouraged by the dialogue between the United States and the relevant parties at the highest levels, and believe that it is essential to promoting the peace process.

Japan is contributing to confidence-building efforts between the Israelis and the Palestinians, which will form the basis for credible negotiations. The Jericho Agro-Industrial Park, which is celebrating its tenth anniversary, currently hosts six Palestinian firms, creating jobs on the ground. This was only possible because of cooperation among Japan, Israel, Palestine and Jordan. Through cooperation, mutual trust is fostered and the know-how of economic development is gained. There is potential to enhance the collaborative nature of the project. We are currently encouraging

other States to visit the Jericho Agro-Industrial Park and to consider the participation of private-sector firms in the project.

Fifty years of occupation and nearly 70 years of unresolved conflict should remind all of us of the heavy cost incurred in the region and of the opportunities that were missed. Japan reiterates that peace would unlock new political, economic, security and cultural opportunities, to the benefit of the region and beyond. To that end, Japan will continue its engagement through political dialogue with the parties, confidence-building in the region and economic assistance to the Palestinians.

Mr. Skau (Sweden): Let me begin by thanking the Secretary-General of the League of Arab States, Mr. Ahmed Aboul-Gheit; the Special Coordinator for the Middle East Peace Process, Mr. Nickolay Mladenov; and Mr. Lakhdar Brahimi for their briefings and for their tireless efforts striving for peace. I also thank Mr. Michael Doran for sharing his perspective with the Council today.

This month marks 50 years since the 1967 Six-Day War, which resulted in the occupation of the West Bank, including East Jerusalem, Gaza and the Syrian Golan. Since then, the Palestinian question has rarely been far from the top of the Council's agenda, with the Council, in successive resolutions, calling for the establishment of a just and lasting peace in the Middle East that includes the withdrawal of Israel from the occupied territories.

The hardships faced by generations of Palestinians during the Israeli occupation are numerous, not least for those forced to leave their homes to seek refuge elsewhere. The United Nations Relief and Works Agency for Palestine Refugees in the Near East, which has supported Palestinian refugees since 1950, now faces a chronically difficult financial situation. As a major donor to the Agency, Sweden fully supports the recommendations contained in the Secretary-General's recent report on sustainable funding. To mobilize the much-needed political and financial support, we look forward to hosting a high-level meeting, together with Jordan and the Organization of Islamic Cooperation, on 21 September during this year's session of the General Assembly.

Today I would like to make three points on what we believe is needed now to move forward.

First, the international community remains clear in its stance on the occupation and the need for a two-State solution. But we must act before it is too late; otherwise, the solution that the Council is striving for — two States, Israel and Palestine, living side by side in peace and security — will move beyond our reach, resulting in a one-State reality and perpetual occupation.

A renewed peace effort between Israelis and Palestinians is needed. After decades of violence and suffering that has affected both sides, this anniversary reminds us that the parties alone are not able to resolve the conflict. Together with the Israelis and Palestinians, the international community and the Council have a responsibility to remain engaged to end the occupation and achieve peace.

The United States has always played a leading role in efforts to resolve the conflict. United States leadership to revive the peace process is key, and we welcome the efforts made by the United States Administration in this regard.

Regional partners also have a key role to play. The Arab Peace Initiative, as Secretary-General Aboul-Gheit has outlined today, is essential. Any regional effort should build on this initiative, as it could contribute to a new dynamic benefiting all actors.

The support and active engagement of the people directly affected, particularly the youth of Israel and Palestine, is also much needed. Generations have grown up shaped by recurring cycles of violence and retribution. People-to-people contacts are now at a record low. Sweden, actively engaged with civil society in both Israel and Palestine, calls for a re-engagement with young people, in line with resolution 2250 (2015), and the revival of a public debate on the prospects for peace and a two-State solution. We must show the post-Oslo generation that there is an alternative to violence and occupation; after all, it is their future that is at stake. The purpose of Sweden's recognition of Palestine was to contribute to making the parties less unequal and to give hope and belief in the future to young Palestinians and Israelis alike.

Secondly, the humanitarian situation in Gaza is deteriorating by the day. The civilian population, particularly women and children, is bearing the brunt of the suffering. The decision of the Israeli Government, with the consent of the Palestinian Authority, to further reduce electricity supplies to Gaza is adding to the suffering and risks, leading to a dangerous escalation.

A new conflict in Gaza would be in no one's interest, and we must prevent it from happening. We continue to call on all Palestinian factions to engage, in good faith, in a reconciliation process leading to a unified Palestinian leadership and a reunification of Gaza with the West Bank, including East Jerusalem.

Thirdly, we welcome the Secretary-General's quarterly report on the implementation of resolution 2334 (2016). The resolution contains clear messages to both parties, and both parties have a duty to implement its provisions, including by ensuring accountability for acts of violence against civilians. The continued construction and expansion of settlements as well as violence and acts of provocation will, if not reversed, render the two-State solution impossible.

It is therefore vital that the issue of settlements be addressed without delay. As clearly stated by the Council, settlements in occupied territory constitute a flagrant violation of international law and a major obstacle to the achievement of the two-State solution. Furthermore, in resolution 2334 (2016), the Security Council reiterated its demand that Israel immediately and completely cease all settlement activities.

The recent Israeli announcement of the construction of 3,000 new settlement units is worrying and contradicts Israel's commitment to the two-State solution. In line with resolution 2334 (2016), we also call on all States to distinguish between the territory of the State of Israel and the territories occupied in 1967 in their dealings.

Ending the occupation will improve the lives of both Israelis and Palestinians as well as contribute to wider peace and security in the region. This must be our common goal. The Council must stand ready to assist, and we must spare no effort.

Mr. Aboulatta (Egypt) (*spoke in Arabic*): Mr. President, I should like to thank you and your country for your initiative of holding a meeting of the Security Council to mark the fiftieth anniversary of the Israeli occupation of Arab territory, particularly Palestinian and Syrian territory. I thank Mr. Ahmed Aboul-Gheit, Secretary-General of the League of Arab States, with whom I have had the honour and privilege of working here in the United Nations in a previous capacity, and Mr. Lakhdar Brahimi for the very comprehensive briefings they delivered to the Council.

Today's meeting indeed represents an important fresh appeal for peace in the Middle East based primarily on resolving the core issue in the region, that is, the Palestinian question. Our discussions today have served to remind the world of the outlines for a resolution to this issue, in particular the need to put an end to the longest-standing occupation in the modern history of humankind, an occupation that began on 5 June 1967.

The sheer length of the occupation of the Palestinian territories and the decades-long absence of justice for the Palestinian people has led many to doubt the effectiveness of the international Organization, the international system as a whole and the Security Council in preserving and upholding the rights enshrined in the Charter of this House, as well as to deliver on the purposes that led to the creation of the United Nations, that is, the right of peoples to self-determination.

Some are questioning the effectiveness of addressing this issue within the United Nations going forward, saying that this hinders prospects for a genuine resolution or represents an attempt to impose a fait accompli on certain parties. We reiterate that the actions of the United Nations, including the Security Council, have never, since the very outbreak of the crisis, had the purpose of acting as an aggressor against, isolating or besieging a State or of detracting from its legality. Rather, the goal has been to complement the efforts made by the Organization for the past 70 years, since it decided to establish two States: Israel, which has been duly established, and the second, which we hope will soon enjoy full sovereignty over its own territory.

We have never asked the United Nations to, or hoped that it would, impose a solution, which would be unrealistic and impossible. We remain convinced that negotiations remain the best means of bringing about a just and lasting peace in the region.

Until a peace agreement is reached, our international Organization must remain the key organ with respect to, and the legitimate guarantor of, the inalienable legal rights of the Palestinian people and the parameters for the hoped-for negotiations.

Against that backdrop, we would like to thank Mr. Nickolay Mladenov for his very comprehensive briefing this morning. We would also like to thank him for having presented the second report of the Secretary-General on the implementation of resolution 2334 (2016), and his comments on the resolution's provisions

and parameters. We have followed very closely and with a great deal of interest the implementation of resolution 2334 (2016) and we would call upon both parties — once again, the Palestinian and Israeli sides — to listen very carefully to Mr. Mladenov, to be guided by him, to implement the provisions of resolution 2334 (2016) and to refrain from any unilateral measures, in particular the current unprecedented and illegal settlement activity we are seeing in the occupied Palestinian territory, which risks the prospects for the two-State solution. We would also recall the various Security Council resolutions that set out the key parameters agreed by the international community, in particular the two-State solution on the basis of the 1967 borders, including Al-Quds Al-Sharif.

We thank all those who are working on the humanitarian track to try mitigate the suffering of the Palestinian people in that territory, and indeed outside the borders of this territory, namely, those who are refugees. These humanitarian workers provide crucial services to successive generations of Palestinians who have known no other fate than the occupation and its nefarious practices. We particularly thank the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), which, for a long time now, has provided services to millions of Palestinian refugees.

I call upon all current stakeholders concerned to work to overcome the financial crisis facing UNRWA via the options put forward by the Secretary-General in his report. Mitigating the suffering of the Palestinians under the boot of occupation is the very least that the international community should and could do currently. It would be a key step forward towards a definitive solution of the question, and failing to do so would have a very adverse impact.

In the past, some have tried to relieve the suffering of the Palestinian people through partial solutions, which is how they have tried to heal the wounds, but this has essentially been a cover for preserving the status quo. An attempt to preserve things as they currently stand will only have the impact of leading to greater division, discord and deterioration of the relationship between the Palestinian and Israeli peoples, and it will also lead to the further embedding of a de facto situation that jeopardizes a bright future for both parties, including the Palestinians. The right to live in safety is the right of all peoples in the region, including, we acknowledge, the right of the Israelis to live in peace within their duly agreed borders and in the

framework of a policy of good-neighbourliness with the States in the region, particularly the Arab States, which are Israel's neighbours.

But I am sure that members of the Council will also agree with me that the equality of rights of all peoples is the bedrock of justice and stability. All must enjoy full equality. It is impossible to imagine peace, security and prosperity being enjoyed by these people as long as the suffering of the Palestinian people continues.

A reduction in the levels of violence, which are very high in this conflict, even when compared with other conflicts in the region, means grappling with the importance of the Palestinian issue, really giving it is just due and understanding the risks that surround it. But those who believe that the Palestinian question is any way lesser than other conflicts in the region are mistaken in that belief. We believe that dealing with the Palestinian question is vital for the freedom of millions of people around the world, including in particular people in the region. It would also be upholding justice as it is truly to be seen on the global stage.

The injustices meted out for so long now against the Palestinian people are evidence of a most deeply rooted crisis and point to dysfunction in terms of the delivery of justice in this region. We must always keep this background in mind and remember that this has been the truth for some time now, as the Palestinian people have aspired to freedom and liberty for so long, having been forced out of their homes, faced with destruction, forced to live as prisoners, blockaded and separated from one another physically, given that their territory is physically divided between the West Bank and the Gaza Strip, which has become a ticking time bomb. We must bear in the mind the successive generations for whom this has been the plight, who have been imprisoned in this way throughout their lives without any political solution in sight that might allow them to dare to hope for a brighter future.

I do not want to touch upon, or give any weight to, the jumble of facts that we heard in today's meeting during the intervention by one of the speakers. That speaker ignored the injustice endured by the Palestinians and the seizure of their land during the period from 1948 to 1967, and even before the capture of the West Bank and Jerusalem. He also ignored the global movement that President Nasser led against colonialism all over the world, especially in Africa and in the Arab World.

We are not here to discuss historical facts full of conflicts. I am deeply surprised that the speaker ignored the fact that Egypt was the first country to conclude a peace treaty with Israel. I am also surprised at his boldness in justifying the occupation of others' land by force and at his support for the ongoing forced deportation, demolition of houses and crimes against humanity committed by Israel against Palestinians for decades. Regrettably, that extremist approach for justifying crimes is in itself capable of rekindling conflicts once again, despite all efforts towards peace.

The historic appeal launched by the Arab States remains the best proof that we are committed to the principles of peace as upheld by the international community, and we see it as the basis for ending the conflict and ushering in a land of peace. The most recent Arab League Summit reiterated the determination of the Heads of State and Government in the region to stand behind the Arab Peace Initiative, as they marked the fiftieth anniversary of the occupation of the Palestinian territory.

We would like to reiterate our congratulations to the United States Government for its determination to find a lasting solution to this issue. Egypt will support those to forge contacts with Israeli and Palestinian partners so that this laudable goal may be achieved.

Finally, it is high time for those who have a stake in this conflict to understand that the Israeli and Palestinian peoples share a common destiny and a common future, as they live side by side. The aspirations of the two peoples are for peace and security, and those aspirations can be met only by accepting the reality that the two peoples are neighbours and that they must therefore live side by side and coexist as two independent States living in peace — an Israeli State and a Palestinian State, whose capital would be Al-Quds Al-Sharif — on the basis of the 1967 borders.

Mr. Cardi (Italy): I would like to thank all the briefers for their contributions to today's debate.

Before delivering my statement, I wish to condemn in the strongest terms last Friday's terror attack in Jerusalem and the murder of the Israeli police officer Hadas Malka. We wish to extend our sympathy to the victims of the attack and to their families.

Fifty years have passed since the 1967 war. There must be no room for fatalism or resignation. On the country, this anniversary must reinforce our

collective resolve to work for a peace deal between Israelis and Palestinians. Regardless of the length of the historical controversy or the complexity of the geopolitical situation, where there is a will there is a way. We are encouraged by the level of engagement that the United States Administration is showing on the Middle East peace process, and we support its efforts. Any new approach that can lead to a just and lasting peace will be welcome, and Italy will contribute to it as long as it remains within the Oslo framework and is aimed at a two-State solution, which in our view is the only achievable possibility.

Although we maintain that peace must ultimately be attained through direct negotiations between the parties, we believe that the support of other actors is also of paramount importance. I refer in particular to the role of the Middle East Quartet, which has the ability to contribute effectively to creating new momentum for the peace process. In that regard, I should stress that the European Union, as a member of the Quartet, continues to consider the peace process one of its top priorities. Similarly, a credible path towards peace requires the direct involvement of the main Arab partners, which recently reaffirmed the importance of the Arab Peace Initiative as a strategic tool in helping to achieve peace between Israel and Palestine and bring about a future of cooperation and prosperity for the entire Middle East. Besides that, intensifying and accelerating those international diplomatic efforts is an integral aspect of resolution 2334 (2016), about which we have just received the second quarterly report of the Special Coordinator for the Middle East Peace Process.

The resolution is very clear on violence. There is no justification whatever for any acts of violence or terror of any kind by anyone, nor for any incitement to such violence. All those in charge have a fundamental obligation to take a clear stance against any kind of violence, take all possible measures to prevent and end such violence or incitement to it and firmly condemn any attacks and their perpetrators. Provocations and inflammatory rhetoric should also be avoided by all concerned. With regard to settlements, we continue to believe that they are an obstacle to a two-State solution and that they give rise to further tensions and do not contribute to achieving peace.

Any diplomatic initiative relies on solid partners and their willingness to make bold decisions. That is why we support Palestine's President Mahmoud Abbas as the legitimate representative of the Palestinian

leadership, which has the responsibility to engage constructively in order to advance peace negotiations. It is time for the Palestinian Authority to retake control of the Gaza Strip, where living conditions have deteriorated dramatically thanks to years of neglect, political clashes and conflict. In the process of restoring the whole of Palestine under a single democratic and legitimate authority, it is absolutely essential to ensure that the humanitarian imperative is taken into account.

In the light of that complicated environment, I would like to express Italy's deep appreciation for the hard work that has lately been done by the Special Coordinator and his staff, and by the United Nations Relief and Works Agency for Palestine Refugees in the Near East and all United Nations entities in the region in general. I would once again like to stress the invaluable contribution that the United Nations has made to the lives of Palestinians in the region and to the security of Israel itself. In that spirit, we encourage all United Nations agencies operating in the area to further strengthen the vetting and accountability mechanisms relating to their own employees.

In conclusion, we firmly believe that the two-State vision remains the only achievable goal that can bring this long conflict to an end and the only one that will help the international community rally for the stabilization of the entire Middle East.

Mr. Seck (Senegal) (*spoke in French*): Like others, Mr. President, the Senegalese delegation would like to thank you for organizing today's monthly briefing on the situation in the Middle East, including the Palestinian question, and in particular for producing the concept note that has helped us to focus our discussion this morning. I would also like to thank today's briefers — Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General; Mr. Ahmed Aboul-Gheit, Secretary-General of the League of Arab States; and Mr. Lakhdar Brahimi, member of The Elders — and to acknowledge the participation of Mr. Michael Doran of the Hudson Institute. The information they have given us sheds light on the enormous challenges that, sadly, are still to be overcome if we are to put the Middle East peace process back on track.

Seventy years after the General Assembly's adoption of resolution 181 (II) and 50 years after the occupation of the Palestinian territories began, we are

dealing with two entities in the Middle East. On the one hand we have a democratic and prosperous Israeli State, as the resolution envisaged, and on the other the people of Palestine, who are still seeking the fulfilment of their legitimate aspirations for an independent and viable State. Because the tensions have been exacerbated by the lack of tangible progress in the political process and the reality on the ground, we should recall Mr. Mladenov's report on the implementation of resolution 2334 (2016), to the effect that the international community, and the Security Council first and foremost, has no alternative but to redouble its perseverance and creativity on the issue if we are to achieve a two-State solution. What is at stake is not only ensuring international peace and security but also enabling the forces of moderation to triumph in a context where extremism and terrorism are in the ascendant. We believe that an Israeli-Arab peace could be a powerful antidote to the plague of violent extremism and terrorism that is devastating the region and spilling over well beyond it. I would therefore like to reiterate our call to the parties to work resolutely on the basis of the relevant United Nations resolutions to reverse the negative trends on the ground that are threatening the possibility of a two-State solution. That is why there must be an end to the occupation and incitements to hatred and violence, wherever they originate, whoever are their perpetrators and whatever their motives. In that regard, we welcome the efforts of Israeli and Palestinian civil society aimed at building greater understanding between their peoples at a grass-roots level, with a view to using innovative ideas to contribute to the only valid solution, which is a two-State solution.

With regard to the explosive and intolerable situation in Gaza, including the persistent electricity problem, which affects 2 million people, half of them children, we urge the Palestinian political stakeholders to work to find a definitive solution with the help of the parties concerned. In an area that is already dealing with extraordinarily difficult humanitarian and socioeconomic issues, a lasting settlement of Gaza's infrastructure problems of water, sanitation and electricity must be achieved. We reiterate our support for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), which is continuing its vital work, particularly in the areas of education and health, for more than 5 million Palestinian refugees. We also call on the international community to urgently provide sufficient, predictable and ongoing financing to UNRWA.

The diplomatic initiatives undertaken by several countries — such as France, Egypt, Jordan and the Russian Federation — have now been joined by the efforts currently being made by the United States.

In Senegal's opinion, the reaffirmation of the Arab Peace Initiative at the most recent Summit of the League of Arab States was a considerable step forward. Senegal strongly encourages and supports all such initiatives.

Along the same lines, the forum marking 50 years of occupation that the Committee on the Exercise of the Inalienable Rights of the Palestinian People is planning to organize in New York from 29 and 30 June is part of the efforts to achieve greater understanding among the parties and a peaceful negotiated political solution to this dispute.

In conclusion, I call on the international community, in particular the Security Council, to redouble its efforts with a view to returning to the spirit of the partition plan so that, like the Israelis, the Palestinians will also have a viable and sovereign State, on the basis of the 1967 borders.

Mr. Delattre (France) (*spoke in French*): At the outset, I would like to thank the Secretary-General of League of Arab States, Mr. Ahmed Aboul-Gheit; the Special Coordinator for the Middle East Peace Process, Mr. Nickolay Mladenov; Mr. Lakhdar Brahimi, member of The Elders; and Mr. Michael Doran, Senior Fellow at the Hudson Institute, for their briefings. The picture they have painted of the situation in both Israel and Palestine, and throughout the region, is very bleak.

In a regional environment marked by numerous and deadly crises, the Israeli-Palestinian conflict stands out for its longevity and its structural aspects. Beginning with its longevity, a few months from now we will commemorate the seventieth anniversary of the partition plan adopted by General Assembly via resolution 181 (II), which was immediately followed by the first Israeli-Arab war. This month is also the fiftieth anniversary of the June 1967 war and the occupation of the Palestinian territories and East Jerusalem, which came in its wake. We must not view this moment as a simple moment of remembrance or as an exercise in resignation, but rather it should compel us to look to the future and to breathe new life into our endeavours.

That is particularly true because the second hallmark of the Israeli-Palestinian conflict is its structure. The lack of a solution to the conflict, which

is serious in and of itself, is also an ongoing threat to international security. As a result of the very serious nature of the conflict, its symbolic aspect and the place it has taken in the collective imagination, the scope of this unresolved conflict is structural and goes well beyond the territory of Israel and Palestine. Any escalation in the conflict risks destabilizing the region uncontrollably. That is why we cannot resign ourselves to a fake status quo, which conceals daily erosion on the ground and of the spirit. The goal of this path is clear: to put an end to the two-State solution as being a mirage in the desert, which would be a leap into the unknown and into the risk of a worse situation.

I believe we all share the view that the current painful situation has gone on for too long. It has gone on for too long for the Palestinians, who, for too long, have been deprived of their legitimate right to pursue statehood as a result of the occupation and see that prospect slipping further from their grasp and disappearing with the expansion of the settlement policy. The announcements at the beginning of the month of nearly 3,000 new housing units built in the Israeli settlements in the West Bank are part of a worrying trend and represent an increase of 70 per cent in settlement construction this year, as compared with last year, according to figures just published by the Israel Central Bureau of Statistics. With nearly 600,000 settlers in East Jerusalem and the West Bank, we are reaching the point of no return and we are faced with the question of the possibility of the two-State solution slipping away, without another viable solution. We must remember that the occupation is illegal under international law and makes achieving peace impossible.

This situation has gone on too long for the Israelis as well, because the prospects for a never-ending pursuit of occupation and colonization contradicts the democratic foundations of the State of Israel, because the full regional integration of Israel into the wider region is possible only once peace has been reached with the Palestinians and because violence flourishes in the void presented by the dearth of a political solution.

The attack that took place on Friday in Jerusalem, which claimed the life of a young female member of the Israeli police force and which France robustly condemned, is another tragic example of my point. The waves of violence that follow one after another, especially in Jerusalem, serve only to harden mutual defiance.

Yet, while the Israeli-Palestinian conflict is now the oldest of the conflicts that are ripping the Middle East apart, it is also the only one whose solution is known and widely shared within the international community. Despite the constant deterioration of the situation on the ground, the parameters of a future agreement have not changed: two States living in peace and security with contiguous, secure and recognized borders drawn on the basis of the 1967 demarcation lines and mutually agreed land swaps; with Jerusalem as the capital of both States; and with an agreed, realistic, just and equitable solution for Palestinian refugees.

There is no viable alternative to the two-State solution, neither for the Israelis nor for the Palestinians. The past 50 years have taught that the fates of these two peoples are intertwined, and that no one can sustainably fulfil their national aspirations by denying those of the other side.

Finally, I wish once again to publicly express France's concerns about the situation in the Gaza Strip. The ongoing humanitarian crisis in which this territory is entrenched has been aggravated by the blocking of the electricity supply, which has lasted for about two months. The inhabitants of Gaza today live with an average of two to four hours of electricity per day, and the energy crisis has serious consequences for the medical, sanitation and water treatment infrastructure facilities in particular. We must therefore take action to improve the situation in Gaza, particularly at the humanitarian level. All stakeholders must take responsibility to ensure that a lasting solution can be found in and for Gaza. This is urgent. If nothing is done, the ongoing tensions could lead to a new deadly conflict, like those that the Gaza Strip experienced three times in the past nine years. We cannot allow that to happen. Israel must therefore fulfil its responsibilities by alleviating the restrictions it imposes on the access to goods and people into and out of Gaza, which should be the precursor to a lifting of the blockade and which must be accompanied by robust security guarantees. It is also crucial that the Palestinians reach a reconciliation agreement, as we know that there will be no viable Palestinian State without Palestinian unity on the basis of the two-State solution.

France is a friend of both Palestinians and Israelis. That is why it can speak to them truthfully and repeatedly call on them to return to the negotiating table, and that is why my country will never give up.

We will continue to act in furtherance of that goal with our main partners.

In the region, the Arab Peace Initiative remains the essential framework for making peace with the Palestinians the first step towards the regional integration of Israel. We hope that the commitment of the United States Administration, through its renewed diplomatic effort, will help to restart the negotiation process between Israelis and Palestinians. With our European Union partners, we stand ready to help the parties resume negotiations.

Fifty years of occupation means two successive generations of Palestinians and Israelis who have lived through the current conflict. The situation is both physically and psychologically devastating. It is time to put an end to it.

Mr. Yelchenko (Ukraine): Let me thank all the briefers for their valuable insights.

Year after year, members of the Security Council attest to the grim reality of a seemingly perpetual deadlock in the Middle East peace process. The composition of the Council changes, but the messages and signals heard around the table remain basically the same, amid little change in the overall situation. The reasons for this state of affairs are well known, so there is no need to turn to the name-and-shame game again. The recipe for breaking the stalemate is also known. Each side knows what exact steps are expected of them.

Yet again, we have to signal our strong concern about the continuous recurrence of violence. The terrorist attack that was thwarted on 16 June near the Damascus Gate in Jerusalem is a clear reminder of the very dangerous situation that we are currently facing. We condemn all manifestations of terrorism and praise the professionalism of the police forces that did not allow civilians to be hurt.

Time and again, the international community hears declarations of goodwill and readiness to explore peace options. However, what is missing is the follow-up to those declarations in the form of concrete actions. All available venues and opportunities must be exhaustively explored and attempted with a view to achieving greater security for Israel and Arab States.

We continue to believe that the Middle East peace process can and will be successful. The principle of a two-State solution, with Israel and Palestine coexisting in peace and security, remains valid despite well-

known difficulties in overcoming the deadlock, where it happens to be at the moment.

We are certainly quite far from that goal. The parties have a long road ahead before they find a way to resolve the conflict. However, the good news is that for the last two months we have seen a number of high-profile visits to Israel and the Arab world. We hope that the groundwork that has been laid recently will provide the necessary impetus to restart the negotiation process. The key is for the parties to correctly interpret that message and seize the opportunity. One thing to avoid, however, is setting conditions and waiting for the other side to make unilateral concessions. Moves to reinvigorate the political track will have to be reciprocal.

In that context, we welcome the meeting held between top Palestinian and Israeli officials, during which the two sides agreed on a number of measures to improve the economic situation in the Palestinian territories, to enable more Palestinian development in Area C, to adjust Israeli enforcement policies and to expand the working hours of the Israeli-controlled Allenby Bridge border crossing between Jordan and the West Bank. Such steps benefit both parties, as they improve the atmosphere to facilitate the renewal of negotiations. We highly appreciate the renewed efforts of the United States to bring them together.

While we applaud those measures, we must not overlook the importance of focusing on a political solution. Otherwise, if the sides continue to dig in their entrenched positions, we will witness the repetition of the past five decades. It is hardly anybody's wish to see, in 50 years, in the Chamber, a repeat of today's meeting, albeit with different participants. To avoid such a scenario, we reiterate that the way forward lies in elaborating a workable Israeli-Palestinian peace agreement built on the relevant Security Council resolutions and the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative of 2002, the Quartet road map and the agreements previously reached between the parties.

Mr. Alemu (Ethiopia): I would like to thank Mr. Nickolay Mladenov, Mr. Lakhdar Brahimi, Mr. Ahmed Aboul-Gheit and Mr. Michael Doran for sharing their insights and perspectives. They all spoke with passion — and rightly so — and their briefings were very useful. I am very appreciative.

We understand that there is one historic fact, as many have already mentioned, that gives context to

the briefing on the Middle East this month — that June 2017 marks 50 years since the 1967 Arab-Israeli conflict, with all of its implications. There is no doubt that the Israeli-Palestinian conflict has been one of the disputes at the core of the dangerous situation that essentially has defined the Middle East region for the past several decades

Today's meeting provides the Council an opportunity to reflect on efforts that have been made thus far and renew its commitment to helping to resolve this long-standing dispute. The Council and the international community cannot claim to have done enough in that regard. We have all failed.

For what it is worth, Ethiopia's position has been very clear — we fully support the goal of two States living side-by-side in peace and security as the only viable option to resolving the Israeli-Palestinian dispute. Unfortunately, peace has so far remained elusive, to the detriment of Israelis and Palestinians, as well as to the peace and stability of the Middle East region. Actions of both sides that run counter to the achievement of a negotiated peace have not only continued to increase frustration and mistrust but also undermine the very viability of the two-State solution.

We know full well that ultimately it is up to the two parties to achieve peace and resolve the conflict. It is therefore absolutely imperative that the two sides resume direct and meaningful negotiations in order to reach a comprehensive, just and lasting solution on the basis of mutual respect and the spirit of compromise that ensures Israel's security and Palestinian aspirations for Statehood. We believe the Council has a duty and responsibility to support and encourage that process with a view to ensuring the viability of the two-State solution and the achievement of lasting peace. The loss of the opportunity to realize the two-State solution would be a tragedy of historic proportions. The Council has the responsibility to make sure that does not happen.

The President (*spoke in Spanish*): I shall now make a statement in my national capacity as representative of the Plurinational State of Bolivia.

I wish to thank the briefers for their presentations, including Mr. Ahmed Aboul-Gheit, Secretary-General of the League of Arab States and Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General. I also welcome to today's meeting Mr. Lakhdar Brahimi, member of The Elders, the

Secretary-General's Chef de Cabinet, as well as Assistant Secretary-General Miroslav Jenča.

Bolivia reaffirms its support of the self-determination of the Palestinian people and its right to a free, sovereign and independent State within the pre-1967 internationally recognized borders, with East Jerusalem as its capital, in accordance with the relevant Security Council and General Assembly resolutions.

Bolivia is constitutionally a pacifist State that promotes the right of peoples to cultivate and achieve peace as well as cooperation among the peoples of the world, and, in the most strident terms, condemns all forms wars of aggression as means of resolving disputes and conflicts between States. In that vein, we believe that the sole alternative for ensuring a just and lasting peace with regard to the conflict between Israel and Palestine is through direct negotiations, using the existing mechanisms enshrined in the Charter of the United Nations and in compliance with the Organization's own resolutions.

Bolivia would like to take this opportunity to recall that, on 22 of November 1967, the Security Council unanimously adopted resolution 242 (1967). The resolution states that one of the fundamental principles for achieving peace in the Middle East is the withdrawal of the Israeli armed forces from the territories they have occupied since that time. Similarly, we would like to highlight that there have been various initiatives in recent years to try to resolve the situation through dialogue: the Camp David talks, led by then-President of the United States Jimmy Carter in 1978, the Madrid Peace Conference in 1991, the Oslo Accords in 1993, the Arab Peace Initiative in 2002, advanced by the League of Arab States, and, in 2003, the Quartet, made up of the United States, Russia, the European Union and the United Nations, drafted the road map, which laid the foundation for negotiations between Israel and Palestine and the recognition of the Palestinian State.

The issue, however, is not of a purely bilateral nature. The entire international community has voiced an opinion on this subject. In that regard, I would like to join the Heads of State and Government of the Movement of Non-Aligned Countries in what they expressed in the declaration of the seventeenth Summit of Heads and State and Government of the Movement of Non-Aligned Countries on the Island of Margarita, just a few months ago. I would like to recall that the Movement of Non-Aligned Countries brings together approximately

two thirds of the international community. This is a topic that does not only concern the Security Council but, as I said, the entire international community.

Allow me to read out the relevant paragraphs from the declaration.

(spoke in English)

“The Heads of State or Government express their hope for genuine, rapid progress to be made to resolve the final status issues regarding the question of Palestine, namely, refugees, Jerusalem, settlements, borders, security, water and prisoners, underscoring that the just resolution of all of these issues is imperative for conclusion of a comprehensive and final peace agreement. They call for international efforts to support peace initiatives to overcome the obstacles that have repeatedly caused the failure of negotiations, stressing in this regard their grave concern about the critical political, economic, social, humanitarian and security situation in the occupied Palestinian territory, including East Jerusalem, as a result of ongoing unlawful policies and practices by Israel, the occupying Power, as well as the negative impact on peace efforts. They express grave concern in particular at the dramatic deterioration of the situation in the Gaza Strip due to the Israeli military aggression in July and August 2014, which caused widespread human trauma and destruction amounting to a humanitarian disaster.

“The Heads of State or Government condemn Israel’s continuing military occupation of the Palestinian territory in breach of international law and United Nations resolutions. They condemn the continuing brutal Israeli military campaign against the defenceless Palestinian people, by which the occupying Power has continued to commit grave human rights violations and reported war crimes, including by use of excessive, indiscriminate force that over the years has killed and injured thousands of Palestinian civilians, including children, and has caused vast destruction of properties, infrastructure and agricultural lands. They also condemn illegal Israeli settlement activities, by which the occupying Power has continued to colonize the occupied Palestinian territory, including East Jerusalem, and to forcibly displace Palestinian civilians, in grave breach of international law. They further condemn the provocations and incitement

by groups of extremist settlers, including against the holy sites in occupied East Jerusalem and the vandalization of mosques and churches, which are fuelling tensions and religious sensitivities that risk further destabilization. They also condemn Israel’s imposition of collective punishment on the Palestinian people by various illegal measures, particularly in the Gaza Strip, which has been subjected to an illegal Israeli blockade since 2007. The Heads of State or Government reiterate their demand that Israel, the occupying Power, immediately cease all such violations of international law, including international humanitarian law and human rights law, and fully abide by its legal obligations, including under the Fourth Geneva Convention.

“The Heads of State or Government stress the incompatibility of peace negotiations with Israeli colonization activities and demand an immediate cessation and reversal of all such illegal activities. They express deep concern about the extensive physical, economic and social devastation being caused by the Israeli settlements, wall and network of checkpoints, which are severing the Palestinian territory into separate areas, including several walled cantons, isolating East Jerusalem from the rest of the territory, forcibly displacing thousands of Palestinians from their homes, including many Bedouin families, particularly in the Jordan Valley, and completely destroying some communities. They stress that such actions gravely undermine the contiguity, integrity, viability and unity of the occupied Palestinian territory and jeopardize the prospects for physically achieving the two-State solution for peace on the basis of the 1967 borders. They recall, in this regard, the United Nations Register of Damage caused by the Construction of the Wall in the Occupied Palestinian Territory and call for the speedy fulfilment of its mandate in order to redress the losses and suffering being endured by the Palestinian people as a result of the wall.”

(spoke in Spanish)

This is a matter of global importance and is at the heart of the serious situation that the Middle East is experiencing. Bolivia believes it an inescapable duty to recall that for 50 years — half a century — a systematic occupation has been deployed in violation of international law. This meeting must be scene through

two prisms. First, it must first be seen as a call for peace and as support for all peace initiatives. Secondly, it must be seen as recognizing that, for 50 years — if we are talking just about the occupation — there has been a collective failure on the part of the Security Council and the international community, during which time we have failed more than 5 million Palestinian refugees. Today is the International Day of Refugees. Those children who arrived in the first refugee camps 50 years ago have seen their children and grandchildren born as refugees. The past 50 years have been marked by the failure of the international community because the Palestinian situation, the occupation and the sped-up construction of settlements show how we have acted according to double standards. In practice, there are resolutions that are not being complied with and about which we do not want to talk. It is a 50-year collective failure because, today, in this very Chamber, we have been alerted to the fact that we are on the brink of a

humanitarian catastrophe in Gaza. And there is a silence of complicity in the shadow of the impending tragedy.

It is a 50-year failure on the part of the Security Council because the construction of settlements has not only not ceased, but has increased, and our resolutions, including the latest recently adopted by the Security Council (resolution 2334 (2016)), have had no effect. For 50 years we have failed the Palestinian as well as the Israeli people because, without any doubt, both peoples want to live in peace and security. For 50 years the international community has similarly failed itself because we have not been able to comply with the purposes and principles of the Charter of the United Nations.

I now resume my functions as the President of the Council.

The meeting rose at 1 p.m.



Security Council

Seventy-second year

8054th meeting

Monday, 25 September 2017, 10 a.m.

New York

Provisional

President: Mr. Alemu (Ethiopia)

Members:

Bolivia (Plurinational State of)	Mr. Inchauste Jordán
China	Mr. Zhang Dianbin
Egypt	Mr. Aboulatta
France	Mr. Delattre
Italy	Mr. Cardi
Japan	Mr. Bessho
Kazakhstan	Mr. Umarov
Russian Federation	Mr. Nebenzia
Senegal	Mr. Seck
Sweden	Mr. Skoog
Ukraine	Mr. Yelchenko
United Kingdom of Great Britain and Northern Ireland . .	Mr. Rycroft
United States of America	Ms. Sison
Uruguay	Mr. Bermúdez

Agenda

The situation in the Middle East, including the Palestinian question

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The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President: In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, to participate in this meeting.

On behalf of the Council, I welcome Mr. Nickolay Mladenov, who is joining this meeting via video-conference from Jerusalem.

The Security Council will now begin its consideration of the item on its agenda.

I now give the floor to Mr. Mladenov.

Mr. Mladenov: Today I devote my regular briefing to the Security Council to reporting, on behalf of the Secretary-General, on the implementation of resolution 2334 (2016) during the period from 20 June to 20 September. In this third briefing, I will once again focus on developments on the ground in accordance with the provisions of the resolution, including on regional and international efforts to advance the peace process.

During the reporting period, Israel did not cease all settlement activities in the occupied Palestinian territory, including East Jerusalem, or fully respect all of its legal obligations in this regard, as called for by the resolution. Since 20 June, Israel's illegal settlement activities have continued at a high rate — a consistent pattern over the course of this year. Activity during this period was concentrated primarily in occupied East Jerusalem, where plans were advanced for over 2,300 housing units in July, 30 per cent more than for the whole of 2016. That includes plans for some 1,600 units expanding a ring of settlements north of East Jerusalem, as well as in the Palestinian neighbourhood of Sheikh Jarrah, adjacent to the Old City. While no plans were advanced in Area C during the reporting period, in early September construction resumed on the new settlement of Amihai, in the heart of the West Bank.

The reporting period witnessed the eviction of a Palestinian family in Sheikh Jarrah, residents for over

50 years, after a protracted legal battle. The building is located in a section of the neighbourhood in which several settlement plans were among those promoted in July. Eviction proceedings are under way for some 180 Palestinian families in East Jerusalem, over 60 of whom reside in Sheikh Jarrah.

Meanwhile, according to the Office for the Coordination of Humanitarian Affairs, the destruction of Palestinian-owned property across the West Bank, including East Jerusalem, continued, albeit at a significantly lower rate. Overall since the beginning of 2017, 344 structures have been demolished, a third of them in East Jerusalem, displacing some 500 people. In Area C of the occupied West Bank in August, three educational facilities, serving 175 children, were demolished or confiscated, citing the lack of building permits, which are virtually impossible for Palestinians to obtain.

On 25 July, in the city of Hebron, 15 Israeli settler families illegally occupied the Abu Rajab/Machpelah House, despite ongoing legal proceedings over its ownership. On 27 August, the Israeli Government notified the High Court of Justice that it would evict the settlers within one week. However, that process has been put on hold by a temporary injunction issued by the Court.

In other related developments, on 26 July an amendment to the Basic Law: Jerusalem, Capital of Israel passed a first reading in the Knesset. If approved, the law would further cement Israeli control over East Jerusalem. On 17 August, the High Court of Justice issued a temporary injunction formally postponing the application of the so-called regularization law. On 31 August, a military order was issued establishing a civil services administration that upgrades the status of settlements in the H2 area of Hebron, further consolidating Israeli presence there and reinforcing the existing separation and division in this highly volatile area, where some 500 Israelis live among some 40,000 Palestinians. The United Nations considers all settlement activities to be illegal under international law and an impediment to peace. Resolution 2334 (2016) states that the international community will not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed to by the parties themselves through negotiations.

I will now turn to the issue of violence, which persists as one of the main obstacles to resolving the

conflict. Resolution 2334 (2016) calls on all sides to prevent such acts and to strengthen efforts to combat terrorism, including through existing security coordination. Although the reporting period was characterized by relatively low levels of fatalities, a number of incidents occurred, particularly related to the unrest following the fatal 14 July attack against two Israeli policemen in Jerusalem's Old City.

During the reporting period, 19 Palestinians, five of whom were in Area A of the West Bank, were killed in attacks, clashes and Israeli military operations. Eight Israelis were killed in clashes and attacks, including the three Israeli-Arab perpetrators of the 14 July attack, who were killed by the security forces. Of the 19 Palestinian fatalities, five were killed during protests and subsequent clashes related to the unrest in Jerusalem. On 21 July, a Palestinian brutally murdered three members of an Israeli family in a terrorist attack in the West Bank settlement of Halamish.

In a reaction to the events at the Holy Esplanade, on 21 July Palestinian President Abbas declared a freeze of all contacts with Israel at all levels, including security coordination. After three months of quiet, on 26 June, 23 and 24 July and 8 August Palestinian militants fired rockets towards Israel, with no injuries reported. In response, the Israel Defense Forces conducted five airstrikes in Gaza, resulting in three Palestinians being injured. On 17 August, one Palestinian was killed by a suicide bomber, who was also killed, close to the Egyptian border in Gaza. This appears to have been the first suicide bombing affecting Hamas forces in Gaza.

During the reporting period, settler-related violence also continued. Some 26 incidents were documented, the majority involving the vandalization of Palestinian agricultural property around Nablus, and assaults against Palestinians in and around Hebron. Meanwhile, at least 26 Palestinian attacks also took place against Israeli settlers, resulting in casualties or property damage. Punitive demolitions also continued during the reporting period, with Israeli authorities demolishing five homes belonging to families of Palestinian perpetrators of attacks.

The reporting period also witnessed a shrinking space for civil society and freedom of expression. On 24 June, the Palestinian President issued, by decree, the Cybercrime Law. Since then, at least six journalists, one human rights activist in Hebron and a number of others have reportedly been arrested. While most

were subsequently released, these arrests raise strong concerns that the law is being used to curtail freedom of expression. In Gaza, a social media activist was arrested by Hamas on 3 July and detained for almost two weeks on charges of incitement against the de facto authorities, while a journalist was detained for more than two months on unclear allegations of collaboration with the authorities in Ramallah.

Resolution 2334 (2016) called upon both parties to refrain from acts of provocation, incitement and inflammatory rhetoric, and to condemn all acts of terrorism. At the height of the July crisis around the holy sites of Jerusalem, officials and representatives on all sides employed provocative rhetoric. In the midst of what were largely peaceful protests, Hamas and senior Palestinian Authority officials called for an escalation and a day of rage across the occupied Palestinian territory. Hamas and others continued to openly glorify terror attacks, describing the murder of three Israelis at their home in Halamish as "heroic". Meanwhile, President Abbas explicitly condemned the 14 July attack and, in an attempt to calm tensions at the holy sites, some Palestinian leaders and religious authorities on both sides called on protestors to avoid violence and provocation.

With regard to settlements, Israeli officials continued to use provocative rhetoric in support of expansion. On 3 August, the Israeli Prime Minister delivered an inauguration speech at the launch of the construction of 1,000 new housing units in the Beitar Illit settlement, in which he praised the achievements of his Government in promoting settlement construction. On 28 August, he said that

"there will be no more uprooting of settlements in the land of Israel We will deepen our roots, build, strengthen and settle".

Other senior Israeli politicians also made repeated calls for annexation of the West Bank, with one Member of the Knesset expressing his desire to "destroy" hopes for Palestinian statehood, and stating that "there is room to define and realize the national aspirations of one people only — the Jewish people".

Resolution 2334 (2016) reiterated the call of the Middle East Quartet on both parties to take steps to reverse negative trends on the ground that are imperiling the two-State solution. On 10 July, an interim power-purchasing agreement was signed between the Palestinian and the Israeli electricity

companies, energizing the first Palestinian-owned and operated sub-station in Jenin and allowing for an increase in electricity supply in the northern West Bank. On 13 July, the United States facilitated an agreement between the Palestinian Authority and Israel, allowing for an increase in water supply for Palestinians in the West Bank and Gaza as part of the 2013 Red Sea-Dead Sea Water Conveyance project.

In Gaza, the situation remains extremely fragile. The chronic energy deficit has been substantially worsened by the decision of the Palestinian Authority to reduce electricity supply to the Strip. While Egyptian fuel has enabled the Gaza power plant to resume operations, electricity supply is still down to about four hours per day. Basic services in some 190 health, water and sanitation facilities continue to rely on back-up generators powered by United Nations-provided fuel. As part of the Gaza emergency appeal issued in July, an additional \$4 million from the United Nations Central Emergency Response Fund has been released to support critical services. The appeal is now 51 per cent funded.

To end the standoff, the Palestinian Authority has remained firm in its demands for Hamas to dissolve the administrative committee it established in March and allow the Government of National Consensus to take up its responsibilities in Gaza. On 17 September, Hamas officially accepted these conditions. It now remains to be seen whether the agreement will be implemented and electricity supply to Gaza restored.

I have just returned from a trip to the Gaza Strip, and I am happy to brief the Security Council in closed session on developments related to Palestinian reconciliation and the Government returning to Gaza.

During the reporting period, there were no developments related to Member States' distinguishing, in their relevant dealings, between the territory of the State of Israel and the territories it occupied in 1967. Meanwhile, the international community has continued its efforts to advance the goal of peace. The envoys of the Middle East Quartet continue to meet to discuss current efforts to advance peace, as well as the deteriorating situation in Gaza. In August, a United States delegation travelled to the region and met with regional interlocutors, with a focus on reviving the Israeli-Palestinian peace process. All parties agreed to continue working towards a sustainable peace and to promote security and stability across the region.

Shortly thereafter, on 27 August the Secretary-General arrived in the region for his first official visit to Israel and Palestine. He strongly reaffirmed the United Nations position that there is no alternative to the two-State solution and suggested a three-track approach to end the occupation and advance the prospects for peace: first, a serious political process with a clear end goal of two States living side by side in peace and mutual recognition; secondly, a simultaneous effort to improve the socioeconomic conditions of Palestinians; and thirdly, active engagement with regional partners. He conveyed his personal commitment to helping the parties return to meaningful negotiations, based on relevant United Nations resolutions, international law and prior agreements.

In September, Egypt hosted delegations from Hamas and Fatah in an effort to advance Palestinian unity, which led to the breakthrough decision by the de facto Gaza leadership to dissolve the administrative committee and invite the Government to return to the Strip.

On 18 September, Norway convened the Ad Hoc Liaison Committee for the Coordination of International Assistance to Palestinians in New York with Palestinian Deputy Prime Minister, Mr. Ziad Abu Amr; Palestinian Authority Minister of Finance and Planning, Mr. Shukri Bishara; and Israeli Minister of Regional Cooperation, Mr. Tzachi Hanegbi, in attendance. Those at the meeting agreed that additional concerted action was needed to make progress on fiscal sustainability, economic development and Gaza's reconstruction and recovery. It was also noted that socioeconomic conditions cannot be adequately addressed without progress in the peace process.

In conclusion, I would like to share some broad observations on the reporting period.

Continuing settlement expansion, most notably during this period in occupied East Jerusalem, is making the two-State solution increasingly unattainable and undermining Palestinian belief in international peace efforts. In addition to illegal settlements, the practice of demolishing Palestinian structures in the West Bank, including East Jerusalem, and displacing Palestinians undermines the prospects of peace. Continued violence against civilians and incitement perpetuate mutual fear and suspicion, while impeding any effort to bridge the gaps between the two sides. I once again urge both parties to demonstrate their

commitment to rejecting violence, inflammatory rhetoric and provocative actions.

The Jenin agreement was an important first step towards a comprehensive Israeli-Palestinian power-purchasing agreement that would lead to greater Palestinian energy autonomy. I encourage the parties to fully implement the Red Sea-Dead Sea agreement to enable the delivery of much-needed water to the West Bank and Gaza.

While all initiatives to improve the Palestinian economy are welcome, much more needs to be done as part of a political process aimed at establishing a Palestinian State. Economic development, as critical as it is, is no substitute for sovereignty and statehood. As the Secretary-General has called for, efforts aimed at achieving both sovereignty and statehood must proceed in parallel.

Intra-Palestinian reconciliation remains critical to preventing the continuing militant buildup and restoring hope for the future. In that regard, I welcome the recent statement by Hamas announcing the dissolution of the administrative committee in Gaza and agreement to allow the Government of National Consensus to assume its responsibilities in Gaza.

I commend the Egyptian authorities for their tireless efforts in creating such positive momentum. All parties must seize the opportunity to restore unity and open a new page for the Palestinian people. That should facilitate the removal of Israeli closures on Gaza, in line with resolution 1860 (2009). The United Nations stands ready to assist all efforts in that respect. It is critical that the grave humanitarian situation in Gaza, most notably the crippling electricity crisis, be addressed as a priority.

In closing, I would like to emphasize that collective and determined action on the part of the parties, the region and the international community is needed in order to initiate a serious political process, drawing upon all relevant United Nations resolutions, that will realize a two-State solution and end the occupation and resolve all final status issues. As the Secretary-General said on his recent visit,

“the international community cannot simply turn away and allow the situation to deteriorate. We have a role and a responsibility to support the parties in resolving this conflict”.

With that responsibility comes an obligation to do what is necessary in order to establish a peaceful, prosperous and secure future for Palestinians, Israelis and the entire region.

The President: I thank Mr. Mladenov for his briefing.

I shall now give the floor to those members of the Security Council who wish to make statements.

Mr. Bermúdez (Uruguay) (*spoke in Spanish*): We would like to thank the Special Coordinator for the Middle East Peace Process, Mr. Nickolay Mladenov, for his informative briefing, and to reiterate once again the total support of Uruguay for his work.

Uruguay appreciates the submission of the third report on the implementation of resolution 2334 (2016). We reiterate our interest in ensuring that such reports, like all other reports submitted to the Security Council on the topics that form part of our work’s agenda, be circulated in writing before meetings in a manner that enables members to analyse and comment more in detail on their content.

We are concerned at the lack of progress in the Palestinian-Israeli conflict, which has humanitarian, political and security implications in both countries and the region as a whole. In the nine months since the adoption of resolution 2334 (2016), little progress has been made in its implementation, with announcements by Israel of expanding construction of settlements in the occupied territories. We reiterate that settlements are illegal under international law and constitute a serious obstacle to peace and the two-State solution.

August will also be remembered, unfortunately, by 100 children and their families as a time when three schools in the West Bank were demolished or damaged by the Israeli authorities on the orders of the Coordinator of Government Activities in the Territories. The Jubbet al-Dhib school, which lies east of Bethlehem and which was paid for by the European Union and completed three weeks earlier, was demolished on the same day that school began. A kindergarten in the Bedouin community of Jabal Al-Baba was also demolished and a primary school room in Abu al-Nawar lost its only source of electricity, solar panels. Such actions clearly do not contribute to de-escalation. Additional measures are necessary.

Until a few days ago, the parties had taken no steps to reverse the trends threatening the two-State

solution, according to the latest report of the Middle East Quartet. In that context, we appreciate the announcement made last week by Hamas, offering the Palestinian Authority the resumption of control of the Gaza Strip after a decade. The tragic and worrisome situation of the 2 million inhabitants of Gaza, who are permanently on the verge of a serious humanitarian crisis, constitutes a serious threat to peace and carries the risk of provoking another armed conflict.

The reunification of Palestine under a single, legitimate and democratic Government is essential in order to address the aspirations of the Palestinian people. Such reunification could substantially improve living conditions in that area. If that agreement is to be successfully implemented, it will be essential that measures be accompanied by agreements on security, the disarmament of Hamas and the renunciation of both violence and the destruction of Israel as a declared objective.

On every occasion that the Security Council has met to consider the Palestinian question, we have insisted on the need to abandon the rhetoric of hatred and incitement. Peace will come through negotiations we reiterate that getting on the path of negotiation will come through gestures. In addition to moving away from hatred, we must humanize relations between the two contenders. Additionally, dead enemies on both sides must be returned. For example, the families of Hadar Goldin and Oron Shaul have been waiting since 2014 to be able to give them a dignified burial.

As Secretary-General Guterres expressed during his recent visit to the region, Uruguay understands that there are no alternatives to the two-State solution. Uruguay maintains its strong support for the establishment of two independent States and the right of Israel and Palestine to live in peace within secure and recognized borders and within a renewed field of cooperation that is free from any threats or acts that breach peace, including acts of terrorism. Agreements must be reached with respect to Jerusalem and other issues, such as equitable access to drinking water and respect for sacred sites.

It is time to reinvigorate a political outlook that will bring the parties back to the negotiating table, which is a process that must be supported by economic and social measures that will improve the living conditions and development of the Palestinian people. To that end, it will be necessary for the Israeli and Palestinian

authorities to make every effort to avoid unnecessary provocations that would increase tensions and violence, which hamper all the efforts of the international community to bring about the resumption of bilateral negotiations.

In conclusion, as we have been doing since 1947, we wish to reiterate Uruguay's unwavering commitment to peace in the Middle East. In order to achieve this long-sought-after goal, the parties need to resume direct bilateral negotiations with a view to achieving a two-State solution, which is the only option that will allow for the peaceful coexistence of Israel and Palestine, an end to the long and illegal occupation, and the well-being and security of their peoples.

We are just two months from the seventieth anniversary of the adoption of General Assembly resolution 181 (II), which established the partition of Palestine and the creation of two States, one Arab and one Jewish. This solution was decisively supported by Uruguay, out of the conviction that it would make it possible for Israel and Palestine to live together in peace and with secure borders. Yet despite constant efforts, this process unfortunately remains unfinished. The international community continues to hope that the leaders of Israel and Palestine will take every measure to move this process forward towards a genuine and lasting peace.

Mr. Inchauste Jordán (Plurinational State of Bolivia) (*spoke in Spanish*): We thank the Ethiopian presidency for convening today's briefing.

The Plurinational State of Bolivia, as a pacifist country, believes that the only way to guarantee a just and lasting peace in the conflict between Israel and Palestine is through sincere dialogue and clear expressions of political will on both sides with a view to achieving the two-State solution. Based on that conviction, we reaffirm our full commitment to multilateralism and a debate on a level playing field in the framework of respect for the sovereignty and territorial integrity of States.

The present context requires that we, from the seats that we occupy, put an immediate halt to the expansionist policy of Israel, which insists on continuing to move its inhabitants into Palestinian territory, in clear violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and resolution 2334 (2016). It continues to reject the advisory opinion of the International Court of Justice of July 2004 on the

construction of walls in occupied territories. It refuses to recognize that Israeli settlements in occupied Palestinian territory have been established in breach of international law, as concluded by the International Court of Justice.

On 22 November 1967, resolution 242 (1967) was adopted precisely as a result of Israel's cruel occupation of Palestinian territories. The resolution refers to the fact that one of the fundamental principles for achieving peace in the Middle East is the withdrawal of the Israeli armed forces from the territories they had occupied during that conflict. To date, this resolution has still not been implemented.

The humanitarian situation continues to unravel due to the electricity crisis in the Gaza Strip. In order to maintain a minimal level of emergency service, generators that are at constant risk of fuel shortages or excessive use are relied upon, and spare parts and replacement generators cannot be obtained because of restrictions. We hope that this dire situation will come to an end immediately and that the Palestinian civilian population that inhabits these territories will have access to more humane living conditions. We again urge the Security Council to enforce the demand that Israel, the Power occupying the Gaza Strip, immediately and completely halt its illegal blockade of the territory, which is a collective punishment of the civilian population of Palestine, through, inter alia, the immediate, ongoing and unconditional opening of border crossings in order for humanitarian aid, commercial goods and persons to move in and out of the Gaza Strip.

As we have said on previous occasions, we request that the Secretary-General's quarterly report on the implementation of resolution 2334 (2016) be presented in written format, which will allow us to analyse the resolution's implementation in detail, and that it include updated maps of all settlements in the occupied Palestinian territory. Bolivia wishes to express its commitment to the rapid implementation of the resolution without further delay, and we encourage all members of the Security Council to join forces to make this happen right away. We believe that all the resolutions of the Council should be implemented with the same rigour and commitment that they require, with the sole objective of guaranteeing international peace and security.

In conclusion, Bolivia reaffirms its support for the self-determination of the Palestinian people and its right to a free, sovereign and independent State within the pre-1967 international borders, with East Jerusalem as its capital, in accordance with the relevant resolutions of the Security Council and the General Assembly.

Mr. Umarov (Kazakhstan): We wish to express our appreciation to Special Coordinator Mladenov for his comprehensive and objective update.

On the political track, we have already expressed our position on the expansion-of-settlements issue several times before, and our generic position remains unchanged, balanced and consistent, so I will not take the Security Council's time to voice it again. I would just add that the principle of two States for two peoples is generally accepted by both Israel and Palestine, along with the entire international community, and should be taken into account as one of the foundations for establishing a lasting peace in the Middle East. We call on the parties to refrain from taking any steps that could impede the resumption of the Palestinian-Israeli negotiations. By saying the foregoing, we stand for the taking of concrete steps that will preserve the possibility of peaceful coexistence between the two States and strengthen the prospects for peace based on the inalienable right of Palestinians to Statehood and Israel's right to security. We propose to start from encouraging confidence-building measures between the parties consistent with the United Nations pillar related to development.

On the other hand, Kazakhstan welcomes the United States diplomatic efforts aimed at resuming the peace process and United States President Trump's talks with the leaders of both countries at the time of the general debate of the General Assembly at its seventy-second session. We call on the Middle East Quartet to revive its work on the Palestine-Israel track in the context of the American side's efforts in that direction. We also welcome the Russian Federation's and Egypt's efforts to ensure intra-Palestinian consolidation and urge all Palestinian political parties and movements to integrate into one national political structure.

On the humanitarian track, we continue to observe the difficult situation in the Gaza Strip, which we believe contributes to the instability and frustration that can fuel conflict and terrorist activities. In this regard, we urge the official authorities of both Israel

and Palestine to help resolve the humanitarian crisis in the Gaza Strip.

Finally, in the interest of peace in this long-suffering region, we shall collect and synthesize the best we can find. We should undertake a collective search for the

best way to meet the contemporary challenges facing this part of the globe.

The President: I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 10.40 a.m.



Security Council

Seventy-second year

8138th meeting

Monday, 18 December 2017, 10 a.m.

New York

Provisional

<i>President:</i>	Mr. Bessho	(Japan)
<i>Members:</i>	Bolivia (Plurinational State of)	Mr. Inchauste Jordán
	China	Mr. Lie Cheng
	Egypt	Mr. Aboulatta
	Ethiopia	Mr. Alemu
	France	Mr. Delattre
	Italy	Mr. Cardi
	Kazakhstan	Mr. Sadykov
	Russian Federation	Mr. Safronkov
	Senegal	Mr. Seck
	Sweden	Mr. Skoog
	Ukraine	Mr. Yelchenko
	United Kingdom of Great Britain and Northern Ireland . .	Mr. Rycroft
	United States of America	Mrs. Haley
	Uruguay	Mr. Rosselli Frieri

Agenda

The situation in the Middle East, including the Palestinian question

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The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President: In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I give the floor to Mr. Mladenov.

Mr. Mladenov: On behalf of the Secretary-General, I devote my regular briefing on the situation in the Middle East today to presenting the fourth report on the implementation of resolution 2334 (2016), covering the period from 20 September to 18 December. I will focus on developments on the ground in accordance with the provisions of the resolution, including on regional and international efforts to advance the peace process.

Let me note from the outset that none of the developments on the ground can be divorced from the broader context in which they are happening: uncertainties about the future of the peace process, unilateral actions that undermine the two-State solution, occupation and violence. As 23 December will mark one year since the adoption of the resolution, I will also take this opportunity to address some of the broader trends we have witnessed during the past year.

In its paragraph 2, the resolution reiterates its demand that Israel

“immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem”.

No such steps were taken during the reporting period. Some 1,200 units in the occupied West Bank were approved for construction, approximately 460 of them in the settlement of Ma'ale Adumim. Israel also advanced, through the various stages of the planning process, some 1,400 housing units in Area C of the West Bank. Plans promoted included units in the new settlement of Amihai, a new neighbourhood in Kochav Yaakov, and a new site near Alon Shvut, north and south of Jerusalem,

respectively. All three have been designated for either those evicted from the “illegal outposts” of Migron in 2012 and Amona in February of this year, or those soon to be evicted from the outpost of Netiv ha'avot, which has been planned for demolition and evacuation in March 2018. In October, the Government announced that it would issue a tender for 296 housing units in the Beit El settlement, adjacent to Ramallah. However, that tender has not yet been published. The authorities also conditionally approved building permits for 31 housing units in Hebron's H2 area, the first such approvals since 2001.

In East Jerusalem, preparations began for the construction of infrastructure in Givat Hamatos, which, if built, would solidify the ring of settlements isolating East Jerusalem from the southern West Bank. In October, the Jerusalem municipality conditionally approved building permits for 168 housing units in the settlement of Nof Zion located in the Palestinian neighbourhood of Jabel Mukaber; and in November, it also granted building permits for at least 418 housing units in Gilo and Ramat Shlomo.

Let me reiterate that the United Nations considers all settlement activities to be illegal under international law and a major obstacle to peace.

As the Middle East Quartet report noted in 2016, all structures lacking permits from the Israeli authorities in Area C and East Jerusalem are potentially subject to demolition. According to the Office for the Coordination of Humanitarian Affairs, during the reporting period the authorities demolished or seized 61 structures for lacking building permits. Consequently, 110 people, including 61 children, were displaced and the livelihoods of over 1,000 people were affected.

Meanwhile, over 10 Bedouin communities, comprising some 1,500 residents, remain at heightened risk of demolition and displacement. This includes herding communities in Ain al-Hilwe and Um al-Jmal in the northern Jordan valley, as well as Jabal al-Baba in the sensitive El area.

The reporting period also saw several potentially significant legal developments. In an opinion issued in November, the Attorney General approved the legalization of an access road built on private Palestinian land, leading to the illegal outpost of Haresha. The opinion came in light of a court decision by Supreme Court Justice Salim Joubran, who determined that the confiscation of private Palestinian land for the public

interest, including in the exclusive interest of settler communities, may under certain conditions be legal in the West Bank, if done proportionally and with fair compensations to the landowners. However, the Attorney General did not soften his stance on the Land Regularization Law. On 22 November, he wrote that “there is no alternative to a judicial ruling declaring the Land Regularization Law unconstitutional”.

Separately, and still in November, the Government informed the Court that, for the first time, it intended to implement a clause in military law allowing the confiscation of private land if it has been used by a third party unknowingly. This may clear the way for the retroactive legalization of settlement homes and possibly illegal outposts.

Allow me to turn to the problems of violence and terrorism that remain a hallmark of the conflict.

During the reporting period, the security situation in Israel and the occupied Palestinian territory remained relatively calm. During the past three months, 22 Palestinians have been killed by Israeli security forces, including in clashes and security operations, and one was killed by an Israeli civilian in the West Bank. Four Israelis have been killed by Palestinians in attacks. Last week, Israel reported that it had foiled a kidnapping plot by Hamas in the West Bank.

Since 6 December, in the wake of the decision of the United States to recognize Jerusalem as the capital of Israel, the situation has become more tense, with an increase in incidents, notably rockets fired from Gaza and clashes between Palestinians and Israeli security forces. Most recently, on 10 December one Israeli was seriously injured in a stabbing attack at the Jerusalem bus station. The Palestinian perpetrator has been detained.

On 30 October, the Israel Defense Forces (IDF) destroyed yet another tunnel that extended from Gaza into Israel. During the operation, at least 12 Palestinian militants were killed underground. According to statements by a spokesperson for Islamic Jihad, the group’s aim in constructing the tunnel was to “kidnap Israeli soldiers”. A second tunnel was destroyed on 10 December. On 31 October, a 25-year-old Palestinian man was shot dead by IDF while in his car near the settlement of Halamish. On 30 November, an Israeli civilian shot dead a Palestinian man in the northern West Bank and a group of Palestinians reportedly threw

stones at a group of Israelis. Both shooting incidents are under investigation by Israeli authorities.

During the reporting period, 28 rockets and 12 mortar rounds were fired from Gaza towards Israel. In response, the IDF continued to target a number of Hamas and Palestinian Islamic Jihad military posts across the Gaza Strip, in which two Palestinian militants and one civilian were killed, and at least 28 people were injured.

Since 7 December, there has been a visible increase in rockets fired by Gaza militants. Of the 40 projectiles fired during the reporting period, 27 were launched since Hamas called for an escalation. Four rockets were intercepted by the Iron Dome system. One rocket and the remains of an intercepted rocket landed in the town of Sderot, causing damage to a kindergarten and to vehicles, but resulting in no injuries. At least eight more rockets landed in Israel.

Allow me to now turn to some of the problems of inflammatory rhetoric and provocations. Resolution 2334 (2016) calls on all to refrain from such acts and undertake efforts to combat them. During the reporting period, while on a visit to Iran Hamas leaders continued to make deplorable calls for the destruction of the State of Israel. The level of provocative rhetoric has heightened since 6 December, including with calls for escalation, violence and an intifada. On its official social media pages, Fatah continued to celebrate perpetrators of past attacks against Israelis, including a 26 September attack in Har Adar in which two security guards and a border policeman were killed. Most recently, Hamas and other factions applauded the stabbing attack at the Jerusalem bus station, organizing rallies in Gaza and the West Bank and calling for escalation. Israeli politicians also made provocative statements during this period, including by calling for “only one State between the river and the sea” or “recognizing Judea and Samaria as Israel”.

Resolution 2334 (2016) reiterates the call by the Middle East Quartet on both parties to take steps to reverse the negative trends on the ground that are imperilling the two-State solution. While the goal of realizing a sustainable peace based on the two-State solution remains elusive, Palestinian factions signed an agreement on 12 October to allow the Palestinian Authority (PA) to assume control of Gaza, the Gaza crossings to be fully returned to the control of the Palestinian Authority on 1 November, and the public sector employees who were recruited by the PA prior to

2007 to be registered in preparation for establishing a unified work force. The process, however, is faltering over substantial disagreements, including on important questions related to the payment of public sector salaries, the lifting of PA-imposed measures and Hamas giving up its security control of Gaza.

Despite repeated calls on the Palestinian Authority to alleviate the electricity crisis in Gaza, which was exacerbated by the Palestinian Authority's decision earlier this year to reduce payments to Israel, residents still live with four hours of electricity per day. Forty-five per cent of essential drugs and medical supplies are at zero stock, while basic services are maintained only through donor-funded emergency fuel that is distributed by the United Nations. On 7 December, an additional \$2.2 million was released from the United Nations humanitarian pooled fund to cover urgent health and food security needs in Gaza.

On a positive note, talks between the Israeli and Palestinian Ministries of Finance resumed during the reporting period. On 28 November, Israel transferred to the Palestinian Authority a lump sum of \$63.8 million in value-added tax collections and tax clearance. Construction of the Northern Gaza emergency sewage treatment plant is expected to be completed by the end of this month. Israel has informed the Palestinian Authority of its willingness to increase the energy supply to Gaza by six megawatts for the plant. If implemented, that would help to address critical sewage and broader environmental problems in Gaza and beyond.

During the reporting period, there were no developments related to Member States distinguishing in their relevant dealings between the territory of the State of Israel and the territories occupied in 1967. Regrettably, the reporting period did not see significant positive moves towards advancing peace, and the parties remain further divided than ever. The United States President announced in December his decision to recognize Jerusalem as the capital of the State of Israel, while stating that final status issues remained to be determined by the parties. He also made clear his commitment to advancing peace between Israelis and Palestinians and called for the status quo at the holy sites to be respected. Since then, the Palestinian leadership has cancelled meetings with visiting United States Vice-President Pence and called for the establishment of a new mechanism to achieve peace. The Palestinian President has also vowed to seek unilateral recognition of Palestine and full membership

in international organizations in the absence of a meaningful peace process.

The United Nations maintains the view that Jerusalem is a final-status issue that must be resolved through direct negotiations between the two parties on the basis of the relevant Security Council and General Assembly resolutions, taking into account the legitimate concerns of both the Palestinian and the Israeli sides.

In closing, I would like to share some broad observations on developments concerning the provisions of the resolution over the past year.

First, continued settlement construction in the occupied Palestinian territory contravenes resolution 2334 (2016). Significantly more housing units were advanced and approved this year. The number of units advanced and approved more than doubled from 3,000 in 2016 to nearly 7,000 in 2017. In East Jerusalem, the increase has similarly been from 1,600 in 2016 to 3,100 in 2017. However, the number of tenders published and opened for bidding has decreased this year. In Area C, out of tenders for 3,200 units that were announced this year, only two for some 50 housing units have been published so far. For the first time since 2010, this year in East Jerusalem there have been no new tenders published. About 50 per cent of the settlement moves this year have been concentrated in and around major Israeli population centres, while some 20 per cent have been in outlying locations deep inside the West Bank. The number of Palestinian-owned structures demolished this year in the West Bank is significantly lower than in 2016, and the lowest since 2009. In total, 400 Palestinian-owned structures have been demolished in the West Bank this year, including East Jerusalem — a sharp decline compared to the more than 1,000 structures demolished in 2016.

In addition to those developments, 2017 has seen worrying legislative, judicial and administrative initiatives that aim to change the long-standing Israeli policy concerning the legal status of the West Bank and the use of private Palestinian land. Settlement-related activities undermine the chances for the establishment of a viable, contiguous Palestinian State as part of a two-State solution.

Secondly, continuing violence against civilians and incitement perpetuate mutual fear and suspicion. Since the adoption of resolution 2334 (2016), there has been a significant reduction in the number of violent attacks. In 2017, there have been 109 shootings, stabbings,

rammings and bombing attacks conducted, compared to 223 similar attacks in 2016. Regarding fatalities, 72 Palestinians and 15 Israelis have been killed this year, compared to 109 and 13, respectively, in 2016.

I call on the international community to join the United Nations in condemning terror attacks and such reckless action, which impede any efforts to bridge the gap between Israelis and Palestinians and empower extremists. Nothing — no cause or grievance — justifies terror. The terror threat from Gaza of indiscriminate rocket attacks and tunnel construction continues, and the recent escalation by militants in Gaza is reckless and dangerous. I urge all Palestinian factions to commit to rejecting violence, inflammatory rhetoric and provocative actions that undermine the cause of peace. Israel must also uphold its responsibilities under international human rights and humanitarian law and calibrate its use of force.

Thirdly, bringing the legitimate Palestinian National Authority back to Gaza is key to alleviating the humanitarian crisis, lifting the closures and enhancing the prospects for peace. I commend Egypt for its tireless efforts in that respect, and encourage all sides to focus on addressing the devastating humanitarian situation, with an immediate focus on the electricity crisis, and to ensure that agreement is reached on mechanisms to implement the 12 October intra-Palestinian agreement in full.

Fourthly, this past year has witnessed important progress in finalizing agreements between Israel and the Palestinian Authority with regard to water, energy, telecommunications and other areas aimed at improving the economic reality of Palestinians. Those efforts are critical to rebuilding trust, and obstacles to their realization must be removed. The United Nations will continue supporting such efforts.

Fifthly, I am particularly concerned as to the future of our collective efforts to achieve peace between Israelis and Palestinians. The United Nations remains strongly committed to supporting all endeavours towards a negotiated two-State solution. The Secretary-General has been clear that ending the occupation and realizing a two-State solution, with Jerusalem as the capital of Israel and Palestine, is the only way to achieve such a vision. Today, however, there is a growing risk that the parties may revert to more unilateral actions.

In the current environment, the continued absence of a credible proposal that could become the basis of

meaningful negotiations is damaging the prospects for peace. The lack of significant steps on the ground that protect the viability of a two-State solution and support Palestinian statehood is undermining moderates and empowering radicals. The weakening of the international architecture in support of peace is increasing the risks to the region. Resolving the conflict will remove a key driver of extremism and terrorism in the Middle East and provide hope to generations of Israelis and Palestinians trapped in a vicious cycle of violence and conflict.

The President: I thank Mr. Mladenov for his briefing.

I shall now give the floor those members of the Council who wish to make statements.

Mrs. Haley (United States of America): In this meeting, I will not use the Council's time to address where a sovereign nation might decide to put its embassy, and why we have every right to do so. Rather, I will address a more appropriate and urgent concern.

This week marks the first anniversary of the adoption of resolution 2334 (2016). On that day in December 2016 (see S/PV.7853), the United States elected to abstain in the voting in the Council, allowing the measure to be adopted. Now it is one year and a new Administration later. Given the chance to vote again on resolution 2334 (2016), I can say with complete confidence that the United States would vote "no". We would exercise our veto power. The reasons are very relevant to the cause of peace in the Middle East.

On the surface, resolution 2334 (2016) described Israeli settlements as impediments to peace. Reasonable people can disagree about that and, in fact, over the years the United States has expressed criticism of Israeli settlement policies many times. But in truth, it was resolution 2334 (2016) itself that was an impediment to peace. The Security Council put the negotiations between the Israelis and the Palestinians further out of reach by injecting itself yet again in between the two parties to the conflict. By misplacing the blame for the failure of peace efforts squarely on the Israeli settlements, the resolution gave a pass to Palestinian leaders who for many years rejected one peace proposal after another. It also gave them encouragement to avoid negotiations in future. It refused to acknowledge the legacy of failed negotiations unrelated to settlements. Furthermore, the Council passed judgement on issues

that must be decided in direct negotiations between the parties.

If the United Nations history in the peace efforts proves anything, it is that talking in New York cannot take the place of face-to-face negotiations between the regional parties. It only sets back the cause of peace, not advances it. As if to make that very point, resolution 2334 (2016) demanded a halt to all Israeli settlement activity in East Jerusalem, even in the Jewish quarter of the Old City. That is something that no responsible person or country would ever expect Israel would do and, in that way resolution 2334 (2016) did what President Trump's announcement on Jerusalem as the capital of Israel did not do — it prejudged issues that should be left to final status negotiations.

Given the chance today, the United States would veto resolution 2334 (2016) for another reason. The resolution gave new life to an ugly creation of the Human Rights Council: the database of companies operating in Jewish communities. That is an effort to create a blacklist, plain and simple. It is yet another obstacle to a negotiated peace. It is a stain on America's conscience that we gave the so-called boycott, divestment and sanctions movement momentum by allowing the adoption of resolution 2334 (2016).

To the United Nations shame, this has been a disproportionately hostile place for the Middle East's most enduring democracy. The United States refuses to accept the double standard that says we are not impartial when we stand by the will of the American people by moving our United States Embassy; but somehow the United Nations is a neutral party when it consistently singles out Israel for condemnation. For decades, Israel has withstood wave after wave of bias in the United Nations and its agencies. The United States has often stood beside Israel. We did not on 23 December 2016. We will not make that mistake again.

This week marks the one-year anniversary of a significant setback for peace in the Middle East peace, but the United States has an undiminished commitment to helping bring about final-status negotiations that will lead to lasting peace. Our hand remains extended to both parties. We call on all countries that share this commitment to learn the hard lessons of the past and work to bring Israel and the Palestinian people to the peace table in good faith.

Mr. Rosselli Frieri (Uruguay) (*spoke in Spanish*): As we do every month, we once again thank the

Special Coordinator for the Middle East Peace Process, Mr. Nickolay Mladenov, for his very complete and detailed briefing. Above all, we thank him for his work and that of his team, which indicates a seriousness and a commitment to the task entrusted to them that should be justly valued and recognized. He can continue to count on the full support of Uruguay.

We appreciate the presentation of the fourth quarterly report on the implementation of resolution 2334 (2016). We reiterate once again, as we have done throughout this year, that, in future, these reports, as well as all other reports submitted to the Security Council concerning issues on its agenda, should be circulated in writing before the meetings, so as to enable Security Council members to analyse and comment in greater detail on their content.

With only a few days left before our time as a non-permanent member of the Council comes to end, and this being the last time that Uruguay will make a statement on an issue to which it attaches great importance, and to which it has been committed since 1947, when the General Assembly adopted resolution 181 (II), allow me to summarize our position on this question, as well as to discuss our expectations for the future.

We hope that the voting to be carried out following this meeting, undoubtedly important, will not detract focus from other matters of great importance in relation to this long and complicated conflict.

The year 2017 was one of a number of anniversaries relating to the Palestinian-Israeli conflict. It marked a century since the Balfour Declaration, the seventieth anniversary of the adoption of General Assembly resolution 181 (II), which decreed the partition of Palestine, and a half century since the Six-Day War, which resulted in the occupation by Israel of territories in the Middle East. We hope that 2017 will not be remembered as the year in which certain notorious events seriously affected the possibility of reaching a negotiated peace between Israelis and Palestinians and the two-State solution. The voting that will take place today is intended to blot out the negative effects of such measures, and to prevent similar events, caused by other States or by the parties themselves, from being repeated.

We express our satisfaction for the fact that so many countries recognize and wish to protect the special status of Jerusalem, which was derived from

General Assembly resolution 181 (II), and which several States did not support at the time. Despite numerous multilateral, regional and unilateral initiatives that attempted to put an end to this conflict, we are still a long way from seeing a peaceful and mutually acceptable solution.

On 23 December 2016, the Council adopted resolution 2334 (2016) with the intention of noting that certain trends on the ground, including the Israeli settlement policy and violence, were seriously undermining prospects for peace. Nearly one year since that day, which has been qualified as historic, we deeply regret that none of the provisions of the resolution have been respected. The resolutions of the Council, the primary responsibility of which is to maintain international peace and security, must be implemented. We cannot be selective in that respect, that is, demanding compliance with certain resolutions and completely ignoring others. All Security Council resolutions must be respected in order to achieve the proposed end.

The two-State solution remains the only viable option to end this conflict. It will be necessary to relaunch, as quickly as possible, bilateral direct negotiations that can clarify all pending issues. Whatever the forum, Uruguay will continue to support all initiatives in that regard. To achieve that goal, it is necessary that current trends on the ground be reversed, including the settlement-construction policy, legal measures to appropriate Palestinian lands, the demolition of housing and forced displacement of communities, including most recently Jabal Al-Baba, Ein Al-Hilweh and Umm El-Jamal. Otherwise, it will be extremely difficult for Palestine to consolidate territorially its State, which is consistently smaller on maps. On another note, maps should be updated and distributed by the Secretariat as often as possible, so as to reflect the Israeli settlements and outposts that are still being constructed in the West Bank and in Jerusalem.

Uruguay maintains strong ties of friendship with both the State of Israel and the State of Palestine. We underscore once again the right of Israel and of Palestine to live in peace, within secure and recognized borders and in an environment of renewed cooperation, free from any threat or act that interferes with peace.

The Fatah and Hamas reconciliation agreement, signed in October in Cairo, and the recent return of the Palestinian Authority to the Gaza Strip to regain

control after a decade are undoubtedly important steps to achieve Palestinian unity. The reunification of Palestine under a single, legitimate and democratic Government is essential to be able to work towards the aspirations of the Palestinian people and make it possible to improve the living conditions in that area, which has been submerged in a serious humanitarian crisis since the 2007 armed conflict.

In order for that agreement to be successfully implemented, it will also be essential that those measures be accompanied by agreements on security, the disarmament of Hamas and the renunciation of violence, the incitement and glorification of violence and the destruction of Israel as a declared objective. Likewise, the obstinate non-recognition of Israel as a State by several countries in the region is a wholly negative sign for a favourable climate for the peace process.

In that still very complex scenario, although with some signs of hope, it is necessary more than ever that the Security Council and the entire international community remain united in their desire to see a peaceful resolution, in all its aspects, of the Israeli-Palestinian conflict. Only in that way can we exert due pressure on the Israeli and Palestinian authorities to stop the trends that jeopardize the process and ask them to be sufficiently flexible and reasonable to understand at last that peace is a much more valuable objective than the violence, hatred and injustice that have characterized the region over recent decades.

In conclusion, I would like to recall that Uruguay has presented its candidature to once again become a non-permanent member of the Security Council, for the period 2034-2035. We hope that, by that date, the Israeli-Palestinian conflict will be part of history, and both peoples will finally be able to live together in peace and security, without grudges and with equal opportunities for the development and well-being of future generations.

Mr. Inchauste Jordán (Plurinational State of Bolivia) (*spoke in Spanish*): We thank Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, for his presentation of the fourth and final report of the year on the implementation of the provisions of resolution 2334 (2016).

We would mention that, among other things, the resolution refers to the legal invalidity and flagrant

violation of international law of the establishment of settlements by Israel in the occupied Palestinian territories since 1967, including East Jerusalem. This is the fourth time in 12 months that the delegation of Bolivia has attended such an important meeting as this on resolution 2234 (2016), which, on 23 December, it will be one year since its adoption. We note that in that time little or nothing has been achieved in its implementation.

We reiterate our appeal that the quarterly report of the Secretary-General on the implementation of resolution 2334 (2016) be presented in written format and prior to the Council's briefings thereon, with a view to conducting a more thorough analysis of its content and the statistics on the settlements in the occupied Palestinian territories, such as those that were presented today.

Contrary to expectations, we take note of the Secretary-General's report (A/72/564) from 1 November presented before the General Assembly entitled, "Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the Occupied Syrian Golan", which mentions that the Office of the United Nations Special Coordinator for the Middle East Peace Process reported that, during the first six months of the year, plans have been advanced for approximately 5,000 housing units through the Israeli planning bodies in the occupied Palestinian territories. We are concerned about the forced evictions that several Palestinian communities faced, during which their inhabitants endured the demolition of their homes. We must point out that those actions constitute a manifest violation of human rights, including the rights to adequate housing, water, sanitation, health and education.

My delegation wishes to refer to General Assembly resolution 181 (II), adopted in 1947, as part III, in reference to the special regime of the city of Jerusalem, provides that the City of Jerusalem shall be established

as a corpus separatum under a special international regime. Recent events, especially since 6 December, when the Government of the United States of America unilaterally recognized Jerusalem as the capital of Israel, are in clear violation of the relevant General Assembly and Security Council resolutions. The decision has led only to an escalation of violence in the region. We wish to recall that it was the Organization that established the special international status for the city of Jerusalem, under the administrative authority of the United Nations. Similarly, it was the Security Council that reiterated that all measures that altered the geographical, demographic and historical character of the city of Jerusalem are null and void and should have no effect.

We express our firm commitment to all international efforts that lead to a peaceful solution to the Israeli-Palestinian conflict. In that regard, we support initiatives such as the Quartet road map, the Madrid principles, the Arab Peace Initiative and others that constitute guarantees for a just and lasting peace so that both peoples can live within secure and recognized borders.

Bolivia remains convinced that the two-State solution continues to be the only long-term alternative for a solution to the conflict — where at last there is a free, sovereign and independent Palestinian State within the pre-1967 international borders, with East Jerusalem as its capital and in accordance with the relevant resolutions of the Security Council and of the General Assembly.

The President: There are no more names inscribed on the list of speakers.

I now invite Council members to informal consultations to continue our discussion of the subject.

The meeting rose at 10.50 a.m.



Security Council

Seventy-third year

8214th meeting
Monday, 26 March 2018, 10 a.m.
New York

Provisional

President: Mr. Van Oosterom (Netherlands)

Members:

Bolivia (Plurinational State of)	Mr. Inchauste Jordán
China	Mr. Wu Haitao
Côte d'Ivoire	Mr. Dah
Equatorial Guinea	Mr. Ndong Mba
Ethiopia	Mr. Alemu
France	Mr. Delattre
Kazakhstan	Mr. Temenov
Kuwait	Mr. Alotaibi
Peru	Mr. Meza-Cuadra
Poland	Ms. Wronecka
Russian Federation	Mr. Safronkov
Sweden	Mr. Orrenius Skau
United Kingdom of Great Britain and Northern Ireland . .	Ms. Pierce
United States of America	Mr. Miller

Agenda

The situation in the Middle East, including the Palestinian question

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The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President: In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, to participate in this meeting.

Mr. Mladenov is joining today's meeting via video-conference from Jerusalem.

The Security Council will now begin its consideration of the item on its agenda.

Recalling the Security Council's latest note 507 on its working methods (S/2017/507), I wish to encourage all participants, both members and non-members of the Council, to deliver their statements in five minutes or less. Note 507 also encourages briefers to be succinct and to focus on key issues. Briefers are further encouraged to limit initial remarks to agreed time limits.

I now give the floor to Mr. Mladenov.

Mr. Mladenov: On behalf of the Secretary-General, I devote my regular briefing on the situation in the Middle East today to introducing the fifth report on the implementation of resolution 2334 (2016), covering the period from 18 December 2017 to 25 March 2018. I will focus on the developments on the ground in accordance with the provisions of the resolution, including on the regional and international efforts to advance the peace process.

Let me reiterate from the outset that developments on the ground cannot be divorced from the broader context of continued military occupation of Palestinian territory, uncertainties about the future of the peace process and the two-State solution, unilateral actions that undermine peace efforts, and continued turmoil in the wider region.

Allow me to also express my continued concern over the \$446-million funding gap for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). It must be bridged urgently to ensure that UNRWA can provide basic services to Palestine refugees, including to school half a million

children across the Middle East, until a just and lasting peace is achieved. I welcome the approximately \$100 million pledged at the recent Extraordinary Ministerial Conference in Rome. I encourage Member States to consider urgently providing additional new funding for UNRWA's critical work.

In its paragraph 2, resolution 2334 (2016) calls on Israel to "immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem" and to fully respect all its legal obligations in this regard. No such steps were taken during the reporting period. I reiterate that the United Nations considers all settlement activities to be a violation of international law and a major obstacle to peace.

Israel advanced 22 plans for some 1,500 housing units in Area C settlements. Around a dozen units were approved for construction — significantly lower than the 1,200 units approved during the previous three-month period. Ten tenders for some 900 housing units in seven Area C settlements were also announced. Official figures released last week show that construction starts in Area C settlements declined in 2017 to nearly half the number of 2016, which was the highest in over a decade. The plans include 15 temporary housing units near Gush Etzion, south of Bethlehem, in an area outside the jurisdiction of nearby settlements. These units are planned for residents of the Netiv Ha'avot outpost whose homes are slated for demolition on 15 June.

In response to the January shooting attack that killed a rabbi from the Havat Gilad outpost, on 4 February the Israeli Government approved the establishment of a new settlement to absorb its residents. Havat Gilad is built almost entirely on privately owned Palestinian land.

In related potentially significant legislative developments, in January the Knesset passed an amendment to the Basic Law on Jerusalem as the capital of Israel. By requiring a super-majority of 80 votes in the Knesset, the change will make it more difficult for Israel to transfer territories that are currently within the Israeli-defined Jerusalem municipality boundaries to a future Palestinian State. Conversely, it also makes it somewhat easier to change those municipal boundaries, by lowering the previously required Knesset threshold to a simple majority. On 7 March, the Knesset also approved an amendment to Israel's law on entry to Israel, allowing the revocation of the permanent

residency status of Palestinians in East Jerusalem who are involved in terrorist activities, treason or espionage, as defined in Israeli law. On 25 February, the Government endorsed a bill transferring jurisdiction over certain categories of petitions related to decisions by Israeli authorities in the West Bank from the High Court of Justice to the Court for Administrative Affairs in Jerusalem. The bill's sponsors have described it as a step towards equating legal procedures and norms in the West Bank and Israel.

The Israeli authorities have continued to demolish Palestinian-owned structures across the occupied West Bank, including in East Jerusalem, albeit at last year's relatively low rate. Ninety-two structures, including 15 that were donor-funded, were demolished, for reasons that included a lack of building permits, which are nearly impossible for Palestinians to obtain. As a result, 104 Palestinians, including 42 children, were displaced, affecting the livelihoods of more than 360 people. The demolition of two donor-funded classrooms serving 26 children in the Palestinian Bedouin community of Abu Nuwar was particularly worrying. For at least three years now, the United Nations has been warning that Israel has been putting steady pressure on Abu Nuwar residents to move. The community is in the strategic E-1 area planned for the expansion of Ma'ale Adumim, which would result in the creation of a continuous built-up area between the settlement and East Jerusalem, further dividing East Jerusalem from the rest of the West Bank.

Similarly, on 21 March the Bedouin village of Umm Al-Hiran also came under renewed threat as Israeli authorities posted eviction notices on homes indicating that evictions could take place at any time between 14 and 29 April. In late December, in the Masafer Yatta area of Hebron, where there are demolition orders on most structures, the Israel Defense Forces (IDF) blocked several access routes and issued a military order requiring Palestinians to obtain permits to cross, limiting access to services and livelihoods for some 1,400 residents in 12 communities.

Turning to the persistent problem of violence, the reporting period was characterized by continuing demonstrations and clashes following the announcement on 6 December in which the United States recognized Jerusalem as Israel's capital, and the growing tensions in the West Bank, including in East Jerusalem and along the Gaza fence. Israeli security forces killed 23 Palestinians, including six children, in various

incidents, including reported attacks against Israelis, demonstrations, clashes and military operations in the occupied Palestinian territory. Five Israelis — three civilians and two soldiers — were killed by Palestinians in separate attacks in the West Bank, including in East Jerusalem. On 5 February, a resident of the Har Bracha settlement was stabbed to death at the entrance to the Ariel settlement. On 9 January, a rabbi from the Havat Gilad outpost was killed in a drive-by shooting. Two of the three alleged perpetrators were killed by Israeli security forces during subsequent search-and-arrest operations. On 18 March, an Israeli civilian was stabbed to death in Jerusalem's Old City. The alleged assailant, a Palestinian man from the West Bank town of Aqraba, was shot dead by Israeli security forces. On 10 March, a Palestinian teenager was shot dead during clashes with Israeli security forces and settlers in the village of Urif, after confrontations turned violent between Palestinian villagers and residents of the nearby Yitzhar settlement.

During the reporting period, there was a worrying escalation of violence in and around the Gaza Strip. Improvised explosive devices placed near the Gaza fence by Palestinian militants exploded on three occasions, wounding four Israeli soldiers in one incident on 17 February. On each occasion, Israeli forces responded with air strikes and shelling against Hamas targets. The Israeli military also announced that it had destroyed three tunnels either fully inside Gaza or leading from Gaza into Israeli territory. On 13 January, before the escalation, the IDF also destroyed a tunnel extending from Gaza into Israel and Egypt under the Kerem Shalom crossing. In addition, 33 rockets were fired from Gaza towards Israel, of which 11 landed in Israel itself. The IDF retaliated against Hamas military sites in Gaza. No injuries were reported on either side.

On 13 March, an improvised explosive device targeting the convoy of Palestinian Prime Minister Hamdallah and the Head of Palestinian General Intelligence exploded in Gaza, with minor injuries to six people. No one has claimed responsibility for that so far. On 22 March, Hamas security forces conducted an operation in the Nuseirat camp in Gaza, reportedly targeting the chief suspect in the bombing of the Prime Minister's convoy. During the operation, the suspect and an accomplice were critically wounded and later succumbed to their wounds. Two members of Hamas's security forces were also killed during the incident.

Despite the call in Security Council resolution 2334 (2016) for the parties to refrain from acts of

provocation, incitement and inflammatory rhetoric, such statements have continued. Fatah's official social-media pages continued to feature posts glorifying the perpetrators of past violence against Israeli civilians, including terror attacks that killed civilians and children. In addition, Palestinian officials continued to make statements denying the historical and religious connection of Jews to Jerusalem and its holy sites. One senior religious leader made the false claim that Jews had lived in historical Jerusalem for only 70 or 80 years. Others continue to describe Israel as a colonial project. I urge the Palestinian leadership to continue to speak out against violence in general and to condemn specific attacks against civilians. Senior Israeli officials also made provocative statements encouraging annexation of all or parts of the occupied West Bank and categorically rejecting the notion of a two-State solution. Some claimed that Palestinians are an invented people; others referred to Palestinians as bloodthirsty barbarians; and one political leader called for more injuries and deaths in Gaza, complaining that Israeli military strikes responding to rocket fire were not producing enough casualties among militants. I urge political leaders to refrain from provocative statements and actions that fuel an already tense environment.

Resolution 2334 (2016) reiterated the calls by the Middle East Quartet for affirmative steps to be taken to reverse negative trends on the ground that are imperilling a two-State solution. The period has witnessed both positive and negative actions by the parties in that regard. In January, after years of negotiations, Israel approved the operation of local Palestinian 3G service in the West Bank, allowing Palestinian telecommunications companies to offer higher speed data services and somewhat improve their competitiveness.

There were two high-level meetings, in Paris on 15 February between the Israeli and Palestinian Ministers of Economy, and on 19 February in Ramallah between the Israeli Minister of Finance and the Palestinian Prime Minister and Minister of Finance, aimed at discussing a range of economic and infrastructure issues concerning the West Bank and Gaza. On 18 February, Israel's Ministerial Committee for Legislation endorsed a bill that would allow Israel to withhold tax revenues that are collected by Israel on behalf of the Palestinian Authority. The amount withheld would be equivalent to the money used for payments to the families of Palestinian perpetrators of

attacks on Israelis or for prisoners held in Israeli jails. On 5 March, the Knesset advanced a more restrictive version of the same bill.

Meanwhile, implementation of the intra-Palestinian agreement of 12 October between Fatah and Hamas has stalled. In February and March, Egypt hosted delegations from the two parties in an effort to advance the process of returning Gaza to the control of the Palestinian Authority. I also held multiple meetings with senior Palestinian and Egyptian officials in support of that process.

On 4 March, the Palestinian Government approved a \$5.1 billion budget for 2018, while presenting the option that if it were empowered in Gaza, it could amend the budget and absorb up to 20,000 Gaza civil servants as well.

In Gaza, the electricity supply remains far below people's needs, with power cuts of up to 20 hours per day. Without emergency fuel, 55 sewage pools are at a significant risk of overflowing and the functioning of 48 water desalination plants has been reduced to around 20 per cent of their working capacity. Water is piped to households for only a few hours a day, every four or five days. Basic services continue to function thanks to United Nations-distributed, donor-funded fuel for generators, which is expected to last, at best, only until September. Over 40 per cent of essential medicines remain at zero stock due to the lack of funding.

After a 10-year delay, the Northern Gaza Emergency Sewage Treatment project finally began operating on 1 March, albeit at minimum capacity. More sustainable energy supply and other infrastructure projects need to be urgently pursued in order to allow it to function at full capacity.

In addition to a rapidly deteriorating humanitarian situation, Gaza's economy remains on the brink of collapse. Urgent interventions, alongside increased commitment to short-, medium- and long-term projects, provided the basis for discussions at the meeting of the Ad Hoc Liaison Committee for the Coordination of International Assistance to Palestinians on 20 March in Brussels. Two preparatory meetings — one in Cairo and the other in Washington, D.C., respectively — helped develop a series of priority engagements aimed at improving the electricity, water and health situations in Gaza.

A European Union (EU)-hosted pledging conference for the Gaza Central Desalination Plant, which also took place on 20 March, saw Member States commit some \$565 million — nearly 80 per cent of the project's costs — thereby enabling the tendering process to begin. That is a positive development for the people and infrastructure of Gaza. Nevertheless, it is only one, albeit important project required to ensure that Gaza remains livable beyond the foreseeable future.

In a welcome development, over the past two months, Israel has approved thousands of pending residential cases, more than 130 private-sector projects and over 1,200 requests for the import of items that Israel considers to be of dual civilian and military use. On 14 February, at a trilateral meeting convened by the United Nations, Israel and the Palestinian Authority agreed to continue with the Gaza Reconstruction Mechanism and conduct a joint review in order to improve the functionality, transparency and predictability of the Mechanism.

Resolution 2334 (2016) calls upon all States to distinguish in their relevant dealings between the territory of the State of Israel and the territories occupied since 1967. There are two developments to report in that regard. On 23 January, the Danish Parliament passed a resolution with reference to resolution 2334 (2016), and in line with European Union policy, urging that future agreements between Denmark and Israel clearly state their inapplicability to occupied territory and encouraging the Government to strengthen its guidance to private and public investors.

Also in January, the European Commission signed a financing agreement with Israel, allowing the latter's participation in the Joint Operational Programme of the Mediterranean Sea Basin Programme under the European Neighbourhood and Partnership Instrument for 2014-2020. In continuation of an existing EU practice, the agreement includes a territorial clause stating that

“[i]n accordance with EU policy, the agreement shall not apply to the geographic areas that came under the administration of the State of Israel after 5 June 1967”.

Regrettably, the reporting period saw no progress towards advancing the goal of a lasting peace, as also called for in the resolution.

On 31 January, Norway and the European Union convened an extraordinary meeting of the Ad Hoc Liaison Committee, in which support for the two-State solution, in line with relevant United Nations resolutions, was reiterated. The participants stated their support for ongoing efforts to restore unity between the West Bank and Gaza under the control of the legitimate Palestinian Authority, by focusing, inter alia, on urgent projects that address pressing electricity, water and humanitarian needs.

Speaking before the Security Council on 20 February (see S/PV.8183), Palestinian President Abbas called for an international peace conference to be held by the middle of the year to form a multilateral mechanism in support of the parties to negotiate all permanent-status issues within a specific time frame and secure full United Nations membership for the State of Palestine and mutual recognition of Palestinian and Israeli statehood on the 1967 lines. On 23 February, the United States announced that it would move its embassy to Jerusalem on 14 May, which will coincide with the seventieth anniversary of Israel's declaration of independence.

In closing, I would like to share some broad observations concerning the provisions of the resolution on the reporting period.

First, Israel's illegal settlement expansion and related activities continue to further threaten the viability of the two-State solution and erode the prospects for peace. The latest decision to establish a new settlement — for the second time since the adoption of resolution 2334 (2016), following Amihai in May 2017 — is particularly troubling. Meanwhile, Palestinian development remains extremely restricted. In Area C alone, there are nearly 13,000 outstanding demolition orders against Palestinian-owned structures, of which some 500 are ready for execution. Less than 1 per cent of Area C, comprising over 60 per cent of the West Bank and critical to the contiguity of a future Palestinian State, is available for Palestinian construction under approved plans.

Secondly, violence and incitement continue to fuel hatred, division, distrust and fear. Continuing terror attacks on Israelis and the attempt on the life of the Palestinian Prime Minister illustrate the growing risk of destabilization and the empowerment of radicals and extremists. The use of force by Israel must also be calibrated. Israel must uphold its responsibilities

under international human rights and humanitarian law. Lethal force should be used only as a last resort, with any resulting fatalities properly investigated by the authorities. I once again urge the security forces to exercise maximum restraint in order to avoid casualties.

I note the developing Palestinian plans for a march on the Gaza fence on 30 March. I call on all sides to exercise restraint and to take the necessary steps to avoid a violent escalation. It is imperative that civilians, in particular children, not be targeted and that all actors refrain from putting children at risk at any time. I also take this opportunity to reiterate my call on Hamas to provide full information on the two Israeli soldiers and two civilians who are being held in Gaza, as required by international humanitarian law.

Thirdly, steps taken on the ground in Area C and Gaza are welcome, but far from transformative. The relaxation on the import of certain dual-use items and the increased number of permits issued to business people in Gaza are nevertheless important developments that need to be sustained and augmented. Economic development, critical as it is, is no substitute for sovereignty and statehood. Efforts aimed at achieving both must proceed in parallel.

Fourthly, the terrorist attack against the convoy of Prime Minister Hamdallah in Gaza was a serious attempt to derail the Cairo process and its perpetrators must be brought to justice. In that respect, I call on Palestinian factions to engage earnestly with Egypt and move forward on the implementation of the Cairo agreement. That includes the paying of salaries for civil servants and the full empowerment of the Government in Gaza. A fully empowered Palestinian Authority in Gaza remains key to lifting the closures, alleviating the humanitarian and development crisis in Gaza, and furthering national aspirations for statehood.

I commend the Prime Minister's commitment to continuing his efforts towards reconciliation and commend Egypt for its tireless efforts in that regard. The United Nations remains committed to supporting Egyptian efforts to advance the process and welcomes the efforts of the international community for a more coordinated engagement in alleviating the humanitarian crisis in Gaza.

I note with concern, however, that reports have emerged today, indicating that Hamas has set up a checkpoint at the Erez, or Beit Hanoun, crossing, which controls the entrance of national and international

personnel into Gaza and the exit of all Gaza identification holders. As per the intra-Palestinian agreement of 12 October, all checkpoints should be handed over to the Palestinian Authority.

Fifthly, I remain greatly concerned by the state of our collective efforts to advance peace. Long-held international consensus positions on final status issues, including on Jerusalem and refugees, and United Nations principles must remain the guiding framework of a negotiated process towards the ultimate goal of a two-State solution. Any deviation from those principles would be dangerous. Resolution 2334 (2016) states in paragraph 3 that the Security Council

“will not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations”.

All final-status issues should be resolved on the basis of relevant United Nations resolutions, bilateral agreements and international law.

As the Secretary-General has repeatedly reminded the Council, the United Nations strongly urges Israelis, Palestinians and the international community to take concrete measures that will reverse the current course of the conflict and advance the goal of a just and sustainable peace, based on the two-State solution. Generations of Palestinian and Israeli lives have been shaped by the conflict. It is time to begin building a different future, based on mutual respect, dignity and the belief that even the deepest and most painful divisions can be resolved if there is a genuine desire for change.

The President: I thank Mr. Mladenov for his briefing.

Before giving the floor to Council members, I should like to highlight the presence in the Chamber of the new Permanent Representative of the United Kingdom to the United Nations, Ambassador Karen Pierce, and, on behalf of all members of the Council, to extend a warm welcome to her.

I shall now give the floor to those members of the Council who wish to make statements.

Mr. Ndong Mba (Equatorial Guinea) (*spoke in Spanish*): At the outset, I would like to welcome Ms. Karen Pierce as the new Permanent Representative of the United Kingdom to the United Nations. We wish her great success in her post and would like to

affirm that she can count on the same full support and cooperation that we extended to her predecessor. We welcome her to New York.

I would like to express our gratitude and recognition to Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, who provided us with a very complete, clear and detailed briefing on the current situation in the Middle East, which focused on the implementation of resolution 2334 (2016), on the Palestinian question.

Aware of the intensity and the extent of the destruction of the current conflicts in the Middle East, for which we desire a prompt resolution, the Republic of Equatorial Guinea would like to point out that, since it was first put on the agenda of the General Assembly in April 1947 to the present time, the Palestinian question has not ceased to be at the heart of the instability of the region due to its historical complications and implications, its longevity and, in particular, a lack of proper implementation of resolutions adopted by the Security Council in that regard.

Resolution 2334 (2016) reiterates the appeal of the Quartet for Middle East peace to both parties involved in the conflict to adopt measures to reverse the negative trend on the ground, which jeopardizes the solution of two independent States — one Israeli and the other Palestinian — called on to live together in mutual cooperation and compelled to guarantee sustainable peace and security for the two States and for other parties in the region. However, some developments on the ground seek to put that objective far beyond our reach.

Equatorial Guinea believes the historic claims of the Palestinians to be just, in line with the various declarations of the African Union. We also believe that Israel has the right to live in peace and security. The Israelis should recognize that just as Israel's right to exist cannot be denied, nor can that of Palestine. Violent behaviour should cease once and for all and each party should fulfil its international obligations as set out in the various United Nations resolutions in general. The parties should refrain from unilateral actions that could hinder the return to negotiations.

The reunification of Palestine under a single, legitimate and democratic Government is also key to envisaging the aspirations of the Palestinian people as

one, which would in part facilitate the mediation role of the Security Council. We therefore welcome the reconciliation agreement between Fatah and Hamas, signed in Cairo in October of last year, as well as the return of the Palestinian Authority to the Gaza Strip to resume its control.

Now more than ever, the Security Council and the entire international community must remain united in their desire to see a peaceful solution to all aspects of the Israeli-Palestinian conflict. Only in that way can we bring due pressure to bear on the Israeli and Palestinian authorities to stop the trends that threaten the process and ask them to be adequately flexible and reasonable in understanding once and for all that peace is a much more valuable goal than the violence, hate and injustice that have characterized the region for more than half a century.

I would like to conclude my statement by expressing the strong desire of the Government of the Republic of Equatorial Guinea to see the current initiatives for a peace plan of the Government of the United States result in a tangible peace plan that is acceptable to all parties involved in the conflict and thereby to bring about peace among the Israelis and Palestinians, which is so desired.

Mr. Inchauste Jordán (Plurinational State of Bolivia) (*spoke in Spanish*): We join the Permanent Representative of Equatorial Guinea in welcoming the new Permanent Representative of the United Kingdom. We wish her every success in her new post. We would also like to thank Special Coordinator Nickolay Mladenov for his briefing.

The Plurinational State of Bolivia attends this meeting on the first quarterly report of 2018 on the implementation of resolution 2334 (2016), which mentions the illegality of Israeli settlements in the Palestinian territories, including East Jerusalem. As on previous occasions, the situation on the ground is discouraging. The evident breach by the occupying Power, Israel, of the resolution in clear violation of international law and the more than 700 General Assembly resolutions adopted since 1948 and the 86 Security Council resolutions is a source of concern.

According to the declaration of the Israeli Prime Minister, Benjamin Netanyahu, on 4 February, his Government has decided to build 350 new housing units in the settlement of Netiv Ha'avot, which is located south of the city of Bethlehem in the occupied West

Bank. Such a decision violates resolution 2334 (2016) and the purposes and principles of the Charter of the United Nations, which affirms, among other things, the inadmissibility of the acquisition of territory by force, as well as the right of people to self-determination. It moves us further from the possibility of a two-State solution.

For that reason, we reiterate our full commitment to resolution 2334 (2016), on the illegality of the Israeli settlements in the occupied Palestinian territories. We once again call for the quarterly report of the Secretary-General on the implementation of the resolution to be in written format, which would allow us to know about its implementation in detail, and for the presentation of updated maps of all settlements in the occupied Palestinian territories. In that connection, Bolivia calls on contributors to the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide their invaluable support of humanitarian assistance to more than 1 million people in Gaza and, in general, to the approximately 5 million Palestinian refugees in countries in the region.

Bolivia calls for intra-Palestinian unity and for a strengthened presence of the Palestinian Authority in the Gaza Strip. In that regard, we strongly condemn the attack on the head of the Palestinian Government, Mr. Rami Hamdallah, on 13 March during his visit to the region. We condemn all forms of terrorism, whatever their origin, and we consider all imposition of ideas through force and violence to be unacceptable.

We express our firm commitment to all international efforts seeking a peaceful resolution to the Israeli-Palestinian conflict. In that regard, we support such initiatives as the Quartet road map, the Madrid principles, the Arab Peace Initiative and others that seek to ensure a just, lasting peace that will allow both peoples to live within recognized and secure borders. Bolivia is convinced that the only long-term option for the resolution of the conflict is the two-State solution, in which we finally see the establishment of a free, sovereign and independent Palestine with pre-1967 international borders and east Jerusalem as its capital, in accordance with relevant resolutions of the Security Council and the General Assembly.

Mr. Dah (Côte d'Ivoire) (*spoke in French*): My delegation thanks Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process, for his quarterly report on the situation in the Middle East,

including the Palestinian question. My delegation also wishes to welcome the new Permanent Representative of the United Kingdom, and assures her of its support.

Côte d'Ivoire reiterates its concern about the lack of significant progress in the peace process in the Middle East. It reaffirms its principled position that only credible political dialogue and negotiations between the parties will lead to the viable solution of two States living side by side in peace and security, based on the mutual recognition of the legitimate rights of both parties. It therefore calls for a resumption of talks between Israelis and Palestinians, in keeping with the relevant Council resolutions with a view to breaking the current political impasse.

The socioeconomic, political and humanitarian situation in the Gaza Strip also remains worrisome and critical. On the economic front, my delegation remains concerned about persistent youth unemployment in the context of an acute economic crisis aggravated by the lack of water, electricity and medicine.

On the political and humanitarian front, the resurgent tensions between the Palestinian Authority and Hamas hamper the return of the Palestinian Authority to the Gaza Strip and undermine national reconciliation efforts between the two entities. In that connection, my delegation condemns the 13 March attack on the convoy of Prime Minister Rami Hamdallah in the Gaza Strip. We urge the Palestinian parties to show restraint and to conduct all necessary investigations to apprehend the perpetrators of the attack. We encourage the parties to pursue dialogue to ensure the effective return of the Palestinian Authority to Gaza, in accordance with the reconciliation agreement signed in October, in order to better manage the humanitarian situation.

In the context of ever-decreasing contributions to the budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), my delegation welcomes the significant financial contribution of \$100 million made during the Extraordinary Ministerial Conference in support of UNRWA on 15 March in Rome. It thanks Member States for the show of active solidarity with the Palestinian people and refugees at a time when UNRWA is experiencing the most serious financial crisis in its history. It encourages the international community, including relevant humanitarian agencies, civil society and the private sector to contribute in order to bridge the lack of financing.

In conclusion, my delegation unreservedly commits to the goal of lasting comprehensive peace in the Middle East and reiterates in readiness to work alongside Council members to bring about a peaceful solution to the Israeli-Palestinian crisis.

Mr. Alotaibi (Kuwait) (*spoke in Arabic*): I would like to start by joining those who preceded me in congratulating and welcoming Ambassador Karen Pierce, the new Permanent Representative of the United Kingdom, and wishing her every success.

I thank Mr. Mladenov, Special Coordinator for the Middle East Peace Process, for his valuable briefing today. We would like to express our full support for his work with his team and for the work of the United Nations regarding the monitoring of developments related to the issue under consideration.

In his briefing, Mr. Mladenov spoke of the deteriorating situation in the occupied territories while Israel, the occupying Power, continues to violate international law and undermine international efforts to achieve peace based on a two-State solution. The fact that Israel is not shouldering its responsibilities at the international level as the occupying Power — based on the 1949 Fourth Geneva Convention — and that it does not comply with, and even disregards, United Nations resolutions demonstrates that Israel does not heed the decisions of the international community. This is the main reason behind the humanitarian tragedy that has befallen the unarmed Palestinian people, which obviously only fuels tensions in the region. The Palestinian question is still at the heart of the regional conflict, so it is essential to focus on this matter rather than on other issues, regardless of their importance.

We condemn all unilateral Israeli policies, actions and measures that seek to change the situation on the ground in order to create a new status quo and to undermine the two-State solution based on the 1967 borders. Israel, the occupying Power, pursues its aggressive policies and provocative and unilateral measures that contravene Security Council resolutions and international conventions. We remind the Council of the serious potential consequences of the decision to transfer of the United States embassy to Jerusalem on 14 May. That decision is null and void since it is in explicit contravention of resolutions 242 (1967), 338 (1973), 476 (1980), 478 (1980) and 2334 (2016).

In violating Security Council resolutions, particularly 2334 (2016), Israel, the occupying Power,

is maintaining its expansionist, illegal and illegitimate activities, as Mr. Mladenov noted today. In that regard, we demand to see a written report on the status of the implementation of resolution 2334 (2016). Here in the Council, we are dealing with an issue of 50 years of occupation. It is essential, therefore, that we talk about putting an end to the occupation as a precondition to any negotiation between the two parties to achieve a definitive, comprehensive and just solution. Indeed, partial solutions have produced no results.

Despite the challenges to reaching a two-State solution, due to the illegal and illegitimate aggressive practices and settlement policies of the occupying Power, we still believe that such a solution — based on a clear timetable, the relevant resolutions of the United Nations, the principle of land for peace and the Arab Peace Initiative, which ensures the establishment of an independent Palestinian State along the borders of 4 June 1967 and with East Jerusalem as its capital — is the only way to achieve security and stability.

We would like to express our profound concern with regard to the ongoing humanitarian crisis in Gaza, which is a crisis that has lasted for more than a decade due to the unjust and oppressive blockade imposed by the occupying forces of Israel. Mr. Mladenov noted its serious implications today. The blockade enshrines Israel's practices and violations of international humanitarian and human rights law. On this point, I recall the war that was waged by the occupying Power against Gaza from 28 December 2008 until 18 January 2009, which destroyed a great deal of infrastructure.

We would also like to mention the financial crisis facing the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), which is the worst of its kind since the Agency's creation in 1949. The crisis has had a negative impact on the Agency, which plays a pivotal and important role by providing assistance to approximately 6 million Palestinian refugees on its rolls. The Agency has contributed and continues to contribute to stability in the Middle East. The State of Kuwait reiterates the need for donors to provide UNRWA with the necessary funding so that the Agency can continue to provide its vital services to refugees and perform its humanitarian activities without politicization. Reducing funding for UNRWA will lead to a humanitarian disaster and undermine all its education, health care, infrastructure and humanitarian assistance programmes. In this regard, we welcome the initiative of Sweden, Egypt

and Jordan to convene the Extraordinary Ministerial Conference in Rome on 15 March, at which donor States pledged some \$100 million to mitigate the shortfall in UNRWA's budget.

In conclusion, when we discuss the topic of the Middle East in the Security Council, we always focus on the Palestinian question. However, it is essential this morning to mention the serious escalation that we witnessed last night in the missile attack by the Houthis from Yemeni territory against several cities in Saudi Arabia, including Riyadh, Khamis Mushait, Najran and Jazan. These missiles, which indiscriminately targeted civilian and inhabited areas, were intercepted by the Saudi air defence forces. However, shrapnel did reach some inhabited areas, causing one death, numerous wounded and property damage.

The State of Kuwait condemns and denounces in the strongest terms this missile attack against the Kingdom of Saudi Arabia, which is a violation by the Houthis of international law and of relevant Security Council resolutions. It also represents a rejection of peace and contravenes the determination of the international community to put an end to the conflict in Yemen, just as it undermines all opportunities for the international community to seek peace in the region.

The Security Council must be united in expressing its clear opposition to these attacks, which threaten regional peace and security. The State of Kuwait underscores its full support for the Kingdom of Saudi Arabia and for all the actions the Kingdom may take to maintain its peace and security.

Ms. Pierce (United Kingdom): I offer very many thanks to colleagues for their warm welcome, as this is the first time I take the floor as the Permanent Representative of the United Kingdom. It is an enormous honour to represent the United Kingdom. It is very nice for me personally to be back in New York. I see many good friends in the Chamber, including Ambassador Mansour.

Today's debate is an important one, and I will save the bulk of my remarks for the consultations room, but I just want to make the point that improving the situation on the ground in the occupied Palestinian territories remains vital, particularly in Gaza. We endorse what the Special Coordinator said about the implementation of the relevant Security Council resolutions and about the legitimate Palestinian Authority. Of course, I want to put on record our condemnation of the recent

attempted assassination of Prime Minister Hamdallah. We take this opportunity once again to condemn all acts of terror.

I also want to put on record that we are going to talk about improving the situation on the ground, but that will only take us so far. I agree with previous speakers who said that a political horizon is needed so as to keep the prospect of the two-State solution alive. We support peace efforts being advanced by the United States. We look forward to seeing a plan presented at the earliest opportunity. We encourage re-engagement by all sides.

I also want to take the opportunity to follow my colleague from Kuwait and say something about the attack on Saudi Arabia by the Houthis this morning. It is a sad day today because it is the third anniversary of the conflict in Yemen, which is a conflict that has gone on too long, but it is also true that missiles fired into Saudi Arabia against civilians is dangerous and provocative, and will do nothing to help the conflict be resolved. It is against international law. We send our condolences to the Saudi people. We want to see the efforts of the United Nations on a Yemeni political process succeed. As the United Kingdom, we will give our every support to Martin Griffiths and the Secretary-General to that end.

Mr. Miller (United States of America): I will also deliver the bulk of my remarks in consultations, but I want to take the floor here to make a couple of points that it is important to raise in the open Chamber.

First, and above all, I want to extend warm welcome to the new Permanent Representative of the United Kingdom, Ambassador Pierce. We really look forward to working with her.

Secondly, due to the attack in Saudi Arabia from Yemen last night, I thought it was important to raise that matter now as well. We strongly condemn the Houthi missile attack that was aimed at several cities in Saudi Arabia. This is the kind of action that is deeply destabilizing for the region and one that we have warned about previously. Our condolences go out to the families of any who are killed or injured. We also support the right of our Saudi partners to defend their borders against these threats. We continue to call on all parties, including the Houthis, to return to political negotiations and move towards ending the war in the Yemen.

Mr. Wu Haitao (China) (*spoke in Chinese*): First of all, I would like to thank Special Coordinator Mladenov for his briefing. I welcome the new Permanent Representative of the United Kingdom, Ambassador Pierce, to the Security Council.

The question of Palestine is at the core of the Middle East issue and fundamental to peace in that region. Only when the Palestinian question is fully resolved will the crisis in the Middle East be eased for good. The situation in Palestine and Israel is tense at present. Settlement construction continues. Violence is increasing incrementally. The humanitarian situation in the Gaza Strip is dire. China is worried about all of these things.

We call on the Security Council and the international community to remain united in an effort to advance the political settlement of the question of Palestine. We believe that the two-State solution is the right way to resolve the question of Palestine. The international community should uphold the relevant United Nations resolutions, the principle of land for peace and the Arab Peace Initiative, and on that basis redouble its efforts to relaunch the negotiations, faithfully implement resolution 2334 (2016), put an end to settlement activities in the occupied territories and prevent violence against civilians. All parties should remain calm, exercise restraint and meet each other halfway. That will help foster the conditions necessary for the resumption of dialogue. Parties with major influence in the Middle East should also play a constructive role in that regard.

China remains committed to supporting and facilitating the Middle East peace process. We support the establishment of a sovereign and independent Palestinian State on the basis of the pre-1967 borders, with East Jerusalem as its capital. China will continue to actively promote the four-point proposal put

forward by Chinese President Xi Jinping to promote the resolution of the question of Palestine, calling for the advancement of the political process on the basis of the two-State solution; adherence to the philosophy of shared, comprehensive, cooperative and sustainable security; greater coordination of international efforts to maximize synergy for peace; and a holistic approach to achieving peace through development. China will continue to play a constructive role in the Middle East peace process. China remains open to any initiative or effort aimed at achieving a political settlement of the Palestinian question, easing the tensions between Palestine and Israel, and facilitating the achievement of the two-State solution.

The question of Jerusalem is complex and delicate and must be addressed as a fundamental issue within the broader Palestinian question. All parties should respect its multifaceted history, uphold fairness and justice, implement international consensus, strive for peaceful coexistence and act in accordance with relevant United Nations resolutions so as to reach a solution that accommodates all the interests of all parties through final-status negotiations. Palestine and Israel should respect each other's right to existence and avoid any action that may aggravate the current situation.

The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) has played an indispensable role in alleviating the humanitarian crisis in the occupied territories. China welcomes the success of the UNRWA Extraordinary Ministerial Conference on financing, which was recently held in Rome. We call on all parties to scale up their support for UNRWA and countries hosting Palestinian refugees so as to steadily improve the humanitarian conditions in which the refugees are living.

The meeting rose at 11 a.m.



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Implementation of Security Council resolution 2334 (2016)

Report of the Secretary-General

I. Introduction

1. The present report is the sixth quarterly report on the implementation of Security Council resolution 2334 (2016). It provides a review and an assessment of the implementation of the resolution since my previous report on the subject, which was delivered orally on 26 March 2018, and covers developments until 12 June 2018.

II. Settlement activities

2. In its resolution 2334 (2016), the Security Council reaffirmed that the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, had no legal validity and constituted a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace. The Council reiterated its demands that Israel immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem, and that it fully respect all of its legal obligations in this regard. No such steps were taken during the reporting period.

3. During the reporting period, some 3,500 housing units in settlements in Area C of the occupied West Bank were advanced, approved or tendered. One third of those units are in settlements in outlying locations deep in the West Bank. Plans for 2,300 units were advanced in the approval process, plans for 300 units reached the final approval stage, and tenders were announced for about 900 units. During the previous reporting period, 1,500 units were advanced, 160 approved and 900 tenders issued. As in the previous period, no advancements, approvals or tenders were made in occupied East Jerusalem. Among the largest plans advanced for settlements deep in the West Bank are those for 135 units in Tene, 156 in Qiryat Arba', 189 in Talmon and 102 in Negohot. One of the plans approved for construction is for 55 units in the settlement of Peza'el, situated in the Jordan Valley, in a sensitive location where settlement expansion risks severing the north-south connection in the northern West Bank.

4. On 26 March, 20 settler families occupied two houses located a few metres from the Ibrahimi Mosque/Tomb of the Patriarchs in Hebron's H2 area, claiming that they



had purchased the houses from their Palestinian owners. Ownership is currently being adjudicated by Israeli military authorities.

5. On 13 May, the Government of Israel approved five plans for government investment in Jerusalem, the largest amounting to \$550 million and aimed at closing gaps in infrastructure, service delivery and employment opportunities for the Palestinian neighbourhoods of occupied East Jerusalem.

6. The plans also include allocating \$115 million for the development of economic, commercial and recreational activities, as well as archaeological sites in and around the Old City. Approximately \$55 million was allocated to advance the controversial plan to build a cable car from West Jerusalem to the Old City. Concerns have been raised among Palestinians in East Jerusalem that those planned steps could deepen control by Israel over Jerusalem.

7. Demolitions and seizures of Palestinian-owned structures continued across the occupied West Bank, including East Jerusalem, albeit at the relatively low rate that characterized the past year. Demolitions increased overall across Area C by 94 per cent and decreased in East Jerusalem by 64 per cent, compared with the previous reporting period. Citing the absence of permits, which, as noted in the Middle East Quartet report of 2016, are extremely difficult for Palestinians to obtain in Area C and East Jerusalem, Israeli authorities demolished or seized 84 Palestinian-owned structures. This resulted in the forced displacement of 67 people and potentially affected the livelihoods of 4,500 others.

8. A new order by the Israel Defense Forces stipulates, as of 16 June, the demolition of unlicensed structures that are deemed “new” (i.e. established within 6 months or inhabited for less than 30 days) within 96 hours of the issuance of a removal order. That procedure will significantly impede the ability of Palestinians to challenge demolition orders in Israeli courts.

9. On 24 May, the High Court of Justice of Israel ruled that the demolition of Khan al-Ahmar — Abu al-Helu, home to 181 Palestinians, more than half of whom are children, could proceed. It renders nearly all community structures at risk of immediate demolition, including a school serving 170 students from five communities. Focusing on the legality of the demolition orders according to Israeli law, the High Court rejected the petitions requesting that the implementation of the demolition order by the State be prevented.

10. On 23 April, residents of the Bedouin community of Jabal al-Baba were forced to dismantle a caravan used as a kindergarten, a women’s centre and a clinic, following a seizure warning from the Israeli authorities. Jabal al-Baba is one of 18 Bedouin communities, comprising more than 3,500 persons located within or near the E1 settlement plan area, which envisages a continuous built-up area between Ma’ale Adummim and East Jerusalem that threatens the north-south contiguity of a future Palestinian State.

11. On 9 April, the Israeli authorities dismantled a donor-funded school in Khirbat Zanuta, in Hebron Governorate, subsequently seizing replacement structures. Also in Hebron, on 2 May several donor-funded structures in Masafer Yatta were demolished, displacing 35 people. This included six residential structures, electricity-generating equipment, animal pens and water systems. Four solar panels were also confiscated.

12. In the Silwan neighbourhood of East Jerusalem, on 8 April, Palestinian families in three houses were evicted by court order. Although the families obtained an injunction to suspend the eviction orders, they were not allowed to return to their homes.

13. On 12 June, the Israeli authorities evacuated and demolished 15 houses of Israeli citizens living in the illegal outpost of Netiv Ha'avot in the West Bank. The evacuation was carried out following a ruling by the High Court of Justice in September 2016 that the houses were illegally built, either fully or partially, on private Palestinian land.

III. Violence against civilians, including acts of terror

14. In its resolution 2334 (2016), the Security Council called for immediate steps to prevent all acts of violence against civilians, including acts of terror, as well as all acts of provocation and destruction, and called for accountability in this regard. However, the reporting period was characterized by high levels of violence and rocket attacks from Gaza.

15. During the reporting period, 135 Palestinians, including 16 children, were shot and killed by the Israel Defense Forces in Gaza, 118 of them during the "Great Return March" protests, 68 on 14 May alone, the peak of the protests. Hamas and Islamic Jihad have publicly acknowledged that a number of their members were among those killed in the protests and other incidents. Based on local estimates, during the protests, 3,778 Palestinians were wounded by live ammunition, resulting in scores of life-altering injuries. Two Israeli soldiers were injured during the protests.

16. Since the beginning of the protests, 54 health workers were injured and 45 ambulances affected. On 1 June, Razan al-Najjar, a 21-year-old Palestinian woman volunteering as a first responder, was shot and killed. She was one of two medical workers killed during the protests. According to eyewitness reports, Al-Najjar was dressed in clothing clearly distinguishing her as a health-care worker and was attempting to reach injured protesters when she was shot. The Israel Defense Forces opened an internal investigation and, on 5 June, released initial findings indicating that "no shots were deliberately or directly" aimed at Al-Najjar.

17. Public statements and messages by Hamas leaders indicated the intention to use mass protests to infiltrate Israel and seek martyrdom. Among the thousands of peaceful demonstrators, hundreds approached and attempted to breach the fence, burned tyres, threw rocks and firebombs at Israeli forces, launched incendiary kites and laid improvised explosive devices, at least two of which exploded at or near the perimeter fence. According to the Israeli authorities, incendiary kites have caused large fires that burned thousands of acres of agricultural fields and nature reserves, resulting in damage estimated at more than \$2 million. On three occasions, Palestinian protesters attacked the Kerem Shalom crossing and severely damaged infrastructure on the Palestinian side (see sect. V).

18. After discovering an improvised explosive device adjacent to the fence on 27 May and reportedly coming under fire while arresting two Palestinians who crossed into Israel on 28 May, the Israel Defense Forces killed three Palestinian Islamic Jihad militants and a Hamas militant. During the night of 28 May, machine gun fire from Gaza hit the Israeli city of Sderot, causing damage to several buildings and a vehicle.

19. On 29 May, reportedly in response to the deaths in Gaza, nearly 200 rockets and mortar rounds were fired from the Gaza Strip towards Israel, the largest wave of projectiles fired from Gaza since the conclusion of the previous round of fighting in Gaza in 2014. The majority of the projectiles were intercepted by Iron Dome, while one mortar reportedly landed in the grounds of a kindergarten in a kibbutz in the Eshkol Regional Council, causing no injuries. Three Israeli soldiers and two civilians were reportedly injured in other incidents in Israeli communities bordering Gaza. In

response, the Israel Defense Forces retaliated by striking 65 targets throughout the Gaza Strip that it attributed to Palestinian Islamic Jihad and Hamas. No casualties were reported from those retaliatory strikes.

20. Hamas and the Islamic Jihad claimed joint responsibility for the rockets and mortars fired at Israel. The escalation ended on 30 May, although on 2 June militants in Gaza fired at least four additional projectiles towards Israel. In response, the Israel Defense Forces said that they had retaliated by firing on 15 militant sites throughout the Gaza Strip. No casualties were reported.

21. Overall, since 26 March more than 250 rockets and mortar shells were fired from Gaza towards Israel, a tenfold increase compared with the previous reporting period. The Israeli Air Force targeted facilities that it attributed to Hamas and Palestinian Islamic Jihad on 120 occasions, causing extensive damage, killing two Palestinian militants and injuring another militant and one civilian. On 27 May, the Israel Defense Forces indicated that they had located an unmanned aerial vehicle armed with explosives, sent from Gaza towards the Sha'ar Hanegv Regional Council.

22. During the reporting period, Israel announced the destruction of three tunnels from Gaza, including a 2 km tunnel leading from Gaza and entering Israel and Egypt.

23. In the occupied West Bank, including East Jerusalem, regular clashes between Palestinians and the Israel Defense Forces continued throughout the reporting period. On 23 May 2018, a Palestinian teenager died of gunshot wounds sustained from Israeli security forces during protests. On 26 May, an Israeli soldier died after being critically wounded on 24 May by a Palestinian during an arrest operation in the Am'ari refugee camp in Ramallah. On 6 June, a Palestinian youth was shot dead by the Israel Defense Forces during protest-related clashes in the village of Nabi Salih, north-west of Ramallah.

24. Since 10 June, thousands of Palestinians have demonstrated in Ramallah in solidarity with Gaza against the restrictive measures imposed by the Government of the State of Palestine on the Strip. Demonstrators also demanded an end to the political division and the closures in Gaza.

25. On 11 June, an 18-year-old Israeli woman was seriously injured in a stabbing attack in the city of Afula, in northern Israel. The Israeli authorities arrested a Palestinian from Janin on suspicion of carrying out the attack.

26. During the reporting period, 48 incidents of Israeli settler-related violence were documented and resulted in 14 Palestinian injured casualties and damage to property. There were 29 Palestinian attacks against Israeli civilians in the West Bank, also resulting in casualties or damage. Both represent a decline compared with the previous period, during which there were 61 and 45 attacks, respectively.

27. The highest number of incidents of violence perpetrated by settlers occurred in the Yitzhar settlement and its adjacent outposts and affected at least 20,000 Palestinians in five communities in the Nablus Governorate. The Israel Defense Forces have reportedly deployed additional forces in the area to prevent further incidents.

28. On 19 April, an Israeli civilian was lightly wounded in occupied East Jerusalem by a molotov cocktail, while on 22 May a vehicle driven by an Israeli was hit by gun shots near the Talmon settlement, causing no injuries. Two Palestinians were reportedly arrested in connection with the attack.

29. On 28 March, findings were published of the Israeli military police investigation into the killing of a Palestinian 29-year-old double amputee, Ibrahim Abu Thurayah, during demonstrations close to the Gaza fence on 15 December 2017. The investigation concluded that he had not been killed by Israeli sniper fire.

30. On 25 April, the Jerusalem District Court sentenced an Israeli border police officer, Ben Deri, to nine months' imprisonment after he pleaded guilty for causing death by negligence. According to the Court, Deri shot and killed a 17-year-old Palestinian, Nadeem Nuwara, on 15 May 2014, during the Nakbah demonstrations in Ramallah.

31. On 8 May, an Israeli soldier, Sergeant Elor Azaria, was released after serving two thirds of his sentence (9 months in prison). He had been convicted in February 2017 of manslaughter for shooting and killing an incapacitated Palestinian after the latter had reportedly stabbed an Israeli soldier in Hebron in March 2016. Sergeant Azaria's initial sentence of 18 months had been reduced to 14 months in September 2017.

32. On 29 March, for the first time, an Israeli court convicted an Israeli national of membership in a terrorist organization for participating in a "price tag" attack against Palestinians. In the first four months of 2018, 23 Israelis suspected of involvement in "price tag" attacks, many of them minors, were reportedly indicted and 13 were issued administrative orders, limiting their access to the West Bank.

33. On 1 May, indictments were filed with the Jerusalem District Court against three Palestinians from East Jerusalem for allegedly conspiring to carry out shooting attacks in the West Bank under the guidance and sponsorship of Hamas. On 27 May, additional indictments were filed by the Israeli prosecution authorities against suspected members of a cell for allegedly planning attacks against high-level targets, including the Prime Minister of Israel, Benjamin Netanyahu, and diplomatic missions in Jerusalem.

IV. Incitement, provocation and inflammatory rhetoric

34. In its resolution [2334 \(2016\)](#), the Security Council called upon both parties to act on the basis of international law, including international humanitarian law, and their previous agreements and obligations, to observe calm and restraint and to refrain from provocative actions, incitement and inflammatory rhetoric and called for compliance with obligations under international law for the strengthening of ongoing efforts to combat terrorism and to clearly condemn all acts of terrorism. Provocation, incitement and inflammatory rhetoric continued during the reporting period.

35. On 30 April, during his opening speech at the Palestinian National Council, the President of the State of Palestine, Mahmoud Abbas, made statements that included the unacceptable suggestion that the social behaviour of Jews was the cause of the Holocaust and said that Israel was "an imperialist project". Those statements were widely condemned by the international community, and Mr. Abbas subsequently apologized, emphasizing that the Holocaust was "the most heinous crime in history". A senior Palestinian religious leader and adviser to the President also made statements calling any Jewish connection to Jerusalem an "imperialist myth".

36. At the height of the Gaza protests, a senior Hamas official called upon protesters to "take down the border and tear out their [i.e. Israelis'] hearts", one of several public calls by Hamas leaders inciting protesters to violence, including on social media. As in previous reporting periods, Fatah's official social media pages continued to glorify the perpetrators of past terrorist attacks. According to media reports, during one of the protests, another Hamas official delivered a speech calling upon protesters to welcome "martyrdom" before thousands of them streamed towards the perimeter fence.

37. Israeli officials also made provocative and inflammatory statements. In a radio interview, a senior Israeli minister asserted that, in Gaza, "everyone is affiliated with

Hamas”, justifying the use of live fire against demonstrators. Separately, an Israeli Member of the Knesset tweeted that a Palestinian teenager, Ahed Tamimi, currently sentenced for slapping Israeli soldiers, should have “gotten a bullet, at least in the kneecap”. Senior Israeli politicians also continued to call for the annexation of the settlements, denying that the Palestinian territories were occupied, and for open rejection of the Palestinian right to statehood.

V. Affirmative steps to reverse negative trends

38. Resolution [2334 \(2016\)](#) reiterated the calls by the Middle East Quartet for affirmative steps to be taken immediately to reverse the negative trends on the ground that are imperilling the two-State solution. The period witnessed both positive and negative actions by the parties in this regard.

39. Significant progress was made towards finalizing a power purchase agreement, which would enable the Palestinian Authority to exercise operational and commercial responsibility over electricity connection points in the West Bank. Outstanding issues to be resolved include bank guarantees and Israeli access to clearance revenues in the event of a default on payments.

40. On 7 June, Israel reinstated the 24-hour operations of the King Hussein (Allenby) Bridge crossing between Jordan and the West Bank during weekdays. That arrangement will be in place until 13 September.

41. Progress continued on the reconstruction in Gaza of houses completely destroyed during the conflict in 2014, with work on more than 400 houses completed during the reporting period. Nearly 13,500 of the 17,800 houses completely destroyed have been rebuilt. The temporary Gaza Reconstruction Mechanism continues to play an important role in the reconstruction, as well as in new construction work in Gaza. However, despite a significant improvement since the beginning of the year in Israeli approvals for materials to enter Gaza, there has not been a significant increase in imports, and the number of new submissions under the Mechanism has also declined. This is due largely to the drop in purchasing power and international assistance for reconstruction.

42. The Rafah crossing with Egypt was open for six days, from 12 to 17 May, for the crossing of humanitarian cases and pre-registered Palestinians in Gaza, including students and those with dual nationalities and residences. On 17 May, Egypt announced that the opening would be extended throughout the holy month of Ramadan and that entry would also be possible for people injured during the Great Return March. This was the longest uninterrupted opening of the Rafah crossing since October 2014. Since 26 March, more than 14,000 Palestinians have crossed into Egypt, while more than 3,300 have crossed into Gaza. The adjacent Hamas-controlled Salah al-Din Gate was open for 26 days during the reporting period, with more than 1,100 trucks entering Gaza, loaded mainly with food commodities, construction materials and fuel.

43. On 30 April, the Palestinian National Council convened in Ramallah for the first time in 22 years, re-electing Mr. Abbas as Chair. The Popular Front for the Liberation of Palestine and Hamas boycotted the meeting. The final statement of the Palestinian National Council reiterated the commitment to a peaceful solution based on long-standing parameters and United Nations resolutions. The same statement stressed the need to implement the decision of the Central Council, made at its past two sessions, to stop all forms of security coordination and to be free from the economic dependency ties established by the Paris Protocol on Economic Relations, including the economic boycott of occupation products, in support of the independence of the

national economy and its growth. It also mandated the Executive Committee to suspend the recognition of Israel until Israel recognizes the State of Palestine on the basis of the borders of 4 June 1967 and repeals the decision to annex East Jerusalem and stop the settlements. It also endorsed a set of political moves to join various international treaties and to seek international protection for the Palestinian people.

44. The process of returning the Gaza Strip to Palestinian government control came to a halt after the convoy of the Prime Minister, Rami Hamdallah, was targeted in Gaza by a roadside bomb on 13 March, as no senior Palestinian government official has since travelled to Gaza. Egypt continued its efforts to revive the process, holding talks with senior Hamas and Fatah officials.

45. The Government of the State of Palestine has maintained its restrictive measures against Gaza since April 2017, including cuts of up to 50 per cent in the salaries of tens of thousands of public sector employees in Gaza. Most recently, the Government failed to pay these reduced salaries for the month of March and applied salary cuts of approximately 50 per cent when it paid April salaries on 3 May and May salaries on 4 June.

46. The health sector of Gaza has struggled to deal with the mass influx of casualties and injuries related to the recent protests, with essential health services already on the edge of collapse after 10 years of Israeli closures, Hamas control and Palestinian Authority measures to reduce electricity payments for Gaza. Medical supplies are significantly depleted, and access to health care for non-trauma patients is being compromised. Foreign medical teams have been urgently requested to provide specialized vascular, orthopaedic and reconstructive care. Some 49 per cent of essential medicines, including 74 per cent of cancer drugs, and 29 per cent of medical disposables are at zero stock level as a result of funding shortages.

47. Power cuts in Gaza continued to reach up to 22 hours per day, severely undermining the provision of essential services. At current consumption rates, donor funds are available for the United Nations to distribute emergency fuel to power critical water, sanitation and health facilities only until early August. On 12 April, the Gaza power plant ceased production, owing reportedly to a lack of funds to purchase fuel, with a brief resumption from 30 May to 5 June. Following the closure of the power plant, the only reliable source of electricity in Gaza came from Israel, as the supply from Egypt continued to be inoperable. Such limited supply meets less than one quarter of the demand and has resulted in an average of four hours of electricity per day. Water is piped to households for a few hours only every four to five days.

48. On 4, 11 and 14 May, Palestinian protesters burned and looted equipment and installations on the Palestinian side of the Kerem Shalom crossing. Nevertheless, coordination between Israel and the Palestinian Authority enabled a speedy resumption of essential imports, including medical supplies, fuel and other food and non-food items, as well as agricultural exports. Despite substantial damage caused on 11 May, the volume of truck traffic through the crossing had reached almost normal levels within five days. However, the specialized transfer equipment, including pumps and conveyor belts, was rendered unusable. The United Nations continues to work with the parties to ensure urgent, safe and reliable solutions for all critical supplies, particularly cooking gas and fuel for the private sector.

49. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) is facing an unprecedented \$250 million shortfall. The Agency and its stakeholders are making every effort to ensure that 526,000 Palestine refugee students will be able to attend the following school year without interruption. On 15 March, the Ministers for Foreign Affairs of Egypt, Jordan and Sweden co-chaired an extraordinary ministerial conference, attended by some 90 Member States, to provide sufficient, predictable and sustained funding to UNRWA by building new

funding alliances, reaffirming support for the UNRWA mandate and overcoming the Agency's unprecedented shortfall of \$446 million. Some \$100 million was pledged at the conference. In April, over \$100 million was pledged by other partners, notably the Gulf States. Despite these crucial contributions, the shortfall remains at \$250 million.

VI. Efforts by the parties and the international community to advance the peace process and other relevant developments

50. In its resolution [2334 \(2016\)](#), the Security Council called upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967. During the reporting period, there were no developments related to States' doing so.

51. In the same resolution, the Council called upon all parties to continue to exert collective efforts to launch credible negotiations, including through the acceleration of international and regional diplomatic efforts and support aimed at achieving, without delay, a comprehensive, just and lasting peace in the Middle East. No progress was achieved during the reporting period.

52. On 15 May, the State of Palestine submitted a request for membership in the United Nations Conference on Trade and Development. On 17 May, it deposited instruments of accession to the Constitution of the United Nations Industrial Development Organization, which entered into force for the State on the same day, and to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, which was to enter into force for the State on 16 June. On 6 June, Palestine deposited instruments of accession to seven international conventions and treaties, including the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

53. Following its recognition on 6 December 2017 of Jerusalem as the capital of Israel, the United States of America opened its embassy to Israel in Jerusalem on 14 May. That move, which was followed on 16 and 21 May by similar actions by Guatemala and Paraguay, respectively, was objected to by several other States.

54. On 17 May, the Council of the League of Arab States held an extraordinary ministerial meeting in Cairo on confronting the United States decision to move its embassy to the occupied city of Jerusalem, the development of the situation and condemnation of the crimes committed by the Israeli occupation in Palestine. Its member States adopted a resolution in which, inter alia, they condemned and rejected the recognition of Jerusalem by the United States as the capital of Israel and the relocation of its embassy.

55. At its seventh Extraordinary Islamic Summit Conference, held on 18 May, the Organization of Islamic Cooperation (OIC) called for the provision of international protection for the Palestinian people, including through the dispatch of an international protection force, as well as for the establishment by the OIC General Secretariat of an international independent mechanism for alleged crimes committed by the Israel Defense Forces against the Palestinian people. The OIC Summit also underscored its rejection of the United States proclamation of Jerusalem as the capital of Israel and the relocation of the Embassy of the United States.

56. A number of other States expressed their condemnation of the deaths in Gaza.

57. On 1 June, the Security Council voted on but did not adopt two draft resolutions related to the high number of casualties during the protests on 14 May and to the

rockets and mortar rounds launched from Gaza towards Israel on 29 and 30 May. On 13 June, the resolution that had been proposed to the Council by Kuwait, on the protection of the Palestinian civilian population, was presented to the General Assembly for a vote and adopted.

58. On 15 May, during the meeting of the Security Council on the situation in Gaza, several Member States requested the Secretariat to bring forward proposals to address the situation in Gaza, in line with the commitment to advancing urgent infrastructure and economic development projects, improving access and movement in Gaza and supporting the Egyptian-led reconciliation process. In this regard, my Special Coordinator for the Middle East Peace Process outlined, in his briefing to the Council on 23 May, a proposal prioritizing projects identified and agreed over the past two years by the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, focusing primarily on improving water, energy and health infrastructure, as well as income-generating activities; enhancing United Nations project management capacity in Gaza to accelerate the implementation of the prioritized projects; and strengthening coordination with the Governments of Egypt, Israel and the State of Palestine. In the weeks since, he has continued to engage with all sides to advance those proposals.

59. On 18 May, the Human Rights Council adopted resolution S-28/1, in which it decided to urgently dispatch an independent, international commission of inquiry, to be appointed by the President of the Human Rights Council, to investigate all alleged violations and abuses of international humanitarian law and international human rights law in the Occupied Palestinian Territory, including East Jerusalem, particularly in the occupied Gaza Strip, in the context of the military assaults on the large-scale civilian protests that began on 30 March.

60. On 22 May, pursuant to articles 13 (a) and 14 of the Rome Statute of the International Criminal Court, the State of Palestine requested the Prosecutor to investigate, in accordance with the temporal jurisdiction of the Court, past, ongoing and future crimes within the Court's jurisdiction, committed in all parts of the territory of the State of Palestine. Following the referral, also on 22 May, the Prosecutor issued a statement in which she noted that, since 16 January 2015, the situation in Palestine had been subject to a preliminary examination in order to ascertain whether the criteria for opening an investigation had been met. That preliminary examination has seen important progress and will continue to follow its normal course, strictly guided by the requirements of the Rome Statute.

VII. Observations

61. The settlement activities of Israel continue unabated and undermine the hopes and the practical prospects for establishing a viable Palestinian State. The decision on 30 May by Israel to advance, approve and tender some 3,500 housing units in the occupied West Bank, the largest single batch of advancements since June 2017, creates yet more obstacles to advancing a negotiated two-State solution. I reiterate that all settlement activity in the Occupied Palestinian Territory, including East Jerusalem, constitutes a flagrant violation under international law, as stated in resolution [2334 \(2016\)](#), and must cease immediately and completely.

62. The ruling of 24 May of the High Court of Justice to enable the demolition of almost all structures in Khan al-Ahmar — Abu al-Helu puts the community at imminent risk. I am also concerned that the decision represents a significant precedent and threat for other Bedouin herder communities across Area C of the occupied West Bank. I call upon the Government of Israel to cancel its plans to carry out the mass demolition and the transfer of the residents of Khan al-Ahmar — Abu al-Helu, and

remind all parties that such actions within an occupied territory may constitute a grave breach of international humanitarian law.

63. In Gaza, the reporting period witnessed the immense suffering of the people and the most serious escalation since the conflict between Hamas and Israel in 2014. It is and should be a warning to all as to how close to the brink of war the situation is. Only by changing the reality on the ground — by recognizing and addressing the plight of Palestinians in Gaza, by ensuring that all sides recommit to the 2014 ceasefire understandings and by supporting Egyptian-led efforts to restore control by the legitimate Government of the State of Palestine in Gaza — can the possibility of a viable, independent and fully representative Palestinian State be preserved and another disastrous, lethal conflict averted. I unequivocally condemn the steps by all parties that have led to this dangerous and fragile place.

64. I am shocked by the number of deaths and injuries of Palestinians resulting from the use of live fire by the Israel Defense Forces since protests began along the Gaza perimeter fence on 30 March. Israel has a responsibility to exercise maximum restraint in the use of live fire and to not use lethal force, except as a last resort against imminent threat of death or serious injury. It must protect its citizens, but it must do so with due respect of international humanitarian law. The killing of children, as well as of clearly identified journalists and medical staff, by security forces during a demonstration is particularly unacceptable. Journalists and medical staff must be allowed to perform their duties without fear of death or injury. Attacks on medical teams in Gaza not only risk the life and health of staff and patients but also undermine the overall capacity of the health system of Gaza. Noting that the Israel Defense Forces have established a team to examine recent events, I reiterate my calls for an independent and transparent investigation into these incidents.

65. The actions of Hamas and other militant groups put at risk not only the lives of Israelis and Palestinians but also the efforts to restore dignity and the prospects of a liveable future for Palestinians in Gaza. In the context of the Great March of Return, some have attempted to breach or place explosives at or near the fence, exploiting and undermining the legitimate right of individuals to protest non-violently. Rockets launched towards Israel on 29 and 30 May have brought us closer to all-out conflict than we have seen since 2014. All these actions are unacceptable and, in the case of the indiscriminate firing of rockets at civilian populations, may constitute a violation of international humanitarian law. Hamas and others must prevent the launch of rockets and breach of the fence, as escalation only costs more precious lives.

66. The incitement by the Hamas leadership of protesters in Gaza inflamed and encouraged a highly volatile situation that contributed to violent actions at the fence and risked serious escalation. On several occasions, Hamas leaders directly called upon protesters to breach the fence and seek martyrdom. Statements from senior Israeli government officials falsely asserting that all Palestinians there were affiliated with Hamas, and thus legitimate targets, signalled a permissive Israeli policy towards the use of live fire against protesters and contributed to the tragedy that the international community has witnessed over the past 11 weeks.

67. Provocative rhetoric by Palestinian and Israeli officials during the reporting period also continue to undermine trust between the parties and do not serve the interests of peace in the Middle East. Leaders have a responsibility to reduce, not augment, tensions, to build bridges, not create obstacles, and to confront conspiracy theories, not perpetuate them.

68. I note the decision by the Government of Israel to increase investment in occupied East Jerusalem. While gaps in infrastructure and service delivery in Palestinian neighbourhoods have long been a concern, some elements, as well as the accompanying political rhetoric, raise concerns, particularly among Palestinians in

East Jerusalem, that the planned steps could undermine their political, cultural and economic connections with the rest of the West Bank, threaten their properties and deepen control by Israel over Jerusalem. I reiterate that unilateral steps by any party seeking to alter the character or prejudge the final status of Jerusalem, which must be determined by the parties through negotiations on the basis of relevant United Nations resolutions, taking into account the legitimate concerns of both the Palestinian and the Israeli sides, are inconsistent with United Nations resolutions and are an obstacle to peace.

69. The convening of the Palestinian National Council for the first time in 22 years was a welcome development. However, I express concern at some aspects of its final statement, particularly the provision to stop all forms of security coordination and to be free from the economic dependency ties established by the Paris Protocol, including the economic boycott of occupation products, in support of the independence of the national economy and its growth, and to suspend the recognition of Israel until it recognizes the State of Palestine on the basis of the borders of 4 June 1967 and repeals the decision to annex East Jerusalem and stop the settlements. If taken, such steps could reverse progress attained through years of negotiations and efforts spent building Palestinian national institutions, while making a return to meaningful negotiations even more difficult.

70. I am deeply concerned by the economic collapse in Gaza. In addition to the impact of the restrictive closure regime, the non-payment of salaries by the Government of the State of Palestine to Palestinian employees in Gaza further compounds the situation, already marked by a severe liquidity crisis and an acute shortage of cash. This and other dangerous measures must be rolled back and no new ones imposed. Efforts to preserve the links and unite Gaza with the West Bank must continue, starting with the return of Gaza to the full control of the legitimate Government of the State of Palestine. The success of any initiative in Gaza is linked to a credible political horizon that unites all Palestinians.

71. I have continuously warned of the risks of the deteriorating humanitarian situation in Gaza. Today, the desperate situation is compounded by the potential suspension of key United Nations programmes, a lifeline for Palestinians in Gaza. The precarious financial situation of UNRWA is of particular concern, not only for approximately 1 million Palestine refugees in Gaza who receive food and other humanitarian assistance, but also for recipients of UNRWA services throughout the West Bank, Jordan, Lebanon and the Syrian Arab Republic. The substantial shortfall of \$250 million, if not urgently met, runs the serious risk of disrupting the Agency's services. The additional instability caused by such a development in a region already wracked by conflict can, and must, be prevented, if all act now to address the gap. I call upon all Member States to further support UNRWA, including on the occasion of the pledging conference to be held in New York on 25 June.

72. I welcome the cooperation between the Israeli and Palestinian authorities to ensure that the Kerem Shalom crossing, critical to humanitarian delivery, continues to function with minimal interruptions despite three rounds of damage caused by Palestinian protesters. Looking ahead, and taking into consideration its legitimate security concerns, I urge Israel to ease the movement of goods and people to and from Gaza. Only by a full lifting of the debilitating closures, in line with Security Council resolution 1860 (2009), can we hope to sustainably resolve the humanitarian crisis and begin the important task of development. I also welcome the decision by Egypt to open the Rafah border crossing during the holy month of Ramadan, and hope for more regular movement through the crossing.

73. I remain greatly concerned by the state of our collective efforts to advance peace, and I urge key regional and international partners to re-engage and remain

steadfast in pursuit of a two-State solution. I reaffirm my commitment to the Middle East Quartet, which remains the pre-eminent forum in which to discuss perspectives for resolving the conflict.

74. Given the interconnected nature of conflicts throughout the region and the iconic nature of the Palestinian-Israeli conflict that can feed extremist narratives, creating the conditions for the parties to return to meaningful bilateral negotiations remains critical.

75. I welcome discussions in the Security Council of ideas to confront the untenable situation in Gaza by advancing infrastructure and development projects, improving access and movement and supporting the vital Egyptian-led reconciliation process. My Special Coordinator will continue to engage constructively with the Government of the State of Palestine and with Egypt, Israel and key international partners to move forward with a quick implementation of a set of relatively modest, achievable interventions that will have an immediate impact on the lives of Palestinians in Gaza and support longer-term development initiatives. Ultimately, these efforts are meant to strengthen, not replace, overarching political objectives. Economic development, critical as it is, is no substitute for sovereignty and statehood.

76. I strongly condemn, as I have consistently done, unilateral measures, which jeopardize the prospect of peace for Israelis and Palestinians. In its resolution [2334 \(2016\)](#), the Security Council explicitly underlined that it would not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations.

77. Gaza cannot be ignored or dealt with out of context; it is an integral part of the Palestinian story. The plight of Palestinians in Gaza brings into sharp relief the fact that the current trajectory, not only in Gaza but also throughout the occupied Palestinian territory and in Israel, is not sustainable. The multifaceted crisis in Gaza can ultimately be resolved only if the wider Israeli-Palestinian conflict is addressed, by ending the occupation; resolving all final status issues, including the status of Jerusalem, the Palestine refugees, borders and security arrangements; and establishing a viable, independent Palestinian State that will achieve the inalienable rights of the Palestinian people, in line with relevant United Nations resolutions, prior agreements and international law. I reiterate that there is no viable alternative to the two-State solution, with Israel and Palestine living side by side in peace and security with Jerusalem as the capital of both States.



Security Council

Seventy-third year

8358th meeting

Thursday, 20 September 2018, 3 p.m.

New York

Provisional

President: Mrs. Haley (United States of America)

Members:

Bolivia (Plurinational State of)	Mr. Llorentty Solíz
China	Mr. Ma Zhaoxu
Côte d'Ivoire	Mr. Ipo
Equatorial Guinea	Mr. Esono Mbengono
Ethiopia	Ms. Guadey
France	Mr. Delattre
Kazakhstan	Mr. Umarov
Kuwait	Mr. Alotaibi
Netherlands	Mr. Van Oosterom
Peru	Mr. Tenya
Poland	Ms. Wronecka
Russian Federation.	Mr. Nebenzia
Sweden	Mr. Skoog
United Kingdom of Great Britain and Northern Ireland . .	Ms. Pierce

Agenda

The situation in the Middle East, including the Palestinian question

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

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President: In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I now welcome and give the floor to Mr. Mladenov.

Mr. Mladenov: On behalf of the Secretary-General, I will devote this briefing to presenting the seventh report on the implementation of Security Council resolution 2334 (2016), covering the period from 13 June to 12 September 2018. I will focus on developments on the ground in accordance with the provisions of the resolution, including on regional and international efforts to advance peace.

Let me reiterate from the very beginning that these developments cannot be divorced from the broader context: Israel's continued military occupation of Palestinian territory; uncertainties about the future of the peace process and the two-State solution; Hamas' continuing hold on Gaza and its militant activity, including rocket attacks and tunnel construction; unilateral actions that undermine peace efforts; reduced donor support for the Palestinian Authority; and turmoil in the wider region.

I would like to highlight from the outset the very serious financial situation that the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) continues to face. We welcome the contributions that several Member States recently announced and urge that additional new funding be provided for its critical work. On 27 September, a ministerial meeting in support of UNRWA will be held on the margins of the General Assembly. I urge all participants to engage constructively to ensure the continuity of the Agency's vital services.

No steps have been taken during the reporting period to "cease all settlement activities in the occupied

Palestinian territory, including East Jerusalem", as required by the resolution. I reiterate that all settlement activities are a violation of international law and a major obstacle to peace.

Approximately 2,800 housing units in settlements in Area C of the occupied West Bank were advanced, approved or tendered by Israel. Approximately one third of those units are in outlying settlements, deep in the West Bank. Plans for about 1,100 units were advanced in the approval process, plans for an additional 600 units reached the final approval stage and tenders were announced for about 1,100 units. A tender was also announced for 603 housing units in the Ramat Shlomo neighbourhood, the first tender in East Jerusalem since 2016.

On 28 August, the district court in Jerusalem ruled that the illegal outpost of Mizpe Kramim could be legalized under Israeli law, despite being built partially on private Palestinian land. The ruling was the first to rely on the so-called market regulation principle, which allows houses to be built in good faith on private land, without the consent of the owner to be retroactively legalized and the owner compensated. If the ruling is upheld in Israel's High Court of Justice, it could enable the legalization of additional outposts and housing units in settlements.

Demolitions and seizures of Palestinian-owned structures continued across the West Bank and East Jerusalem. Citing the absence of Israeli-issued building permits, which are nearly impossible for Palestinians to obtain, 117 structures were demolished or seized: 61 in Area C and 56 in East Jerusalem. According to the Office for the Coordination of Humanitarian Affairs (OCHA), that resulted in the displacement of 145 Palestinians, including 82 children, and affected the livelihoods of approximately 950 people.

In Khan Al-Ahmar/Abu Al-Helu, a Bedouin community of 181 people, Israeli authorities requisitioned land, levelled access routes and temporarily declared the area a closed military zone, in advance of the expected demolition of its structures. Following a protracted legal process, on 5 September, the Israeli High Court of Justice denied several petitions by residents to prevent the demolition. On 4 July, in Abu Nuwar, a Bedouin community of about 600 residents, 19 structures were demolished. OCHA reported that 51 people, including 33 children, were displaced. Later that month a donor-funded caravan

in the Bedouin community of Jabal Al-Baba, serving as a kindergarten for 28 children and as a women's centre, was also confiscated and dismantled. Those communities are located in or next to an area that is slated for settlement plans in the E-1 area, which, if constructed, would create a continuous built-up area between the Ma'ale Adumim and East Jerusalem.

In July, the Israeli Knesset approved a law transferring the jurisdiction over certain petitions against decisions by Israeli authorities in the West Bank from the High Court of Justice to the administrative affairs court in Jerusalem. That step could make it more difficult and costly to challenge the demolition or seizure of Palestinian properties in Area C.

On 11 September, the European Union High Representative for Foreign Affairs, Federica Mogherini, called on Israeli authorities to reconsider the decision to allow the demolition of Khan Al-Ahmar, warning that "it would have grave humanitarian consequences" and contravene international humanitarian law. That call was reiterated by Germany, France, Italy, Spain and the United Kingdom. I also issued a statement expressing the same concern over such action. On 13 September, the European Parliament also called for monetary compensation for financial losses, should Khan Al-Ahmar be demolished.

Let me turn to the issue of violence, which also remains an obstacle to peace. The reporting period saw significant incidents and escalation that brought Israel and Hamas almost to war on at least three occasions.

Palestinian protests at the Gaza fence continued on almost a daily basis. While most occasions remained fairly peaceful, militants placed improvised explosive devices, attempted to breach the fence and continued to send incendiary kites and balloons across the border. The Israel Defence Forces (IDF) responded with riot dispersal means and live fire. During protests throughout the reporting period, 29 Palestinians were killed or died of wounds sustained previously, including 10 children. Approximately 900 people were injured by live ammunition. One Israeli soldier was killed and another injured.

In successive rounds of hostilities, Hamas and other Palestinian militants fired approximately 500 rockets, Grad missiles and mortars from Gaza towards Israel. In response, the IDF fired approximately 400 missiles and tank shells at targets in Gaza. It destroyed three tunnels leading from Gaza into Israel, 18 Palestinians

were killed, including 5 children, 118 injured, and 37 Israelis were injured in those exchanges. On at least three occasions the situation escalated dramatically. Calm was restored only after Egypt and the United Nations intervened to de-escalate tensions.

Incendiary kites and balloons continued to be launched from Gaza into neighbouring Israeli communities. In the West Bank, including East Jerusalem, 266 Palestinians, including 5 women and 54 children, were injured in clashes with Israeli security forces during search-and-arrest operations and demonstrations.

On 23 July, a 15-year-old Palestinian was killed during clashes in Bethlehem's Al-Duheisha refugee camp. Three days later, in the settlement of Adam, a 17-year-old Palestinian stabbed and killed an Israeli man and injured two others. On 17 August and 3 September, Israeli security forces shot dead an Israeli-Arab and a Palestinian in Jerusalem's Old City and in Hebron, respectively, after they reportedly attempted to carry out stabbing attacks against security forces.

On 27 July, clashes erupted at the Temple Mount/Haram Al-Sharif compound between Palestinians and Israeli security forces, where 10 Palestinians and four Israeli police officers were injured. On 16 September, in another attack a Palestinian teenager stabbed and killed an Israeli-American outside a shopping mall in the occupied West Bank. It is reprehensible that Hamas and other factions chose to glorify that attack.

Despite the call in resolution 2334 (2016) for the parties to refrain from acts of provocation, incitement and inflammatory rhetoric, such statements continued. Hamas leaders continued to incite violence, with one senior official speaking of "cleansing Palestine of the filth of Jews" and threatening to decapitate Israeli leaders. Fatah's official social media pages continued to glorify the perpetrators of previous attacks against Israelis and failed to condemn terror attacks against civilians. Some religious leaders and officials made inflammatory statements, accusing Israel of plotting to destroy the Al-Aqsa Mosque and denying the Jewish historic and religious connection to Jerusalem.

Meanwhile, some Israeli officials called for the targeting of Palestinians launching incendiary kites and balloons into Israel from Gaza and for the extrajudicial killings of Hamas officials. One member of the Knesset called for Israel to reconquer Gaza and insisted that Palestinians in Gaza either acquiesce to

Israel's sovereignty or emigrate. Others continued to provoke by rejecting the Palestinian right to statehood, supporting settlement growth and the annexation of parts of the West Bank.

Resolution 2334 (2016) reiterated the calls made by the Middle East Quartet for

“affirmative steps to be taken immediately to reverse negative trends on the ground that are imperilling the two-State solution.”

Some positive steps have been taken, including Israel releasing approximately \$44 million of withheld Palestinian health stamp revenues, which is the result of continuing direct engagement of the Finance Ministries of both sides, as well as continued progress on Gaza reconstruction. The Rafah crossing between Gaza and Egypt remained largely open during the reporting period, with the number of people crossing reaching over 12,000 in both June and July.

The negative developments, however, outweigh the positive news. Most worrying perhaps is the continuing deterioration of the humanitarian, security and political situation in Gaza, as the implementation of the Egyptian-brokered October agreement remains stalled and the Palestinian Authority has not been able to take up its responsibilities in Gaza.

As we meet today, the power crisis in Gaza is coming to a head. The United Nations has run out of funding for emergency fuel, putting critical health, water and sanitation facilities at immediate risk of shutting down, while essential medicines are at critically low levels. On 5 September, the United Nations delivered the final stocks of available emergency fuel to Gaza. Despite calls for donors to urgently contribute, little additional funding was forthcoming.

The situation was worsened by the temporary closures of the Kerem Shalom crossing and reductions in the fishing zone that were introduced by Israel during the periods of escalation, as well as the continuing measures by the Palestinian Authority to reduce salaries, energy supplies and overall spending in Gaza. The United Nations Humanitarian Coordinator has released \$1 million from the emergency pooled fund to cover fuel for hospitals and water and sanitation facilities to prevent a full collapse of essential services.

To address the chronic crisis in the occupied Palestinian territory, the humanitarian community appealed for nearly \$550 million this year, through the

humanitarian response plan, 75 per cent of which is for projects targeting Palestinians in Gaza. At present, the appeal is less than 29 per cent funded, one of the most poorly funded in the world.

Paragraph 5 of resolution 2334 (2016) called on Member States

“to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied in 1967”.

No such steps were taken during the reporting period. The resolution also called upon all parties to continue to exert collective efforts to launch credible negotiations. No progress was achieved in that respect.

The United States has repeatedly announced that it is continuing its efforts aimed at a comprehensive peace plan. In August, the Administration suspended more than \$200 million in its fiscal year 2017 Economic Support Fund for the West Bank and Gaza, and a further \$25 million for the East Jerusalem hospitals network. On 10 September, it closed the Palestine Liberation Organization Office in Washington, D.C., citing its failure to take steps towards meaningful negotiations with Israel and concerns with Palestinian attempts to prompt an investigation of Israel by the International Criminal Court.

The Palestinian Central Council convened in August and ratified the continued severance of political relations with the United States until the latter revisits its decision regarding Jerusalem, Palestinian refugees and settlements.

On 5 September, the Government of Paraguay announced that it would reverse the previous decision from May to relocate its Embassy in Israel to Jerusalem and move it back to Tel Aviv.

Since the escalation of hostilities in Gaza in July, the United Nations has led an unprecedented effort with the Governments of Egypt, Israel and other international partners to prevent another outbreak of hostilities, respond to the most urgent humanitarian needs and support the return of the legitimate Palestinian Government to Gaza, a crucial element in any political effort to resolve the wider conflict.

The United Nations has enhanced its capacity in Gaza to work with the Palestinian Government and Israeli counterparts to support donor implementation on all issues related to the Gaza Reconstruction

Mechanism and provide accountable and transparent reporting to donors.

The World Bank has increased its allocation from \$55 million to \$90 million for the West Bank and Gaza over the next year, part of which will be used to create approximately 4,400 short-term employment opportunities. The United Nations Development Programme has also accelerated its emergency economic assistance programme, with support from several donors.

I would now like to share some broad observations concerning the implementation of the provisions of resolution 2334 (2016) during the reporting period.

First, the expansion of Israeli settlements remains illegal under international law and continues to erode the viability of a two-State solution. Particularly alarming are legal and administrative steps that could consolidate and expand settlement activity deep in the West Bank, further undermining the contiguity of a future Palestinian State.

The persistent threat of demolitions and displacement of Palestinians in Area C, including in Khan Al-Ahmar/Abu Al-Helu, is of great concern. The 5 September decision of the High Court of Justice places the Bedouin community at imminent risk of demolition. Demolitions undermine the prospects for a two-State solution and are also in violation of international law.

Violence, terror and the risk of conflict in Gaza remain an obstacle to peace. I welcome the calm since 9 August, but I am very concerned by consistent attempts to undermine it. All sides — and I underline all — must continue their positive engagement with Egypt and the United Nations and do their part. Hamas and other armed militant groups must stop all provocations and attacks. Israel must improve the movement and access regime for Gaza. The Palestinian Authority must remain engaged in Gaza. The international community must address the urgent humanitarian needs. And, finally, Fatah and Hamas must engage in earnest with Egypt in order to bring back the legitimate Government to Gaza.

I once again call for all violent actions, which continue to endanger the lives of both Israelis and Palestinians, to stop immediately. Indiscriminate attacks are prohibited under international humanitarian law. I urge Hamas and other Palestinian militants to end the indiscriminate firing of rockets into southern Israel.

I reiterate that Israeli security forces have a responsibility to exercise maximum restraint in the use of live fire and must not resort to lethal force unless in response to an imminent threat of death or serious injury. The continued use of live fire by the Israeli Defense Forces is deeply concerning. The killing of children is absolutely unacceptable.

I call on the international community to join the United Nations in condemning violence and incitement, which continue to fuel a climate of mutual fear and mistrust while hindering efforts to bridge the gaps between both sides.

As explicitly outlined in the 2016 report of the Middle East Quartet (S/2016/595, annex), current trends are imperilling the viability of the two-State solution. There has been no positive movement by the parties to take steps to reverse the negative trends on the ground. By complying with their obligations under previous agreements and the relevant United Nations resolutions, the parties can, and must, reverse the current course.

Israel should make progress on the transition to greater Palestinian civil authority of powers and responsibilities in Area C, on improving Palestinian economic prospects, as well as access to housing, water, energy, communications, agriculture, and natural resources, and on significantly easing Palestinian movement restrictions.

The United Nations has been working tirelessly to address the deepening humanitarian and economic crisis on the ground. Support for emergency fuel is urgently needed to avoid a total collapse of critical services in hospitals and sewage treatment. The Deputy Special Coordinator and Humanitarian Coordinator, Jamie McGoldrick, made two emergency appeals to donors in August for new funding, and I reiterate the urgency of his calls. It is also critical that UNRWA be able to continue to deliver its vital services.

In addition, the United Nations is working with several donors to advance key interventions that will immediately improve the situation on the ground, both in Gaza and the West Bank. I urge donors to consider support for those activities, which play a vital role in preventing further escalation.

Twenty-five years have now passed since the signing of the Oslo Accords. It was a historic moment that captured the world's attention and filled Palestinians, Israelis and the region with hope that genuine peace

could be realized. Sadly, that courageous vision of lasting peace now lies in tatters.

We must restore that hope. There is an alternative to this perpetual cycle of violence. We must overcome the current impasse and refocus our efforts on ultimately returning to meaningful negotiations to end the occupation and bring about a just, lasting and comprehensive resolution to the Israeli-Palestinian conflict — a resolution based on two States, Israel and Palestine, living side by side in peace and security, with Jerusalem as the capital of both States, based on the 1967 lines and in line with the relevant United Nations resolutions and previous agreements. I urge all sides to continue to engage with each other and with the international community to preserve and advance its achievement.

Finally, let underline today that the urgency of the situation that we face on the ground is really desperate. Gaza could explode at any minute. We have a humanitarian responsibility to react. But we must also understand that it cannot be solved on the basis of humanitarian action alone. It must be solved with a political perspective to resolving the Israeli-Palestinian conflict. We have a responsibility to support the parties in this prospect.

The President: I thank Mr. Mladenov for his statement.

I shall now give the floor to those members of the Council who wish to make statements.

Mr. Delattre (France) (*spoke in French*): At the outset, I want to thank Mr. Nickolay Mladenov for his briefing to the Security Council on resolution 2334 (2016) and for his daily commitment, as well as that of his team.

In Gaza, the West Bank and Jerusalem, every passing day increases, bit by bit, the despair by reflecting a three-pronged reality. First, the false status quo actually covers up the daily deterioration on the ground. Secondly, the situation could, at any moment, degenerate into an full-blown crisis, as has been the case in Gaza for many long months. Finally, when peace prospects diminish on the ground, they also diminish in hearts, minds and words. It is that vicious cycle that is at play today. Generation after generation of Palestinians and Israelis are losing hope in a peaceful settlement to the conflict.

A quarter century, nearly to the date, has elapsed since the Oslo Accords were signed in Washington, D.C. Twenty-five years after Oslo, nearly three quarters of Palestinians, according to opinion polls, believe that their situation has deteriorated. Barely half of them still believe in a two-State solution.

Nevertheless, the observation that we consistently make in the Council remains valid. No viable alternative to the two-State solution has emerged since Oslo. The unique territorial structure that seems to take form before our eyes under the effects of the settlement policies will ultimately lead to the coexistence of two unequal classes of citizens on one territory. For Palestinians it would mark the abandonment of their aspirations to statehood, and for the Israelis the end of their democratic project. While it is essential to fill the current political vacuum, a peace plan not based on the internationally agreed parameters of two States would be doomed to failure. It is therefore essential that all negotiations take place within that framework, which in turn is based on international law and the relevant resolutions of the Council, including resolution 478 (1980), on Jerusalem, as well as resolution 2334 (2018), which brings us here today.

With regard to the latter resolution, 10 members of the Council, including France, requested that, in accordance with the established practice, written reports be submitted to the Council. We thank the Secretariat for the circulation of a written report last June (S/2018/614), and we encourage the continuation of that practice.

Today I would like to emphasize two points: the Israeli settlement policy in Area C and Jerusalem, which now threatens to irreversibly undermine the two-State solution — and I would refer to the risk of the imminent demolition of the village of Khan Al-Ahmar — and the situation in Gaza, which may at any time lead to an escalation in violence.

According to the judgement of the Supreme Court of Israel on 5 September, the decision to demolish the village of Khan Al-Ahmar is now entirely up to the Israeli Government. That decision, which has been in force since 12 September, can be implemented at any time. France, in conjunction with several of its European partners, has expressed its deep concern over that and calls on the Israeli authorities not to proceed with the demolition. The demolition of that Bedouin village, which would include the forced displacement

of its inhabitants, would contravene international humanitarian law, in particular the Fourth Geneva Convention, as well as the resolutions of the Council. Several structures that have received European funding, including one school, are being directly targeted. Two hundred and thirty inhabitants, including nearly 160 children, are being threatened with deportation.

In addition to its humanitarian consequences, the demolition would be disastrous, and probably irreversible, to the political landscape. It would pave the way for the settlement of the so-called E-1 area, which is of strategic importance for the two-State solution. It would separate the north and south of the West Bank and isolate East Jerusalem from the rest of the Palestinian territories. By destroying the continuity of the Palestinian territories, it would make it impossible for the two States to reach a solution, with a strategy of de facto annexation of the West Bank by Israel in its place. That would represent a significant responsibility, historically and for both peoples.

Secondly, the erosion of the two-State solution as a consequence of settlement activity in East Jerusalem and the West Bank must not make us forget the imminent risks facing Gaza. For the past six months, there has been a succession of violence in Gaza, against the backdrop of a humanitarian crisis of unprecedented severity. In the face of the terrible record of successive demonstrations along the separation barrier, France condemned the disproportionate and indiscriminate use of force and called on Israel to respect the right of Palestinians to demonstrate peacefully. We have also denounced the instrumentalization of demonstrations by Hamas and other armed groups. Finally, we condemned the firing of rockets and the use of incendiary devices directed at Israeli territory, as well as the construction of offensive tunnels by Hamas.

On several occasions in recent months, the Gaza Strip has found itself on the brink of a new armed conflict, as it experienced three times in the past decade. Each time, the worst was avoided, thanks in particular to the efforts of Egypt, which we especially welcome, and to the mediation work of Nickolay Maldenov, for which I am also grateful. But we know that, if the current situation persists, a large-scale escalation cannot be avoided indefinitely. It is then the people of Gaza who will once again pay the price. We must do everything we can to avoid it. It is up to the Council to speak with a strong voice to prevent an escalation. The silence it has observed since the

beginning of the crisis is, every day, more deafening and, to be honest, incomprehensible.

Beyond an immediate de-escalation and respect for the 2014 ceasefire, there will be no lasting solution in Gaza without inter-Palestinian reconciliation within the framework of the Palestinian Liberation Organization principles and without restoring the prerogatives of the Palestinian Authority in Gaza. In that regard, we welcome the relaunching of the process begun in Cairo almost a year ago, which must be followed by a genuine commitment by the Palestinian Authority to improve the living conditions of the people in Gaza. Above all, only lifting the blockade, with the necessary security guarantees for Israel, will make it possible to meet the needs of the population.

In parallel with those efforts, we must give our full support to the Special Coordinator's proposals for the accelerated implementation of priority projects. We will have an opportunity to discuss that in more detail next week at the Ad Hoc Liaison Committee for the Coordination of International Assistance to Palestinians meeting in New York. Those projects must be accompanied by quick-impact humanitarian measures, necessary to meet the immediate needs of the population and prevent further escalation.

In the same spirit, unprecedented international mobilization is needed to enable the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue its essential activities and keep its schools open, without interruption, in Gaza and throughout the region. We will have an opportunity to call for such collective mobilization during the week of high-level meetings during the General Assembly. The stakes are high for the populations concerned, of course, but no less so for regional stability. In that context, we call on the United States to maintain its historic commitment to refugees and the Palestinian territories, with the necessary engagement of the international community.

France is a friend to both the Israelis and the Palestinians. It has no other interest than peace in the region and the possibility for the populations concerned to live in safety and dignity. As we all know, the destinies of Israelis and Palestinians are intertwined: neither of the two peoples will achieve their national aspirations in a sustainable way at the expense of the other. Twenty five years after the Oslo Accords, and in a context of increasing regional crises, the Israeli-

Palestinian conflict has not lost any of its gravity, centrality and symbolic significance. The international community cannot turn away from it.

It is in that spirit that the President of the French Republic, Mr. Emmanuel Macron, will meet tomorrow in Paris with the President of the Palestinian Authority, Mr. Mahmoud Abbas. In that same spirit, there will be an exchange with the Israeli Prime Minister, Mr. Benjamin Netanyahu, next week on the sidelines of the General Assembly. France's conviction is that our shared compass, more than ever, needs to be implemented, through negotiation, of a two-State solution — the only way to achieve just and lasting peace between Israel and Palestine. France will spare no effort in that regard.

Ms. Pierce (United Kingdom): I thank the Special Coordinator once again for his briefing and for the work that he is doing to improve the situation and bring it closer to peace, as well as for all the hard work of his teams on the ground.

The United Kingdom remains committed to achieving a two-State solution, leading to a safe and secure Israel, living alongside a viable and sovereign Palestinian State, with Jerusalem as a shared capital. We continue to believe that the best way to achieve that is through negotiations between Israel and the Palestinians, and for all parties to focus on steps that are conducive to peace. As the French Ambassador said, some 25 years ago we concluded the Oslo Accords. It is doubly concerning, therefore, to see the recent developments on the ground on key aspects of resolution 2334 (2016). The level and rhetoric of hatred in dehumanization on all sides is repellent, and also dangerous.

The United Kingdom remains deeply concerned about the Israeli authorities' planned demolition of the village of Khan Al-Ahmar, which is located in an area of strategic importance for the contiguity of a Palestinian State. Its demolition threatens a major blow to the prospects for a two-State solution, with Jerusalem as the shared capital, by paving the way for settlement building in Area E-1. The United Nations has said that demolition could amount to forcible transfer in violation of international humanitarian law. The recent decision of the Israeli Supreme Court does not mandate demolition. Demolition remains at the discretion of the Israeli Government. We therefore call on the Israeli Government, once again, not to go ahead with its

plan to demolish the village, including the school, and displace the residents.

I share concerns about the situation at the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), which is facing severe financial pressure at a time of increased demand. We support a just, fair, agreed and realistic settlement of Palestinian refugees. Until that point we remain firmly committed to supporting UNRWA and Palestinian refugees across the Middle East. We are concerned about the impact the recent United States decision on funding. We believe UNRWA is a lifeline for millions of Palestinian refugees across the Middle East. We have ourselves so far provided approximately \$67 million to UNRWA, \$59 million to its core services and \$7.8 million in humanitarian aid in Syria. We hope that will help meet immediate needs and that programmes and services can remain uninterrupted. We call on the international community and other donors to follow that and step up support to UNRWA to ensure its vital services are not interrupted. At the same time, I would like to stress that, for UNRWA to have a sustainable future, it needs to continue to promote realistic and technical cost-saving reforms. The United Kingdom will continue to work closely with UNRWA and donors on how best to ensure the continuity of essential services to Palestinian refugees at this time.

Lastly, and as the French Ambassador said, there is an urgent need to address the awful and deteriorating humanitarian situation in Gaza. The United Kingdom recently announced a new \$49 million programme to support economic development in Gaza and in the West Bank. We have released \$2.6 million to UNICEF to help provide up to 1 million Gazans with access to clean water and sanitation, and we have given \$2 million to the International Committee of the Red Cross appeal to support emergency medical needs. We are supportive of efforts to reduce the conflict in Gaza. It is in everyone's interest that peace and stability prevail in Israel and in the occupied Palestinian territories. We fully support the efforts of the Special Coordinator to improve the situation in Gaza, and we urge the relevant parties to engage fully with his proposals.

We also would like to see progress on humanitarian and economic proposals at next week's meeting of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, and we call upon both Israel and the Palestinian Authority to deliver on their outstanding commitments. We reiterate

the need for Israel to reduce its movement and access restrictions on the people of Gaza, and for Hamas to commit to non-violence and fully end its attacks on Israel.

In order to see a long-term improvement in Gaza, momentum around Fatah-Hamas reconciliation needs to be maintained. The United Kingdom is supportive of Egyptian efforts to enable the Palestinian authority to resume control of Gaza. And we encourage all parties to engage constructively. The recent deaths on both sides of the conflict, including the deaths of three Palestinians in Gaza over the past week and the stabbing of an Israeli in a settlement on 16 September, reflect the need for progress to end the cycle of violence. We strongly urge all the relevant parties to respect international law, de-escalate tensions, exercise restraint and prevent occurrences that could jeopardize the lives of Palestinians and Israelis.

Mr. Nebenzia (Russian Federation) (*spoke in Russian*): We thank Special representative Mladenov for his substantive briefing on the Middle East settlement.

Today's meeting is taking place on a landmark day for the history of the peace process in the Middle East. Forty years ago, the Camp David Agreements were arrived at. Twenty-five years ago, the Oslo Accords were struck. Those components, alongside other parameters agreed upon by the international community, have comprised the bedrock of a political process that was also enriched by important Security Council resolutions, the Madrid guiding principles, the Arab Peace Initiative, and the road map of the Middle East Quartet of international mediators on the Middle East settlement.

At the heart of this international legal basis is the two-State solution for the Palestinian-Israeli conflict, the implementation of which is contingent upon the need for agreement to be reached on all final-status issues, including Jerusalem, refugees, borders and security, through direct dialogue between Israelis and the Palestinian people. Unfortunately, those landmark dates arrived amid troubling developments in Middle-East policy. Indicators are increasingly pointing to an aspiration to undermine what has been developed, including with the participation of the United States, namely, the platform for a settlement. How else can one regard and view the recent decision taken by Washington to close the Palestine Liberation Organization office in the United States capital? We genuinely fail to

understand the withdrawal of financing for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and the recent refusal to continue to facilitate the operation of two hospitals in East Jerusalem. Bilateral commitments have collapsed. Even important security-related cooperation is under threat. Such measures do major damage to collective efforts to arrive at a comprehensive Palestinian-Israeli settlement in the Middle East.

There is still time to rescind the decisions taken. We see the response in the revision of the current approaches, which have grave consequences for the prospects of the peace process, and a return to the roots of settlement. There needs to be an emphasis on rekindling international cooperation in the spirit of Russian-United States co-sponsorship, as well as of the Madrid process. That of course led to the establishment of the Middle East Quartet, which, as we see it, is the most effective mechanism and which was approved by the Security Council. It is necessary to revitalize work to launch direct Palestinian-Israeli dialogue. In that connection, what remains relevant is our initiative to organize in Moscow a personal meeting between the Palestinian and Israeli leaders. It is necessary to reverse existing trends, which are a consequence of unilateral decisions. I am referring to the cessation of settlement activities by Israel in the occupied territory, inflammatory rhetoric and violence on the part of both sides. Of course, one cannot overlook humanitarian assistance to the Palestinian people, above all in the Gaza strip. At the same time, we proceed from the premise that robust assistance to Gaza needs to dovetail with rebuilding unity among the Palestinian ranks.

We would note the important work carried out by the United Nations, specifically UNRWA, in the occupied Palestinian territories and in refugee camps. We welcome and support the inclusion of regional players in Middle East settlement. We note, and highly value, the role of Egypt and Jordan in Palestinian affairs. Russia's position on a Middle East settlement was and remains principled and consistent. We firmly believe that a fair solution to the Palestinian issue is of key significance to remedy the situation throughout the region. A pursuit of the conflict between Israel and Palestine, on the contrary, will constantly poison the overall international atmosphere, will have a detrimental effect on efforts to resolve other regional crises and will fuel terrorism. We would particularly draw attention to the importance of improving relations within the Arab

family. We are interested in a united and potent League of Arab States where all disputes are resolved on the basis of mutually respectful dialogue. We advocate the revival of multilateral efforts on Middle-East issues as a whole. We propose that colleagues thoroughly consider our vision to establish confidence-building measures in the Persian Gulf, which eventually should lead to the establishment of a pan-regional security architecture. That is important not only to resolve the crises in Syria, Yemen and Libya but also to prevent potential conflicts.

Mr. Tenya (Peru) (*spoke in Spanish*): We appreciate the convening of this meeting. We are grateful to Mr. Nickolay Mladenov for his detailed briefing this afternoon, which draws attention to the tragic situation in Gaza.

We would like to emphasize three points that we believe need urgent attention.

First is putting an end to the settlement, demolition and eviction practices in the occupied Palestinian territories. Peru regrets and notes with concern the continuation of such practices, which are contrary to international law, seriously jeopardize the territorial integrity of the Palestinian State and undermine the possibility of reaching a political solution. We are particularly concerned about the humanitarian impact that would arise from the demolition of a group of structures in the village of Khan Al-Ahmar, which, as Mr. Mladenov mentioned, houses a community of 181 Palestinians, more than half of whom are minors. Such practices must cease, in strict compliance with the resolutions adopted by the Security Council, in particular resolution 2334 (2016).

My second point is that we believe that it is important to reverse the deteriorating humanitarian situation. We note with dismay the profound and ongoing deterioration of the humanitarian situation in the Gaza Strip, exacerbated by the recent incidents of violence and the cuts in the funding of assistance programmes. In order to overcome that reality, we believe that it is essential to address the lack of basic goods and services, as well as the blockade to which millions of Palestinians are subjected and which provides an ideal setting for those who promote violence and extremism. In that regard, we welcome the fact that the Special Envoy and his team have identified specific infrastructure and development projects in Gaza.

We also believe that it is essential to advance the process of intra-Palestinian reconciliation and that the

agreement reached last October under the auspices of Egypt be reflected in concrete actions and results. We believe that that should make it possible for the legitimate Palestinian Authority to regain effective control of Gaza and should facilitate the resumption of direct negotiations with Israel.

We must also reiterate the need to provide the United Nations Relief and Works Agency for Palestine Refugees in the Near East with steady and predictable funding and to mobilize to that end the solidarity of the international community, in particular the countries with the greatest resources and those committed to peace and stability in the region.

Lastly, my third point is that we believe that it is important to end the violence and to commit to achieving a political agreement. We regret the fact that the parties continue their hostile positions. Peru condemns the indiscriminate violence of Hamas, the disproportionate Israeli responses and the rhetoric of confrontation on the part of both sides. We emphasize the importance and the urgency of having a minimum level of understanding to assist in the reversal of the negative trends on the ground and in the resumption of direct negotiations between the parties, all with a view to achieving the only viable solution: two States coexisting with secure and mutually recognized borders.

I would like to conclude by commending the presentation last June, in written form, of the quarterly report (S/2018/614) on the implementation of resolution 2334 (2016), which was requested of the Secretary-General by 10 members of the Security Council (see S/2018/454). We hope to have a new written report in December in order to lend greater transparency to the treatment of this delicate issue.

Mr. Ma Zhaoxu (China) (*spoke in Chinese*): I would like to thank Special Coordinator Mladenov for his briefing.

The question of Palestine is at the heart of the Middle East issue and is fundamental to peace in the region. The recent developments in Palestine and Israel are deeply troubling. The prospects for a two-State solution remain elusive, since the resumption of the Palestinian-Israeli peace talks faces difficulties and the settlement activities and the demolition of Palestinian properties continue unabated.

The situation in the Gaza Strip remains fragile, marred by the ongoing casualties among Palestinian

civilians. As a result of the violent clashes, the risk of the conflict escalating can hardly be ignored. Given the current dire situation, the international community needs to step up its efforts to promote a political solution to the Palestinian question. The Security Council in particular should take the lead and set an example.

First, the international community should uphold the two-State solution, which represents the right direction to resolve the Palestinian issue. The international community should increase its political and diplomatic efforts on the basis of the United Nations resolutions, the Madrid principles, including land for peace, the Arab Peace Initiative and the road map to a permanent two-State solution to the Israeli-Palestinian conflict. It is imperative to effectively implement the Security Council resolutions, cease all settlement activities, stop the demolition of Palestinian properties, including Bedouin villages, immediately lift the blockade on the Gaza Strip and take steps to prevent violence against civilians.

Secondly, the international community should remain united in a concerted effort to promote the early resumption of the peace talks between Palestine and Israel. All the parties concerned should narrow their differences, fully engage in dialogue and consultation and avoid any unilateral action that may exacerbate the situation so as to create the necessary environment for the resumption of dialogue. The international community should work together to find a viable way forward to overcome the current stalemate. Those that have considerable influence on the Middle East in particular should play a constructive role in that regard.

Thirdly, sensitive issues, such as the status of Jerusalem, should be properly addressed. The issue of the status of Jerusalem is complex and delicate. All parties should prioritize peace and calm in the region and act with caution to avoid triggering new regional disputes. All parties should respect the historical plurality, uphold fairness and justice, implement international consensus, strive for peaceful coexistence and act upon the relevant United Nations resolutions and the international consensus so as to reach a negotiated settlement that accommodates the interests of all the parties.

The international community should not forget the more than 5 million Palestinian refugees. For more than six decades, the United Nations Relief and Works Agency for Palestine Refugees in the Near East has

played an important role in alleviating the suffering of the Palestinian people and in promoting regional peace and stability. The Agency currently faces many challenges, including a lack of funding. We appreciate the increased contributions of the relevant parties to the Agency and call on all the parties to provide additional and steady support to the Agency and to the countries hosting Palestinian refugees in order to alleviate the pressure on refugee relief efforts. For the past 30 years and more, China has made annual financial contributions to the Agency. This year, in the light of the urgent needs of the Agency, we have increased our contribution accordingly. China will continue to provide the best possible support to the Agency for the discharge of its mandate.

China firmly supports the Palestinian people in establishing a fully sovereign and independent Palestinian State on the basis of the 1967 borders, with East Jerusalem as its capital. We support the greater integration of Palestine into the community of nations. China will continue to play a constructive role in promoting the Middle East peace process in line with the four-point proposal set out by Chinese President Xi Jinping to resolve the Palestinian question.

Mr. Skoog (Sweden): I would like to thank Special Coordinator Mladenov for his clear briefing today. I also thank him for his reminder about the urgency and volatility of the situation on the ground and about the fact that, 25 years after the historic Oslo Accords, we need to have a serious and frank discussion about the obstacles to peace and threats to the two-State solution, which represents international consensus. I would like to address three elements of resolution 2334 (2016): settlements, violence and differentiation.

The Israeli settlement policy continues unabated despite repeated international condemnation. During the reporting period, the Israeli authorities announced plans and tenders for thousands of new settlement units in the West Bank, including East Jerusalem, while Palestinian homes are being demolished and people are at risk of being forcibly transferred. We second the calls from both the United Nations and the European Union (EU) to the Israeli authorities to reconsider their decision to demolish the Bedouin village of Khan Al-Ahmar in area E-1. It would have serious consequences for its residents, the majority of whom are children, as well as for the contiguity of the Palestinian State and Palestinian access to East Jerusalem. Israel's settlement policy is illegal under international law, as are actions

taken in that context, including the demolitions of Palestinian communities and possible forced transfers of the population. The policy undermines prospects for peace and the viability of the two-State solution. We therefore urge the Israeli authorities to reconsider and reverse those policies.

We call for steps to prevent acts of violence against civilians, including acts of terrorism, provocation and destruction. In line with resolution 2334 (2016) and well-established EU policy, we call for the distinction between Israel within pre-1967 borders and occupied territory. As is obvious from the Special Coordinator's briefing today, progress on implementing that part of resolution 2334 (2016) is lacking. We urge all States to act in that regard.

Since our previous meeting, in August (see S/PV.8239), we welcome the fact that the situation in and around Gaza has stabilized somewhat thanks to international efforts, not least by the Special Coordinator and Egypt. But, as we heard, the situation remains tense and fragile and, for the sake of long-term stability, we underline the importance of all relevant parties, including the Palestine Liberation Organization, taking part in such efforts. While another devastating conflict between Israel and Hamas may have been averted, it is imperative to alleviate the humanitarian crisis in Gaza. Interventions with quick, direct and immediate impact on daily lives are possible and urgently needed for the population in Gaza living under dire circumstances. We look forward to discussing that issue in greater detail at the meeting of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians next week, but let me underline that it is crucial to see a lifting of the Israeli closure regime, an end to acts of violence and acts of provocation, progress in intra-Palestinian reconciliation and a return of the Palestinian Authority to Gaza.

We are all aware that the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) plays a critical role on the ground. It provides education, health and other essential services to Palestine refugees, but it also constitutes a key factor for stability in the region, including in neighbouring countries, until the final-status issue on refugees has been settled. We therefore regret the decision of the United States not to provide further funding to UNRWA after decades of political and financial support. The United States has traditionally been the largest donor, and its support has been much appreciated. That decision

has contributed to a serious financial crisis at UNRWA, with a current funding shortfall of \$186 million. A few weeks ago, UNRWA schools for more than half a million Palestinian children were opened. However, the Agency's funding beyond September is not secured. The remaining financial gap needs to be filled for schools to remain open.

Sweden is among the top donors to UNRWA. In August we signed a multiannual partnership agreement worth over \$200 million. We are fully committed to supporting UNRWA at this critical juncture. Together with our partners, including Jordan, whose commitment to UNRWA we commend, we have sought to mobilize political and financial support over recent months. We will also use the occasion of the high-level week of the General Assembly to that end. We call on all countries to step up support, since the shortfall is unprecedented and, as mentioned, risks spurring instability and violent radicalization in both Gaza and the wider region.

Unfortunately, the Oslo Accords did not bring about the peace that both Israelis and Palestinians deserve. We reaffirm our support for an end to the occupation and for the two-State solution, based on international law, the relevant United Nations resolutions and previous agreements. There simply is no viable alternative to the two-State solution, which is the only way the legitimate aspirations of both peoples can be attained. Yet, as we have heard today, that goal is becoming increasingly distant by the day. We therefore need to redouble our collective efforts to salvage the two-State solution. The international community and regional stakeholders have a key role to play in revitalizing meaningful peace negotiations, which require the full participation of women. The Council, too, has a role to play, as it did when resolution 2334 (2016) was adopted.

We often speak in the Chamber about how important it is that the decisions of the Council be respected. That is why we are gravely concerned about the clear lack of implementation of resolution 2334 (2016) and why we were surprised that no report of the Secretary-General was circulated prior to today's meeting. We recall that the provision of written reports is standard practice in the Council, as stipulated by presidential note S/2017/507. A report was circulated in June (S/2018/614), in line with the request made by 10 members of the Council. We encourage the continuance of that practice and look forward to receiving a written report for the next quarterly reporting period.

Ms. Wronecka (Poland): At the outset, I would like to thank Special Coordinator Nickolay Mladenov for his very comprehensive briefing on the implementation of resolution 2334 (2016).

Twenty-five years ago, the first Oslo Accord was signed. Despite its many shortcomings, the agreement represented a historic compromise. Unfortunately, since then the conflict has not seen significant positive moves towards achieving peace. On the contrary, we have seen that the recent security situation in Israel and the occupied Palestinian territory has become more tense. Many times over the past couple of weeks, we have expressed great concern about the tragic loss of civilian lives on both sides. We have appealed to Israel to use proportionate force. We have also called on the Palestinians to stop indiscriminate and deliberate rocket firings from Gaza to Israel and to refrain from causing fires by launching incendiary kites and balloons.

Let me again underline that all sides must fully comply with their obligations under international humanitarian law and human rights law. Recent developments on the ground clearly point to an urgent need to continue the de-escalation process. We believe that a negotiated two-State solution and the resolution of all final-status issues, including Jerusalem, settlements, Palestinian refugees, borders and security arrangements, remain a realistic way to fulfil the legitimate aspirations of both parties and achieve long-term peace.

We should strengthen cooperation with the countries of the region, especially Egypt and Jordan, which would have a real impact on the de-escalation of tensions in Israeli-Palestinian relations. We appeal to both sides to refrain from unilateral steps that prejudice the outcome of final-status negotiations and expect them to demonstrate, through their actions and policies, their commitment to peace. In more general terms, let me underline that Poland supports a two-State solution under which the national aspirations of both parties to the conflict would be met, including the Palestinian right to self-determination and independence, as well as the Israeli right to ensure its security and the normalization of relations with Arab States.

Unfortunately, so far we have not seen any significant positive moves towards achieving that goal. The situation in the Gaza Strip is extremely worrisome. There is a lack of progress in political, security and humanitarian processes in Gaza. The prevailing lack

of decisive steps towards the return of the legitimate Palestinian Government to Gaza, despite Egypt's best efforts to revive the process, is detrimental to Palestinian aspirations to statehood, contributes to the worsening of the humanitarian crisis and risks escalation. Undoubtedly, progress in the Palestinian reconciliation process would contribute to improving the situation on the ground.

Unfortunately, provocation, incitement and inflammatory rhetoric continue on both sides. In our opinion, such acts constitute a significant obstacle to the reactivation of the peace process. It must also be stated that, as a result of such incitement and inflammatory rhetoric, we have observed an increased number of dangerous incidents, some of which involve children, who should be particularly protected.

While we are on the subject of youth, we are deeply concerned by the deteriorating financial situation of the United Nations Relief and Works Agency for Palestine Refugees in the Near East. A lack of hope and real perspectives for young generations — especially in Gaza — could very easily be exploited by inflammatory rhetoric. The effects of reducing this support can have serious security and humanitarian consequences, not only in the Palestinian territories but also in other countries hosting refugees. The Agency already faces a great challenge in upholding its mandate to preserve its key services like education and health care. In the absence of a lasting political solution, the international community cannot abdicate its responsibility and duty towards the Palestinian refugees to ensure the continuation of the Agency's work on a sound financial basis.

In conclusion, I would like to reiterate the long-standing European Union position that all settlement activity is illegal under international law and continues to undermine the practical prospects and hopes for peace. In this context, I also wish to reiterate the call issued by the United Nations Coordinator for Humanitarian and Development Activities in the Occupied Palestinian Territory for plans to demolish Khan Al-Ahmar/Abu Al-Helu to be cancelled. Not only is the community at imminent risk of demolition and displacement, but such a move would also set a significant precedent that may affect other Bedouin communities in Area C.

Mr. Llorenty Solíz (Plurinational State of Bolivia) (*spoke in Spanish*): My delegation thanks Mr. Nikolay Mladenov for the information he has provided today.

I would like to begin my statement by expressing our concern at the fact that a written report on the implementation of resolution 2334 (2016) was not circulated, although it had been requested by 10 members of the Council in a letter dated 14 May and was acted upon in June, when the report was distributed in good time. I thank the Secretary-General for having acceded to our request at that time, and we reiterate that this should be a recurring practice for all reports. We stress the importance of having written reports provided to delegations because it allows us to have first-hand information relating to the complete cessation of all Israeli settlement activities, which is critical to safeguarding the two-State solution in accordance with resolution 2334 (2016).

Unfortunately, the Government of Israel continues to demonstrate its disdain for the resolutions adopted by the Security Council. Its administrative and legal acts continue to dangerously foment negative trends on the ground and are used as justification by the security forces to take part in violent action against the Palestinian people and their property. As we were informed today by Mr. Mladenov, under the pretext of an absence of building permits, the Government of Israel has demolished or confiscated 25 structures belonging to Palestinian families in Area C and in East Jerusalem. As a result of this arbitrary action, 47 people — including 23 children — have been displaced and the livelihoods of 108 civilians seriously affected.

My delegation forcefully rejects the deadly attacks of the Israeli armed forces on the Palestinian civilian population, including those reported by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) in its report on the protection of civilians. In the report, OCHA details the murder by the Israeli army of three Palestinians, including two children, with 666 wounded between 28 August and 10 September as a result of the use of live fire. The report also details a total of 50 Palestinian casualties during the attempt of 10 boats to set sail from Gaza to break the Israeli naval blockade as part of the so-called Great March of Return. These incidents culminated in the ships being impounded by the Israeli navy and, as usual, the use of lethal weapons of war and tear gas.

We are concerned about the dreadful unemployment among Palestinians in the occupied territories. The unemployment rate is 27 per cent — the highest in the world, according to a report of the United Nations Conference on Trade and Development, which

also warns that the impact is higher on women and young people.

We also categorically reject the politicization of humanitarian assistance engaged in by some Member States as they withdraw their economic support for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), justifying their decision by claiming that the school, health and assistance services provided by the Agency are wanting. Bolivia offers its warmest commendation to UNRWA for its humanitarian work in assisting the more than 5.4 million Palestinian men and women who find themselves refugees in the West Bank, East Jerusalem, Gaza, Jordan, Lebanon and Syria. Given this priority need, we call on the States Members of the Organization to continue making their valuable economic contributions to the Agency in the understanding that the current crisis has the sole effect of worsening of the quality of life for all Palestinian refugees.

As on other occasions, Bolivia expresses its firm commitment to all international efforts to find a peaceful solution to the situation and, in this regard, endorses such initiatives as the Quartet road map, the Madrid principles, the Arab Peace Initiative and others that guarantee just and lasting peace so that both peoples are able to live within internationally recognized and secure borders.

Bolivia is convinced that the only long-term option for resolving this occupation is the two-State solution, ultimately leading to a free, sovereign and independent Palestinian State within the pre-1967 international borders and with East Jerusalem as its capital, in accordance with the relevant resolutions of the Security Council and the General Assembly.

Mr. Alotaibi (Kuwait) (*spoke in Arabic*): At the outset, we thank Mr. Nickolay Mladenov for his valuable and comprehensive briefing today, and for reminding the Security Council and the international community of the dangerous situation in the occupied Palestinian territory. We underline once again the State of Kuwait's full support for his concerted efforts to achieve lasting, fair and comprehensive peace for the Palestinian people. These repercussions of this long-standing problem have been aggravated on a daily basis and affected the people who have suffered the hardship of occupation for over five decades.

“If new funds are not received immediately, we will be facing a potentially catastrophic breakdown

in essential service delivery... Services provided at hospitals, clinics, as well as sewage treatment, water and sanitation facilities will cease... Hospitals in the Gaza Strip only have enough fuel to support service provision just over two weeks, in total, with some facilities at greater risk... putting the lives of over 500 vulnerable patients at risk each day. These include patients being treated in intensive care; new-born babies in neonatal units; patients requiring emergency surgery.”

Those are the words of Mr. Jamie McGoldrick, Humanitarian Coordinator for the Occupied Palestinian Territory, who appealed to the world and the donor community to prevent a new catastrophe; this time, a health catastrophe for the people of Gaza. It is no exaggeration to warn that just a few weeks separate Gaza from a catastrophic collapse in basic humanitarian services, according to Mr. Mladenov. That must cause us to redouble our efforts to protect civilians and avoid this dark scenario by compelling Israel to respect and implement the relevant Security Council resolutions, while stopping all its illegal and illegitimate practices.

Yesterday, our appeals were aimed at averting the emergence of a humanitarian crisis due to the closure of the vital Karam Abu Salem crossing by Israel, the occupying Power. Today, the Palestinian people continue to face multiple challenges. Numbers and statistics do not lie. More than 4,800 patients in the Gaza Strip are in dire daily need of basic health care.

Mr. Mladenov’s briefing tells us once again that the situation in Gaza is still on the brink of the abyss, especially after the fall of a number of martyrs and wounded. Three Palestinian citizens, including a 12-year-old boy, were recently killed in addition to 248 citizens injured, 80 of them were hit by live bullets. That raises the number to 180 people who have been killed since the beginning of the peaceful Great March of Return on 30 March. We strongly condemn these systematic Israeli crimes against unarmed Palestinian civilians, which amount to war crimes and crimes against humanity under international humanitarian law and international human rights law.

In addition, the occupying authorities have given orders for bulldozers and demolition machines to begin moving towards the Al-Khan Al-Ahmar area after the Israeli Supreme Court rejected the petition filed by the Bedouin community of that area. This act threatens to displace 80 Palestinian families, which means about 190

persons, of whom 53 per cent are children. The reason for that is to implement the so-called Greater Jerusalem Project, including the settlement project called E-1, to vacate the area of all Palestinian presence, separate the southern West Bank from the centre and isolate the occupied city of Jerusalem from the West Bank. That constitutes a serious violation of human rights and international humanitarian law, while undermining the efforts towards a two-State solution.

In that regard, we reiterate our demand that the Israeli occupation Power be obliged to respect and implement resolution 2334 (2016), which underscored that Israeli settlements constitute a flagrant violation of international law and an obstacle to peace. We welcome the first written report of the Secretary-General (S/2018/614), which was issued in June, on the implementation of that resolution. We regret that no such report was issued this month, and we look forward to the issuance of periodic written reports regarding the implementation of that resolution starting in December in response to a request by 10 States members of the Council, and in line with the established practice and the note by the President S/2017/507.

Unfortunately, the basic services provided by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to more than 5 million registered Palestinian refugees are facing great pressure as a result of the severe financial crisis of the Agency. We had believed that its previous financial crisis could not get any worse, but today we find that these challenges have doubled and now pose a direct threat to those refugees as a result of UNRWA’s fiscal deficit. We urge donor countries to continue to provide the necessary and sustainable financial support for the Agency’s programmes and activities. Funding the Agency is the responsibility of the international community and its burden cannot be borne by specific States. However, the total amount provided by the State of Kuwait has exceeded \$70 million in the past four years alone. We will maintain this support alongside many other countries.

The special session of the Council of the League of Arab States, which was held at the ministerial level on 12 September to discuss the UNRWA crisis, fully supported the mandate given to the Agency under General Assembly resolution 302 (IV). It rejected attempts to end or reduce the role and mandate of the Agency through systematic campaigns against it. It called on the international community to commit itself

to the Agency mandate and to ensure resources and financial contributions to its budget and activities in a sustainable manner so that it can continue to play its role in providing basic services to the victims of the Nakba. That is a right which the international community has a responsibility to fulfil, in accordance with General Assembly resolution 194 (III) of 1948.

Unfortunately, there is once again overriding tension in Jerusalem due to the provocative incursions launched by extremist settler groups in the courtyard of the Al-Aqsa Mosque, covered by Israeli occupying forces, which have released tear gas on civilians and detained dozens of worshippers and Mosque guards, as well as removing officials from the Islamic Endowments Department. We renew our rejection and condemnation of any Israeli violation of holy sites, especially attempts to change the historical and legal status of the Al-Aqsa Mosque or to partition it, and to undermine the freedom of Muslim prayers therein. In that regard, we commend the decision of the Government of Paraguay to refrain from moving its Embassy to Jerusalem, in respect of international law and the relevant internationally legitimate resolutions.

In conclusion, what I have outlined is only a glimpse of the suffering of the unarmed Palestinian people; it is only a small part of the scourges facing our Palestinian brothers in the occupied territories. Most importantly, what I have outlined must stir our consciences and compel us to put an end to the injustices that the Palestinian people have suffered for decades. Everyone in the Council is all too aware that the Palestinian question is a top priority of every Muslim and Arab. There can be no lasting peace and security as long as the occupation continues. The resolutions of international legitimacy, the Quartet road map, the principle of land for peace and the Arab Peace Initiative are the cornerstones of a comprehensive, just and lasting peace. Those would provide the Palestinian people with their legitimate political rights and the establishment of their independent State with East Jerusalem as its capital.

Ms. Guadey (Ethiopia): We thank the Special Coordinator for the Middle East Peace Process, Mr. Nickolay Mladenov, for his briefing on the latest developments with regard to the situation in the Middle East, including the Palestinian question.

We remain concerned that negative actions taken by the parties continue to stoke tensions in the region, and we are saddened by the deaths of innocent civilians.

It is absolutely vital that the parties refrain from actions that do not contribute to making progress, but instead increase frustration and mistrust.

The security and humanitarian situation in Gaza continues to be a source of concern, and making every possible effort to avoid the worst is still a matter of priority. We hope that some of the events planned during the high-level week will help to mobilize the necessary international assistance to meet the needs of the Palestinians. We continue to support United Nations engagement, in close coordination with Egypt and all concerned parties, to address the situation in Gaza. Progress in the Egyptian-led reconciliation process is key, and the parties must be urged to cooperate for the sake of their own people, who have been suffering for far too long.

Finally, 25 years after the signing of the Oslo Accords, peace in the Middle East and Palestine continues to elude us. The need to reinvigorate efforts aimed at achieving a comprehensive, lasting and just solution on the basis of the two-State formula is very clear. In that regard, facilitating the resumption of direct negotiations between the parties is vital. It is incumbent upon the Council to support such efforts for the sake of peace between the Israelis and the Palestinians and peace in the broader Middle Eastern region.

Mr. Ipo (Côte d'Ivoire) (*spoke in French*): Côte d'Ivoire welcomes the convening of this briefing on the situation in the Middle East, including the Palestinian question. We thank Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, whose briefing oriented us on the multiple and complex challenges to peace and stability in a region deeply affected by the Israeli-Palestinian crisis.

Among the hotbeds of tension in the Middle East, the Israeli-Palestinian issue is undoubtedly the most complex crisis the international community has ever faced, having been unable to provide a definitive and universally acceptable response in 70 years. Côte d'Ivoire, which has always advocated dialogue and the peaceful settlement of disputes, regrets the lack of a consensual and viable framework for consultation since the deadlock in the Oslo Accords, which had raised hopes for a lasting peace between Israelis and Palestinians. My country therefore reiterates its call on the Israeli and Palestinian leaders to move beyond the current situation and to resume dialogue in order

to consolidate past gains and create the conditions conducive to the achievement of a just and lasting peace.

My country, which attaches as much importance to the security of the State of Israel as to the inalienable right of the Palestinian people to self-determination, reaffirms its strong support for the solution of two States peacefully coexisting within the 1967 borders. Côte d'Ivoire therefore encourages all parties to work for peace in order to put an end to the vicious cycle of violence. To that end, it calls for the extension of the current ceasefire and welcomes Israel's reopening of the Erez crossing.

In the current context, the resumption of dialogue between Israelis and Palestinians is not merely a necessity; it is above all a matter of urgency the resolution of which could help to contain the seeds of potential violence. That is why my country supports France's 15 January 2017 initiative, which led to the adoption by 70 States and international organizations of a joint declaration reaffirming the international community's commitment to the two-State solution. The declaration also calls for a settlement of the crisis based on the relevant Council resolutions.

On the humanitarian front, Côte d'Ivoire encourages donors to continue and increase initiatives to assist Palestinians in distress. In that regard, it welcomes Jordan's announcement to organize, on 27 September in New York, a conference to mobilize the financial support needed to maintain the activities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, which provides assistance to 3 million Palestinians in need.

Côte d'Ivoire is convinced that peace is possible when it is supported by the courage and commitment of those who transcend the deepest divisions and hatred. We therefore hope that one day very soon, Israelis and Palestinians will be able to overcome their deep, but certainly surmountable divisions in order to engage in a fruitful dialogue with a view to achieving a lasting settlement based on the two-State solution to a conflict that has gone on for too long.

Mr. Umarov (Kazakhstan): I thank Special Coordinator Mladenov for his very comprehensive and objective update on the implementation of resolution 2334 (2016). We are closely following his negotiations with the key countries on this issue. In particular, we appreciate Mr. Mladenov's meetings with politicians of the Israeli, Palestinian and regional leadership, as well

as Russian and European Union diplomats, in an attempt to restore calm and expand the range of humanitarian assistance provided to that troubled zone.

We echo the warnings of the United Nations that there is a cycle of conflicts in the Middle East that are a cause for serious concern. They are raising tensions at all levels and in numerous contexts, including the situations in Syria, Yemen and the Palestinian-Israeli conflict.

We have carefully followed the latest news on the implementation of resolution 2334 (2016). Since we too signed the letter of 14 May on the reporting on the implementation of that resolution, we note that no written report has been circulated for this meeting, as requested in our joint letter. We all welcomed the circulation of a written report on 14 June, and we believe that it is important to continue with the standard practice. We look forward to receiving a written report ahead of the next reporting period in December.

Kazakhstan calls on both sides to honour their respective commitments under all Security Council resolutions that have been adopted over the 50 years since 1967. The Council must ensure compliance with resolution 2334 (2016). We therefore call in particular for a complete freeze on the construction of settlements. The deliberate policy of demolishing Palestinian buildings and expanding settlements in the West Bank and in East Jerusalem, and the transfer of those lands for the exclusive use by one party, undermine the viability of the two-State solution.

In that regard, we are concerned by the intention of the Israeli authorities to demolish a Bedouin village that is home to a community of 181 people. Such actions undermine the establishment of a viable Palestinian State. At the same time, Kazakhstan is alarmed at the announcement by the Israeli Civil Administration of the plan to expand the illegal Israeli settlement of Tina Omarim in the town of Al-Dahriyeh, in the southern occupied West Bank district of Hebron. We call on the Israeli authorities to halt the demolition and stop efforts to resettle Palestinian communities in the West Bank.

With regard to the United Nations Relief and Works Agency for Palestine Refugees in the Near East, Kazakhstan reiterates the critical need of supporting that important entity in the light of its very significant work, especially since the situation in Gaza is desperate. Over a decade of blockade has deprived the people of their basic rights and left over two-thirds

of the population dependent on humanitarian aid. My country also underscores the importance of achieving intra-Palestinian unity. It is absolutely vital to bring all Palestinian factions together and to unite them under a legitimate and democratic Palestinian Authority. My delegation also appreciates the efforts of the Russian Federation and Egypt to ensure intra-Palestinian consolidation and urges all Palestinian political parties and movements to integrate into one national political structure.

Kazakhstan calls upon the Middle East Quartet — the United States, Russia, the European Union and the United Nations — to revive the work of that international body. We believe that resuming the Quartet's indispensable negotiations on the Middle East settlement will help to consolidate multilateral efforts for a peaceful settlement of this conflict.

Lastly, we call upon the leaders of Israel, Palestine and all other involved parties to take concrete steps to preserve the possibility of peaceful coexistence and the solution of two States existing side by side. It should be based, as we always say in the Council, on the inalienable rights of Palestinians to statehood and Israel's right to security.

Mr. Van Oosterom (Netherlands): I would like to start by thanking Mr. Mladenov for his overview of recent developments. It is a sobering list that underlines the urgent need for positive steps. We commend him and his team for their persistent efforts for peace. We also thank him for his briefing on the implementation of resolution 2334 (2016).

Let me refer to the letter that was sent to the Secretary-General in May, signed by 10 of the current Security Council members, in which we requested written reports on the implementation of resolution 2334 (2016). We welcomed the written report we received in June and look forward to receiving written reports in the future.

I have three points to make: first, the anniversary of the first Oslo agreement; secondly, the threats to the two-State solution; and thirdly, the situation in Gaza.

First, I would like to look back at the 25 years since Oslo. On 13 September 1993, the first Oslo Accords were signed. The handshake between Rabin and Arafat was historic and it heralded a period in which peace could be achieved, or so we all anticipated or hoped. Much has been accomplished since then. The Palestinian

Authority has been set up, a transfer of competences has taken place and the Palestinian institutions were judged to be ready to take on the responsibilities of a State. That is no small feat in such a short period.

However, the process remains incomplete. The transfer of responsibilities has stopped. The division between Gaza and the West Bank is entrenching itself further. Settlements continue to grow unabated. In 1993, it seemed difficult to have to resettle 100,000 settlers. But to resolve the current challenge of 600,000 settlers in the West Bank, including East Jerusalem, is a task of enormous proportions. In July and August, over 2,000 new housing units were announced by Israel. The Kingdom of the Netherlands condemns those decisions. The number of advanced housing units increased severely in the second quarter of 2018, compared to the first quarter of the year, and also compared to the same period in 2017. Settlements are illegal under international law, and that policy undermines the prospects for peace, as was also reconfirmed by the Council in resolution 2334 (2016).

The stalled peace process has led to disillusion and frustration over the past 25 years. Three-quarters of the Palestinian people believe that the situation today is worse than before the Oslo Accords. Among Israelis and Palestinians, support for the two-State solution is now below 50 per cent, yet nobody sees a better alternative. We are deeply worried by those trends and the lack of positive steps on either side that would help to reverse them.

Secondly, I turn my attention to the threats to the two-State solution. Nothing shows better why the trends must be reversed than their impact on the lives of Israelis and Palestinians. As others have said, the entire village of Khan Al-Ahmar is slated for demolition and eviction. We reiterate the call of the European Union on the Israeli Government to reconsider its plan to demolish the village, including its school, and displace its residents. Its demolition would have very serious consequences, both for the residents of that community, including its children, and for the prospects of the two-State solution.

The slated demolition does not stand on its own. For Palestinians, it is nearly impossible to obtain building permits. According to the United Nations, in 2016 over 16,000 demolition orders were pending against Palestinian buildings in Area C alone. At the same time, the Israeli settlements continue to grow.

Last weekend, an Israeli civilian was again stabbed to death. The Kingdom of the Netherlands strongly condemns such terrorist attacks. There is no excuse for terrorism.

Thirdly, I will speak on the situation in Gaza. The humanitarian situation there is getting worse by the day. We were close to a complete resumption of hostilities in the summer. We welcome the progress made towards calm, under the leadership of the United Nations and Egypt. However, the underlying issues remain unresolved, as Nickolay Mladenov again made clear today.

Unemployment has risen to over 50 per cent. Protests continue at the border, as sadly illustrated by yesterday's events, with more victims as a result. We call on all relevant parties to ensure that protests remain peaceful. We also urgently repeat our call upon Israel to ensure that its responses are proportionate and necessary at all times, in line with its obligations under international law. The high number of victims raises serious questions regarding the proportionality of the Israeli response.

The Kingdom of the Netherlands supports initiatives to improve living conditions in Gaza. Large-scale desalination projects in Gaza or connecting Gaza to natural gas can contribute substantially to improving the lives of people in Gaza. However, Gaza should not need to be a recipient of humanitarian aid. All sides must take steps to revive the economy, through, inter alia, a predictable opening of the crossings, while taking into account Israel's security needs.

The steps called for in resolution 1860 (2009) are still as relevant today as they were in 2009. In that regard, let me reiterate our support for the efforts of Mr. Mladenov. We call upon all sides to constructively engage in order to find a durable solution for many of the problems Gaza faces. In the absence of economic recovery, people are dependent on humanitarian aid.

We remain deeply concerned by the financial crisis of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). We support it in its tremendous work for the most vulnerable people in Gaza and the other areas of operation. We welcome the additional funding by new and old partners of UNRWA. We commend UNRWA for its cost-saving measures and decision to open its schools, despite the uncertain situation.

In conclusion, I started by reflecting on the 25 years that have passed since Oslo. Nobody thought peace would be easy. We take hope from the fact that many times parties have come close to an agreement. We encourage the Palestinian and Israeli leaderships not to turn their backs to each other, but to continue on the complex road towards peace. Only they can decide the final status issues, and in our view all final status issues can be resolved if the political will exists.

We believe that the well-known parameters still hold the best framework for any resolution. First, there must be an agreement on the borders of the two States, based on the 4 June 1967 lines, with equivalent land swaps as may be agreed between the parties. Secondly, security arrangements for the Palestinians must respect their sovereignty and show that the occupation is over; and for the Israelis, they must protect their security. The resurgence of terrorism must be prevented and security threats, including the new and vital threats in the region, must be addressed. Thirdly, a just, fair, agreed and realistic solution to the refugee question must be put in place. Fourthly, the aspirations of both parties for Jerusalem must be fulfilled. A way must be found through negotiations to resolve the status of Jerusalem as the future capital of both States.

Mr. Esono Mbengono (Equatorial Guinea) (*spoke in Spanish*): I would like to express our sincere gratitude to the team led by Mr. Mladenov, Special Coordinator for the Middle East Peace Process, for his clear and detailed briefing and, above all, for his unceasing effort to overcome the political impasse that the conflict has endured for many years.

We welcome the fact that the Security Council is meeting again today to address that conflict. Twenty-eight years after the Madrid Conference, peace is ever more distant. The path mapped out by the Madrid Conference and the Oslo Accords 25 years ago is almost in danger of becoming obsolete. We are faced with a very worrying dynamic of the exhaustion of hope in the negotiating process and of a gradual loss of confidence in the viability of the two-State solution. Furthermore, the reports that we have received from the region from the beginning of the conflict to the present day have continuously highlighted violence as a predominant and growing element.

History has demonstrated that the conflict does not have a military solution. The parties are fated to seek a solution through negotiations, which is why it is

important that they abstain from taking action that can aggravate the already complicated situation.

Over the past six months, we have witnessed violence unleashed on the border between Israel and the Gaza Strip in clashes between Palestinian marchers and Israeli forces, including rocket attacks launched by insurgents from Gaza, which have been answered by strong attacks by the Israeli army. All those hostilities have resulted in more than 100 Palestinian deaths, many injuries and great material damage. Added to that, the total blockade imposed on Gaza has aggravated the existing humanitarian crisis. It is important for Israel to understand that it must end its policy of the demolition of Palestinian homes and use proportional force. There is urgent need for sustainable solution to the situation of the nearly 2 million people in that Palestinian enclave that guarantees a dignified life and greater protection for people on both sides.

The insurgency of certain sectors that are threatening the security of Israel from Gaza is a direct consequence of the absence of the Palestinian National Authority in the area. In that regard, my delegation wishes to express its concern over the failure to comply with the reconciliation pact signed by Hamas and Fatah of 12 October 2017 in Egypt, which provided — among other things — for the return last December of the Palestinian National Authority and its total control of that enclave. In that regard, we recommend more support for the initiative of Egypt and other actors to actively and definitively promote intra-Palestinian reconciliation, which is indispensable for the reorganization and security of Gaza. We wish to acknowledge the efforts of the Egyptian Government in that regard.

Of great concern to us is the current financial situation of the United Nations Relief and Works Agency for Palestine Refugees in the Middle East (UNRWA), which must remain able to carry out its role and provide important services to the millions of Palestinians who depend on it. In that connection, we commend the recent pronouncements of the countries that have increased their support for UNRWA, and we urge the other members of the international community to join in that gesture of support for the displaced Palestinians.

Equatorial Guinea acknowledges the submission of written reports, which has been a practice of the Council. We hope that in this case, in accordance with resolution 2334 (2016) and in line with established

practice, the next quarterly report will be provided in writing.

Finally, Equatorial Guinea agrees with the international community that greater efforts are needed to resume meaningful negotiations aimed at achieving a two-State solution, based on the 1967 borders, which would meet Israeli and Palestinian needs for security and Palestinian aspirations to enjoy the status of a sovereign State, put an end to the occupation and resolve all final-status issues, putting an end to the conflict. Both parties have the same right to live with the guarantees of peace and security and must respect the various Security Council resolutions in that regard.

The President: I shall now make a statement in my national capacity.

I thank Mr. Mladenov for his briefing.

I have listened to my colleagues' statements this afternoon with great interest. I have always been open about my belief that this Middle East debate has been excessively and unfairly focused on Israel. Today, I will go one step further. The Palestinian-Israeli conflict is serious and worthy of the Council's attention, but if there is one country that is the source of conflict and instability in the Middle East — one country that merits a quarterly debate in the Security Council — that country is not Israel. It is Iran.

For almost 40 years, the Iranian regime has existed outside the community of law-abiding nations. It is difficult to name a conflict in the Middle East that does not have Iran's fingerprints on it. The Iranian regime has backed dictators who gas their own people. It stokes conflict. It funds foreign fighters and terrorists. It transfers missiles to militants. It acts against the interests and policies of the Security Council time and time again. Across the Middle East, Iran has trampled on the sovereignty of its neighbours in Lebanon, in Syria and in Yemen, and the Iranian regime has shown a total disregard of the sovereignty of a country that is at a critical stage in its political development — Iraq.

Iran's leaders pretend that their interference in the sovereignty of other nations is done in the name of religious affiliation. They like to claim that they have been invited into the affairs of other countries. In fact, the motives of the mullahs are much less elevated. They are interested in power. In the case of Iraq, their goal is to exploit uncertainty in order to create an Iranian-

controlled corridor for weapons and fighters from Tehran to the Mediterranean.

In recent months, Iran's aggression has escalated. Iranian proxies in Iraq operate openly, with funding, training, and weapons supplied by Tehran. The Iranian regime has reportedly begun over the past few months to transfer ballistic missiles to those proxies in Iraq. It is reportedly developing the capability for its proxy militias to produce their own missiles inside of Iraq.

In a blatant violation of Iraqi sovereignty, the Iranian regime recently fired a barrage of missiles from Iran into Iraq. Iran attacked the headquarters of the Kurdistan Democratic Party of Iran, killing 11 people. This was an act not of Iranian proxies but of the Tehran regime itself. It was Iran's first direct military strike into Iraqi territory in over a decade. That Iranian interference in the sovereignty of Iraq should be of great interest to the Security Council for many reasons, not least of which is because it occurs in clear defiance of Security Council resolutions.

Iranian General and Head of the Islamic Revolutionary Guard Corps Quds Force Qasem Soleimani is leading an effort to influence the composition of a new Iraqi Government. I remind my colleagues that Soleimani was banned from travelling outside of Iran by the Security Council in 2007. That ban was reaffirmed in 2015 with the adoption of resolution 2231 (2015). Despite that unambiguous travel ban, Soleimani has practically taken up residence in Iraq since the May elections. That fact was noted by the Secretary-General in his most recent report on the implementation of resolution 2231 (2015) (S/2018/602). And let us be clear about what Soleimani is up to in Iraq. He is not there to help create a Government in Baghdad that is responsive to the Iraqi people. He is there to build an Iraqi Government that is under the control of the Iranian regime.

Iran treats Iraq as if it were not an independent nation. Iran sees Iraq as merely a transit point for Iranian weapons and a training ground for Iranian proxies. Iran seeks to keep Iraq economically weak and dependent on its exports, even though Iraq has plenty of its own resources. Why? Because Iran wants to use a weak Iraq to illicitly fund its terrorist activities.

There is one more recent Iranian escalation that bears special consequence to Americans. Two weeks ago, two Iranian proxy groups launched rocket attacks on the American Embassy in Baghdad and the United States Consulate in Basra. Using proxy forces in Iraq does not give the Iranian regime plausible deniability when attacks like this occur. The Trump Administration does not and will not buy that. Iran could have stopped its proxies' attacks. It chose not to, so the White House responded by putting Tehran firmly on notice. We hold the Iranian regime fully accountable for its proxies' attacks on United States facilities and personnel in Iraq, and we will not hesitate to vigorously defend American lives.

The sovereignty of Member States is an issue that comes up a lot in the Security Council — for good reason. Every nation has the sovereign right to govern itself, protect its people and defend its borders. No less than any nation, Iraq has that right. And yet, at a critical time in its history, as Iraqis build their Government, Iran is acting in shameless disregard of Iraqi sovereignty. It is threatening populations to promote its own political leaders. It is undermining a key feature of sovereignty — a State monopoly on the use of force — by promoting its own militias.

The United States is committed to working with Iraq to help it create an inclusive and independent Government. Iraq is working to recover from years of conflict against the Islamic State in Iraq and the Sham, and still to overcome the legacy of Saddam Hussein's tyranny. Not only is Iranian interference preventing forward progress for the Iraqi people; it is pulling them backward to the conflict and division they are striving to put behind them. That is the very same conflict and division that Iran promotes in Syria, Yemen and Lebanon and across the Middle East. All members of the Security Council that respect the principle of national sovereignty should be concerned, and all that respect the right to self-determination of the Iraqi people should come to their defence.

I now resume my functions as President of the Security Council.

There are no further speakers inscribed on my list.

The meeting rose at 5 p.m.



Security Council

Seventy-third year

8429th meeting

Tuesday, 18 December 2018, 10 a.m.

New York

Provisional

President: Mr. Adom (Côte d'Ivoire)

Members:

Bolivia (Plurinational State of)	Mrs. Cordova Soria
China	Mr. Ma Zhaoxu
Equatorial Guinea	Mr. Esono Mbengono
Ethiopia	Ms. Guadey
France	Mr. Delattre
Kazakhstan	Mr. Umarov
Kuwait	Mr. Alotaibi
Netherlands	Mr. Van Oosterom
Peru	Mr. Meza-Cuadra
Poland	Ms. Wronecka
Russian Federation	Mr. Safronkov
Sweden	Mr. Skoog
United Kingdom of Great Britain and Northern Ireland . .	Ms. Pierce
United States of America	Mrs. Haley

Agenda

The situation in the Middle East, including the Palestinian question

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The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President (*spoke in French*): In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I give the floor to Mr. Mladenov.

Mr. Mladenov: On behalf of the Secretary-General, today I will present the eighth report on the implementation of resolution 2334 (2016), covering the period from 13 September to 14 December. I will focus on developments on the ground, in accordance with the provisions of the resolution, including on regional and international efforts to advance peace. Let me underscore that these developments cannot be divorced from the broader context — Israel's continued military occupation of Palestinian territory; uncertainties about the future of the peace process and the two-State solution; Hamas's continuing hold over Gaza and its militant activity; the persistent threat of war; unilateral actions that undermine peace efforts; reduced donor support for Palestine; and turmoil in the wider region.

Before I begin my report, I would like to warn of the dangerous escalation of terrorist attacks, clashes and violence in the West Bank. Over the past days and weeks, there has been an alarming rise in incidents that have led to the tragic deaths of Israeli and Palestinian civilians and Israeli soldiers. My thoughts and prayers go out to the bereaved families. The security measures put in place in the aftermath of those incidents, search operations in Ramallah, as well as clashes and protests that turn violent, are adding to an already tense atmosphere. I join the Secretary-General in his call on Israeli and Palestinian security services to work together to restore calm and avoid escalation.

Allow me to return to my reporting on resolution 2334 (2016). No steps were taken by Israel during the reporting period, according to paragraph 2, to

“immediately and completely cease all settlement activity in the occupied Palestinian territory, including East Jerusalem”

and to fully respect all of its legal obligations in that regard, as required by the resolution. I reiterate that all settlement activities are a violation under international law and a major obstacle to peace. During the reporting period, plans for some 2,200 housing units in settlements in the West Bank were advanced or approved by the Israeli authorities. The vast majority, nearly 2,000, were advanced in East Jerusalem, further consolidating the ring of settlements to the city's north. Two hundred are in Area C and have reached the final stage of approval. That is the lowest number of quarterly advancements and approvals recorded since the resolution was adopted. This period, like the last quarter, saw no tenders issued.

In October, the Government approved the allocation of \$6 million for advancing the construction of 31 housing units in Hebron, which would be the first new construction there in 16 years. On 15 November, the High Court of Justice rejected an appeal by two Palestinian families living in the East Jerusalem neighbourhood of Sheikh Jarrah and allowed the eviction of some 40 family members to advance construction. The decision was based on an ownership claim by an Israeli company. On 19 November, the Knesset passed legislation enabling, under certain conditions, the planning for residential purposes in national parks located within municipal boundaries. That amendment could facilitate the construction of additional housing units in the East Jerusalem neighbourhood of Silwan. On 21 November, Israel's High Court of Justice rejected a petition filed by over 100 Palestinian residents of Silwan to stop the efforts of an Israeli organization to evict them from their homes. The organization had gained control of the properties by invoking an Israeli law by which Israelis, but not Palestinians, may claim lands they owned prior to 1948.

Demolitions and seizures of Palestinian-owned structures by Israeli authorities continued across the occupied West Bank, including East Jerusalem. Citing the absence of Israeli-issued building permits, which are nearly impossible for Palestinians to obtain in Area C and East Jerusalem, 152 structures were demolished or seized by the authorities. According to the Office for the Coordination of Humanitarian Affairs, that has resulted in the displacement of 103 people. On 21 October, the Israeli authorities announced the delay

of the demolition of the Bedouin community of Khan Al-Ahmar/Abu Al-Helu in order to allow for negotiation with the community to relocate residents with their consent. Nevertheless, the threat of mass demolition and displacement remains, despite broad international opposition to the move.

Let me turn now to the issue of violence. The resolution calls for immediate steps to prevent all acts of violence against civilians. However, violence and the threat of war continue. Overall, 75 Palestinians were killed by Israeli security forces, including during demonstrations, clashes, air strikes, security operations and other incidents. Seven Israelis, including three soldiers and four civilians, were killed by Palestinians in attacks in the West Bank and a military operation in Gaza. The reporting period once again saw a major escalation in Gaza that almost brought Israel and Hamas to war.

On 11 November, in an exchange of fire following the discovery of an undercover Israeli unit in Gaza, seven members of the military wing of Hamas and an Israeli Defense Forces (IDF) officer were killed. Militants in Gaza immediately launched 18 rockets and mortars. In the following 24 hours, some 450 projectiles were indiscriminately fired towards Israeli cities and towns — more than in the entire period since the 2014 conflict. One Palestinian civilian was killed by a Hamas rocket in the Israeli city of Ashkelon. An IDF soldier was also seriously wounded by a missile strike that hit a military bus. The IDF responded by striking 160 targets identified as militant sites. Seven Palestinians were killed and at least four are reported to have been members of armed groups.

On 11 October, the IDF announced that it had destroyed a tunnel extending 200 metres from Gaza into Israel. On 17 October, two medium-range rockets were launched towards Israel, one directly hitting a residential building in Be'er Sheva, some 40 kilometres away. The IDF responded by firing 10 missiles at target sites across the Gaza Strip. On 28 October, three Palestinian children aged 13 to 15 were killed in an IDF strike near the fence in the southern Gaza Strip, in disputed circumstances. Protests at the Gaza perimeter fence and near the beach continued, although their size significantly decreased, and they have remained fairly peaceful since the beginning of November.

Since early November, there have been no reports of incendiary devices, balloons or kites from Gaza

causing damage in Israel. Since 13 September, some 43 Palestinians, including nine children, have been killed during the protests and other incidents near the fence and at sea. The youngest and most recent victim was a four-year-old who died on 11 December after he was injured by Israeli live fire during protests at the fence.

Meanwhile in the West Bank, including East Jerusalem, the situation has also deteriorated over the past weeks. During the reporting period, six Israelis, including four civilians, and 12 Palestinians were killed in various incidents, including terror attacks, clashes and military operations. On 7 October, an Israeli man and woman were shot dead in the Barkan industrial zone by a former Palestinian co-worker, who was killed in an IDF operation near Nablus on 13 December.

On 12 October, a Palestinian woman was killed south of Nablus by stones allegedly thrown by Israeli assailants. On 4 December, in Tulkarm refugee camp, a 22-year old Palestinian with a psychological disability was shot and killed by the Israeli security forces in circumstances that would seem to indicate that he posed no threat to security personnel or others. Investigations have been launched into both incidents.

On 9 December, in a drive-by shooting near the West Bank settlement of Ofra, seven Israelis were injured, including four children and a pregnant woman whose baby was delivered prematurely and subsequently passed away. Hamas praised the attack and identified one of the perpetrators, who was later killed in an Israeli security forces operation north of Ramallah, as one of their own. The Israeli Defence Forces have indicated that there are additional individuals involved in the incident still at large and that a manhunt is ongoing. I want to strongly condemn that attack and reiterate that there is no justification for terrorism.

On 13 December, in another drive-by shooting near the Giv'at Asaf settlement, two Israeli soldiers were killed and another was severely wounded alongside an Israeli woman. The perpetrators, who fled towards Ramallah, reportedly remain at large. In the operations to apprehend the perpetrators of the Ofra attack, on 10 and 11 December dozens of IDF troops entered Ramallah, where, inter alia, they raided the offices of the official Palestinian news agency, WAFA, and seized surveillance video. Two Palestinians were reportedly injured by live fire during ensuing clashes and over 150 in related incidents around the West Bank in subsequent days.

In a statement issued on 13 December, the Israeli Prime Minister announced a series of measures in response to the wave of attacks, including revoking the permits of family members and demolishing houses of the perpetrators of attacks, increasing checkpoints and administrative detentions, and intensifying efforts to capture assailants still at large. The Prime Minister also announced that some 2,000 houses built on private Palestinian land in settlements would be retroactively legalized, and that steps had been taken to advance the construction of 82 new housing units in Ofra and in two industrial zones in the settlements of Avnei Hefetz and Beitar Illit.

The Office for the Coordination of Humanitarian Affairs has recorded 49 incidents of settler-related violence resulting in the injury of Palestinians or damage to their property. During the reporting period there were also recurring clashes between settlers from Yitzhar and residents of the neighbouring Palestinian village of Urif.

Following the shooting attacks of the past few days, settler leaders blamed the Government for failing to protect them. Hundreds protested, some violently, blocking traffic and throwing stones at Palestinian vehicles. Police arrested some 40 people. Incidents of stone throwing and vandalism, as well as shots fired at villages have been reported in several locations in the West Bank.

Resolution 2334 (2016), in its paragraph 7, calls upon the parties “to refrain from provocative actions, incitement and inflammatory rhetoric”. Unfortunately, such actions and statements continued during the reporting period. Hamas continued to use inciteful and inflammatory rhetoric. Its officials praised the stabbing and shooting attacks that killed Israeli civilians as heroic and mourned the killers. Fatah, including on its official social media accounts, also commemorated and celebrated the perpetrators of recent attacks, as well as past terror attacks in which Israeli civilians have been killed. In a radio interview, a senior member of the party glorified the perpetrators of stabbing attacks in Jerusalem. In addition, senior Palestinian religious leaders made a series of inflammatory speeches alleging Israeli intentions to destroy the Al-Aqsa mosque or change the status quo at the holy sites in Jerusalem. President Abbas has spoken against the recent surge of violence in the West Bank.

Meanwhile, Israeli officials have also made provocative and highly problematic statements encouraging violence and undermining a two-State solution. In the wake of the recent violence in the West Bank, politicians have called for the deportation of families of attackers. Separately, there have been calls for a shoot-to-kill policy in Gaza, and one politician has gone as far as to call for President Abbas to be assassinated. Others have continued to reject Palestinians’ right to statehood, to support openly widespread settlement expansion, and to support the annexation of all or parts of the West Bank.

Resolution 2334 (2016) reiterates calls by the Middle East Quartet for affirmative steps to be taken immediately to reverse negative trends on the ground that are imperilling the two-State solution. There have been some positive developments, but the negative trends dominate. Among positive developments, I can point to the mobilization of international support for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). On 19 November, UNRWA announced that the financial shortfall for 2018 — which stood at some \$446 million in January — had been reduced to \$21 million thanks to substantial new funding by Member States.

In Gaza, the international community has taken a number of steps to improve the lives of 2 million people who live under Hamas control, struggle with Israeli closures and have little prospect of seeing national unity.

First, thanks to generous funding from the State of Qatar, the United Nations has been able to import life-saving fuel to operate the Gaza power plant. Daily electricity supply has increased to more than 11 hours — the highest in over two years. Private homes, hospitals, schools, water facilities and businesses are all benefitting. Seventy-five per cent of the sewage can now be treated again. That has significantly reduced the contamination levels caused by discharge into the sea. Piped water supply has increased by 40 per cent, almost fully meeting water demand for domestic household purposes. Drinking water supplied through desalination plants has also increased by 20 per cent, while private businesses have benefited from the reduced fuel costs. Those are substantial improvements. Finding sustainable solutions to Gaza’s electricity crisis, however, remains critical. The Office of the United Nations Special Coordinator for the Middle East Peace Process and the World Bank have convened

the international community to discuss how to stabilize electricity supply in the long run.

Secondly, on 4 December, the United Nations concluded a comprehensive review of the Gaza Reconstruction Mechanism, together with the Palestinian Authority and Israel. It has resulted in several important changes that will be implemented as of 1 January 2019. They will allow the Mechanism to better respond to Gaza's changed needs and increase its functionality, transparency and predictability.

Thirdly, the reconstruction and rehabilitation of 360 totally destroyed houses and the repair of 30 homes that were partially damaged in the 2014 conflict in Gaza have also been completed.

Finally, in Gaza, the United Nations has enhanced its project implementation capacity by establishing a project management unit to work with all relevant stakeholders to support implementation, including of the package of urgent interventions from the Ad Hoc Liaison Committee for the Coordination of International Assistance to Palestinians.

Beyond Gaza, in another encouraging sign, civil society groups continue to mobilize in support of peace. This past month, I participated in a remarkable conference organized by Women Wage Peace, a non-governmental organization that brings together Jewish and Arab women advocating a negotiated solution to the conflict. The conference, attended by close to 1,000 young women and men, is precisely the kind of grass-roots effort called for in the 2016 Quartet report (S/2016/595, annex). It encourages a culture of tolerance and laying a crucial foundation for peace.

Regrettably, however, the negative trends continue to overshadow any positive developments. The humanitarian, economic and political crisis in Gaza continues and, despite Egypt's sustained efforts, there has been no progress in implementing the October 2017 intra-Palestinian agreement. The goal remains that Gaza and the West Bank are reunited under the control of a single, legitimate national Government, with a unified legal framework that would be responsible for all aspects of governance, including security.

In December Hamas made public the decision of a military court to sentence six people to death, including a woman. Another death sentence was also handed down in Gaza to a man convicted of murder by a criminal court. These decisions are contrary to both

international human rights law and national Palestinian legislation.

Resolution 2334 (2016) calls upon all States "to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967". On 28 November the Chilean parliament approved a resolution that called on the Government to examine all of its agreements with Israel to ascertain that they apply solely to the territory of the State of Israel, and not to the territories occupied since 1967. The Republic of Ireland advanced in the upper house of parliament, the "Control of Economic Activity (Occupied Territories) Bill 2018", which, if passed into law, would prohibit trade with and economic support for settlements.

The resolution also called upon "all parties to continue ... to exert collective efforts to launch credible negotiations". No progress was achieved in this respect as well.

At the beginning of my statement, I addressed the continuing expansion of Israeli settlements. On 28 and 29 October, the Central Council of the Palestine Liberation Organization reaffirmed the decisions taken to suspend the recognition of the State of Israel until the latter recognizes the State of Palestine within the 4 June 1967 borders, with East Jerusalem as its capital, end security coordination in all its forms, and disengage economically from Israel. These decisions have not been implemented. President Abbas is reported to have signed, on 15 November, 11 instruments of accession to international agreements.

In closing, I would like to share some broad observations concerning the implementation of the provisions of resolution 2334 (2016) over the past year.

The continued expansion of the Israeli settlement enterprise, in all its aspects, is illegal under international law, and undermines hope among the population, trust between the parties, and the two-State solution itself. Settlement planning and tendering continued during 2018 but at lower rates compared to 2017. For Area C settlements, plans were advanced or approved for some 4,800 housing units, compared to nearly 7,000 during 2017. Tenders were announced for some 2,900 units, slightly less than the 3,200 tendered the previous year. For East Jerusalem settlements, plans were advanced or approved for 2,100 units in 2018, compared to about 3,100 in 2017, and a tender was announced for the first time in two years. About one quarter of the units

advanced, approved or tendered in 2018 are planned for settlements in outlying locations deep in the West Bank.

In this context, this year saw some worrying moves, including the continued construction of a new settlement, Amichai, located in a strategic location that further consolidates the cluster of settlements to the east of Shilo, at the very heart of the West Bank. Israeli authorities also approved new construction in Hebron after a lull of some 16 years. In addition, several judicial and administrative decisions taken during 2018 have removed long-standing obstacles to the use of private Palestinian land for the benefit of settlements.

The United Nations continues to closely monitor the threat of demolitions and displacement to Palestinians in Area C and East Jerusalem. Between January and November 2018, there were 422 Palestinian-owned structures demolished or seized by Israel on the grounds of a lack of building permits — 245 in Area C and 167 in East Jerusalem. Some 411 people have been displaced, which represents a slight increase in the number of structures demolished compared with the equivalent period of 2017.

Particularly worrisome is the situation in the community of Khan al-Ahmar-Abu al Helu. Moving forward on the demolition of the community would amount to a serious violation of Israel's obligations under international law and undermine the prospects for a two-State solution. I call on all concerned parties to work towards resolving the issue in a manner that is consistent with the community's will and genuine needs, and in line with Israel's international legal obligations.

In terms of violence over the past year, although Gaza has been the most volatile, the risk of an explosion in the West Bank has also grown. I am concerned by the recent incidents and rising tensions in the West Bank, including East Jerusalem. During the past three months, we have witnessed stabbing, ramming and three lethal shooting attacks against Israelis, one of which led to the heartbreaking death of a baby. We have also seen the death of a Palestinian woman, killed by a stone. There can be no justification for any brutal acts of terror, and I call on all to join the United Nations in condemning them unequivocally. They feed mistrust and hatred among people.

Israeli responses to recent events in the West Bank have been harsh, as some of the perpetrators of recent

attacks have been killed. Unfortunately, incidents like the shooting of a Palestinian man with psychosocial disabilities as he was walking away from the security forces fuel a climate of fear and anger. These actions continue to worsen a climate of hatred and fear and drive Israelis and Palestinians further away from resolution of the conflict.

Settler-related violence has also been on the rise during 2018, with the highest number of incidents recorded since 2014. Thousands of Palestinian-owned trees and more than hundreds of vehicles have been damaged. Settlers have continued to enter Palestinian locations, triggering clashes, some of which involve Israeli soldiers. Such incidents have resulted in the death of two Palestinians. While I acknowledge efforts by the authorities to prevent and investigate settler-related violence, I call for further measures to ensure that Israel fulfils its obligation to protect civilians and to investigate and hold accountable those responsible for attacks.

And while Gaza has been quiet since the last escalation in November, it is critical that events in the West Bank not lead to reigniting the Gaza fuse. The people in Gaza have suffered enough and must not be made to pay the price for violence elsewhere.

Each time, as the parties came frighteningly close to the brink of war, tireless efforts by Egypt and the United Nations prevented a full-fledged conflict. Ultimately, what will ensure long-term peace is reuniting Gaza and the West Bank under a single, legitimate and democratic Palestinian Authority and putting an end to the occupation. Meanwhile, however, it is imperative that the current calm be preserved at all costs. No one can afford another war in Gaza.

Since March, tens of thousands of people in Gaza took part in demonstrations along the perimeter fence, many of which turned violent. Throughout this period, hundreds of fires were started in Israel by incendiary devices, balloons and kites coming from Gaza. From May through November, we witnessed the most serious escalations since the 2014 conflict, with over 500 rockets and 700 mortars fired towards Israel by Hamas and other militant groups. Some 175 Palestinians were killed by Israeli live fire, including 32 children, two women and three medical workers. One Israeli soldier was killed by sniper fire during the demonstrations. The indiscriminate launching of rockets and mortars against Israeli towns and villages violates international

law, placing hundreds of thousands of civilians under imminent threat, and causing great fear and mental trauma, particularly for children.

Serious concerns remain over the loss of life, especially of children, in the context of these hostilities and protests. The death of four-year-old child is a tragedy that must not be repeated; I mourn his short life. The killing of children is absolutely unacceptable. Israeli security forces have a responsibility to exercise restraint and should use firearms only when strictly necessary in order to protect life or prevent serious injury from an imminent threat. Hamas also has an obligation to protect children, ensuring that they never be put in harm's way.

Ongoing instances of incitement, provocative steps and inflammatory rhetoric plague the public discourse of the conflict. They are highly dangerous and threaten to push an already volatile situation past the boiling point. I have repeatedly stated in my briefings to the Council that leaders have a responsibility to reduce, rather than escalate, tensions; yet over the past year, statements that encourage violence continued. Such rhetoric, particularly if it denies the right of existence of one of the sides, or their right to Statehood or glorifies terror, is dangerous and plays into the hands of extremists beyond Israel and Palestine. I also reiterate to political, community and religious leaders the resolution's call to clearly condemn all acts of terrorism.

Regrettably, this year has seen no affirmative steps by the parties to reverse negative trends nor serious progress on implementing important agreements signed in 2017, including agreements on water, energy and telecommunications. On the contrary, significant Israeli administrative and legal decisions are facilitating the legalization, under Israeli law, of settlements on private Palestinian land and threaten to undermine the financial stability of the Palestinian Authority. Meanwhile, restrictive measures by the Palestinian Authority against Gaza compound the long-standing Israeli closures of the Gaza Strip, further widening the political and administrative gap between Ramallah and Gaza. Such measures must end.

However, the completion of the review of the Gaza Reconstruction Mechanism and, more specifically, the commitment by the Palestinian Authority and Israel to the Mechanism's continuation and enhancement were important developments. That rare example of direct

Israeli and Palestinian engagement with United Nations facilitation shows that there is room for cooperation.

Humanitarian partners have also struggled to fulfil their mandates in the face of rising humanitarian needs amid record-high cuts in funding, increased restrictions on humanitarian operating space and attempts to delegitimize the work of reputable organizations that provide essential support to vulnerable Palestinians. I encourage Member States to support the humanitarian response plan for 2019.

The important financial support of the State of Qatar has enabled the United Nations delivery of fuel to the Gaza power plant and the resulting substantial increase in the electricity supply for Palestinians in Gaza. I urge other donors to support additional elements of the package of urgent economic and humanitarian interventions for Gaza that was endorsed by the Ad Hoc Liaison Committee in New York in September. I also welcome the generous support of donors, which has almost fully met the shortfall facing UNRWA this past year. Looking ahead to 2019, I also urge donor countries to maintain the funding levels achieved this year and to increase the number of multi-year agreements.

The fate of two Israeli civilians and the bodies of the IDF soldiers missing in Gaza also remains an important humanitarian concern for us all.

While there has been no progress on intra-Palestinian reconciliation, it is critical that the important Egyptian-led process continue. The United Nations stands firmly in support of Egypt's efforts in that regard and urges the parties to make serious efforts to ensure the return of the legitimate Palestinian Government to Gaza. The Gaza Strip is, and must remain, an integral part of the future Palestinian State as part of a two-State solution.

In conclusion, let me reiterate that I remain concerned about the weakening of the international consensus and the absence of collective efforts to achieve an end to the occupation and the realization of a negotiated two-State solution to the Israeli-Palestinian conflict, in line with the relevant United Nations resolutions and prior agreements.

I believe that I speak on behalf of us all today when I say that we all share the concern that, at the end of 2018, we are no closer to reviving efforts for a negotiated solution. Without a political horizon, all our collective and individual efforts contribute only to managing the conflict rather than to resolving it.

It is only by realizing the vision of two States living side by side in peace, security and mutual recognition, with Jerusalem as the capital of Israel and Palestine and all final-status issues permanently resolved through negotiations, that the legitimate aspirations of both peoples can be achieved.

The President (*spoke in French*): I thank Mr. Mladenov for his briefing.

I shall now give the floor to those members of the Council who wish to make statements.

Mrs. Haley (United States of America): When I first came to the United Nations two years ago, I was a little taken aback by this monthly meeting. The fact that the United Nations would consider the Israeli-Palestinian conflict was not striking. After all, it is a matter of international peace and security. What was striking was the frequency and the one-sidedness of the discussion.

Members of the Security Council have heard me say this many times — the problems of the Middle East are numerous, and yet we spend a vastly disproportionate amount of time on just one of them. The United Nations has shown itself to be hopelessly biased, as we witnessed again only two weeks ago when the General Assembly failed to condemn Hamas's terrorist activity against Israel.

Over the past two years, I have attempted to provide more value to this monthly meeting by using my time to speak about other pressing problems in the Middle East. I have spoken about Iran's illegal weapons transfers and destabilizing support for terrorism throughout the region. I have spoken about the barbarism of the Al-Assad regime in Syria. I have spoken about Hamas's illegal and diabolical use of human shields. I have spoken about Hezbollah jeopardizing the safety of the Lebanese people and its violations of Israeli sovereignty, which have come to light even more clearly in the past month. I have spoken about Iraq, Yemen, refugees and humanitarian crises.

I have done that for two reasons. I have done it to illustrate that most of the region's problems have absolutely nothing to do with the Israeli-Palestinian conflict. I have also done it to encourage the United Nations to move away from its obsession with Israel. That obsession of the United Nations with the issue has been entirely unproductive. In fact, worse than that, it has been counterproductive. It has sent a loud and

false message to the Palestinians that they may perhaps be able to achieve their goals by relying on the United Nations rather than through direct negotiations. It has sent a loud and accurate message to the Israelis that they can never trust the United Nations. That biased obsession is not the path to peace. It is the path to an endless stalemate.

Today is the last time that I address this monthly meeting as the United States Ambassador. For that reason, I will deviate from my practice of the past two years. Today, I will directly address the Israeli-Palestinian issue. Given my record, some may mistakenly conclude that I am unsympathetic towards the Palestinian people. Nothing could be further from the truth. This is how I see it.

Israel is a thriving, strong, prosperous country. It has always wanted peace with its neighbours. It has clearly demonstrated its willingness to make great sacrifices for peace, including by giving up large areas of land. But Israel will not make a peace agreement at any price, and it should not do so. No United Nations resolutions, anti-Semitic boycotts or terrorist threats will ever change that. Throughout its existence, and even today, Israel has been surrounded by threats to its security. It would be foolish for it to make a deal that weakened its security. Yet, even in the face of constant threats, Israel has become one of the leading nations in the world. Israel wants a peace agreement but it does not need such an agreement.

Then there are the Palestinian people. Like the Israelis, they are a deservedly proud people. They, too, do not need to accept a peace agreement at any price. But the condition of the Palestinian people is very different. Economic opportunity, health care and even electricity are all scarce in the Palestinian territories. Terrorists rule much of the territory, undermining the safety of all civilians. The Palestinian people suffer terribly, while their leadership clings to 50-year-old demands that have become only less and less realistic. What awaits the Palestinian people with a peace agreement are the prospects of a huge improvement in the quality of their lives and far greater control over their political future.

It is time that we faced a difficult truth: both sides would benefit greatly from a peace agreement, but the Palestinians would benefit more and the Israelis would risk more. With that backdrop in mind, the Trump Administration has crafted its plan for peace between Israel and the Palestinians. I do not expect anyone to

comment on a peace proposal that they have not read. But I have read it, and I will share some thoughts on it now.

Unlike previous attempts to address this conflict, this plan is not just a few pages, containing unspecific and unimaginative guidelines. It is much longer and contains much more thoughtful detail. It brings new elements to the discussion, taking advantage of the new world of technology in which we live. It recognizes that the realities on the ground in the Middle East have changed in very powerful and important ways. It embraces the reality that today, things that were previously unthinkable can be done. This plan will be different from all previous ones. The critical question is whether the response will be any different. There are things in the plan that every party will like, and there are things in the plan that not all of them will like. That is certainly true for the Israelis and the Palestinians, but it is also true for every country in the world that has taken an interest in this subject. Every country or party will therefore have an important choice to make. Council members can focus on the parts of the plan that they dislike. For irresponsible parties, that would be the easiest thing to do — simply reject the plan because it does not satisfy all of their demands. Then we would return to the failed status quo of the past 50 years, with no prospects for change. Israel would continue to grow and prosper. The Palestinian people would continue to suffer, and innocent people on both sides would continue to be killed.

Their other choice is to focus on the parts of the plan that they do like and encourage negotiations to move forward. And I can assure the Council that there is a lot for both sides to like. Ultimately, as always, the final decisions can be made only by the parties themselves. Israelis and Palestinians will decide their own futures. They will decide what sacrifices they are willing to make, and they will need leaders with real vision to do that. But my friends at the United Nations, particularly my Arab and European brothers and sisters, will also play a very important part. And they will face the same choice. The choice between a hopeful future that sheds the tired, old, and unrealistic demands of the past, or a darker future that sticks with the proven failed talking points of the past. The world will be watching. More importantly, the Palestinians and Israelis will be watching. Their response will be affected by our response.

I have heard privately from many of my Arab friends. They have said that they know that a solution is urgently needed, but their Governments have not been willing to talk to their constituencies about what is realistic or to the Palestinian leaders about the harm they are doing to their own people. By taking the easy route, they are really saying that the Palestinian people are not a priority for them, because if they were, they would all be in a room helping to bring both sides to the table.

As for the American people, we have demonstrated time and again our commitment to peace in the Middle East. We will continue to offer our hand in friendship to the Palestinian people, whom we have supported financially far more than any other country has done. The Palestinians have everything to gain by engaging in peace negotiations, but whatever others may decide, the world must know that America will remain steadfast in its support to Israel and its people and security. That is an unshakeable bond between our two peoples, and it is that bond, more than anything else, that makes peace possible. My hope is that once I become an outside observer — one who has invested much time on this issue — we will no longer be having this same conversation and hearing the same old speeches in years to come.

Mr. Alotaibi (Kuwait) (*spoke in Arabic*): At the outset, we would like to thank Mr. Nickolay Mladenov for his valuable briefing and reaffirm the full support of the State of Kuwait to his role in finding a solution to the protracted Palestinian question, which has had such a severe impact on the daily lives of the Palestinians who have been living under the yoke of occupation for more than five decades. We also thank our colleague Ambassador Nikki Haley. I am pleased that her very important final statement to the Security Council was on today's topic of the Palestinian question, and that she has revealed some of the points of the peace plan that the United States will soon unveil.

We once again commend the efforts of Mr. Mladenov and the parties concerned to improve the daily lives of the citizens of the Gaza Strip, which have led to the completion of the joint review of the Gaza Reconstruction Mechanism in order to promote and improve its effectiveness and performance. We look forward to the implementation of its recommendations by 1 January 2019. In that regard, we were awaiting a written report for this month by the Secretary-General on the implementation of resolution 2334 (2016),

similar to his first written report submitted in June (see S/PV.8289) following his response, for which we are grateful, to a request by 10 Security Council members. This month, however, we regret to say that was not the case. We therefore call for an increase in the number of written reports on the status of the implementation of resolution 2334 (2016) over the course of 2019. We do not want to settle for just one written report per year. That accords with the provisions of the resolution, presidential note S/2010/507 and the practices used in addressing other items on the Security Council's agenda.

As always, we listened carefully to Mr. Mladenov's briefing, especially with regard to the recent developments in the West Bank, which show once again how dangerous the situation in the occupied Palestinian territories has become, thanks to the crimes perpetrated by Israel, the occupying Power, against the Palestinian people and their land and holy sites, as well as their inalienable rights. The most recent of those crimes was the Israeli act of aggression against the Palestinians in the Gaza Strip and other parts of the occupied Palestinian territory on 11 November, which targeted the lives of Palestinian civilians and their homes, media facilities and civilian infrastructure. Its victims included dozens of martyrs and unarmed civilians who were killed or injured as a result of the Israeli occupying forces' war crimes and crimes against humanity.

The most recent child fatality was that of a boy aged four years and eight months, a victim of the occupying Israeli forces' relentless crimes against Palestinian civilians. On 12 December we saw the images of hundreds of civilians in the town of Absan in Khan Younis burying the small body of Ahmed Abu Abed. His killing was the forty-second murder of a Palestinian child since the Great March of Return began in March. Since then, more than 230 Palestinian martyrs have perished and more than 24,000 have been injured. Reports from Doctors without Borders estimate that more than 1,000 of those who have been injured in the Gaza Strip now suffer from permanent disabilities as a result of the live ammunition used by the Israeli occupying forces.

The Security Council must not stand idly by in the face of Israel's systematic crimes against unarmed Palestinians. They are war crimes and crimes against humanity under international humanitarian law and international human rights law. As members of the

Security Council, we must assume our responsibility and stop Israel, the occupying Power, from perpetrating such illegitimate and provocative actions in deliberate and dangerous violation of international law and the relevant United Nations resolutions. We call on the United Nations and the Secretary-General to implement General Assembly resolution ES-10/20, on the protection of Palestinian civilians, pursuant to the Secretary-General's latest report (A/ES-10/794). We must urge the States and institutions of the international community to engage in the protection of Palestinian civilians and establish a practical and effective mechanism for implementing both the resolution and the report.

We also call on the international community, especially the Security Council, to implement resolution 2334 (2016), which emphasizes that Israel's settlement activities are a blatant violation of international law and an obstacle to peace. It calls on Israel, the occupying Power, to immediately and fully cease all settlement activities in the occupied Palestinian territory, including East Jerusalem and reaffirms the importance of the implementation of other relevant international resolutions on the illegal and illegitimate nature of Israeli settlement activities, including resolutions 465 (1980) and 497 (1981).

We reaffirm our condemnation of Israel's repeated acts of aggression against the Al-Aqsa Mosque in the form of daily violations and dangerous incursions, which provoke Muslim and Arab feelings of resentment. Those unprecedented attacks have recently increased and demonstrate that Israel, the occupying Power, plans to change the Mosque's current historic and legal status, which will have grave consequences. We welcome Jordan's announcement that it will be organizing an international conference on 20 December on an appeal for the Al-Aqsa Mosque, with wide Arab and international participation. The aim is to hold consultations in support of the Al-Aqsa Mosque, Jerusalem and its Islamic holy sites. We reiterate our rejection and condemnation of all violations by Israel, the occupying Power, of Islamic and Christian holy sites, especially its attempts to change the existing historical and legal status of the Al-Aqsa Mosque by dividing it in space and time, undermining the freedom of Muslim prayer.

In conclusion, we welcomed the General Assembly's adoption few days ago of resolution 73/89, submitted by Ireland on behalf of the European Union

and entitled “Comprehensive, just and lasting peace in the Middle East”. We reiterate our support for putting an end to the Arab-Israeli conflict, in accordance with the relevant international resolutions, international law and the Arab Peace Initiative of 2002, with all its provisions. The Initiative states that a comprehensive peace and the normalization of relations with Israel are conditional on ending Israel’s occupation since 1967 of Palestinian and Arab territories, including East Jerusalem; on Israel’s recognition of the State of Palestine and the inalienable rights of the Palestinian people, including the right to self-determination and the right of return and reparation for Palestinian refugees; on a just resolution of the Palestinian question pursuant to General Assembly resolution 194 (III); and on a rejection of any deal or initiative for a resolution of the conflict that is not in line with the internationally agreed terms of reference pertaining to the peace process in the Middle East.

Mr. Safronkov (Russian Federation) (*spoke in Russian*): We would like to thank Mr. Mladenov for his briefing on developments in the Middle East. The situation in this region plagued by crises old and new remains problematic and demands considerable collective efforts, including by the Security Council. The only way we can make progress on stabilizing and normalizing the situation in the region is by acting together, regardless of the differences in our approaches. By presenting the broadest possible united front, which Russia’s President Vladimir Putin has called for, we can achieve substantive breakthroughs in combating terrorism. Together we can end the bloodshed in Yemen, stabilize Libya, help Syrian refugees return home, tackle the global migration crisis, support normalization in Iraq and end the stalemate in other crises. And, of course, through our joint efforts we can sort out the Palestinian-Israeli peace process. We can say that based on our experience of friendly relations with the Arab States, Palestine and Israel. The foundations for our cooperation exist. They are based on international law, including the Charter of the United Nations and many Security Council resolutions. Our main tools should be dialogue and mediation, and we should refrain from unilateral steps. We cannot achieve lasting solutions to these crises any other way.

The need for urgent collective action is greatest with regard to the Palestinian-Israeli issue, which is at the epicentre of the turmoil in the Middle East. Resolving it is key to improving the situation in the

entire region. We have regretfully had to conclude that against a backdrop of increasingly frequent attempts to aggressively revise previously settled agreements aimed at achieving sustainable Palestinian-Israeli and Arab-Israeli settlements on an internationally recognized basis, the prospects for a resumption of the negotiation process are still faint. The misunderstanding and mistrust between Palestinians and Israelis is growing constantly. Aggressive attitudes are intensifying and violence, unilateral measures and provocative rhetoric are coming to the fore. But there is an alternative to the current developments, which entails implementing the steps outlined in the 2016 report of the Middle East Quartet. Implementing its recommendations would enable us to stop the violence, whose victims are Palestinians and Israelis alike, and to tackle the familiar destabilizing factors hindering progress on the political process, including the settlement activities and the rupture between the West Bank and Gaza. Bringing that sector back under the control of the legitimate authorities in Ramallah under the leadership of President Abbas would strengthen the international community’s humanitarian efforts there. We should emphasize in particular that every step taken should be geared to ensuring and restoring Palestinian unity.

It is urgent that we intensify our collective diplomacy in order to prevent a collapse of the efforts that the international community — all of us — have jointly undertaken, including in the Security Council, for the sake of ensuring the conditions for implementing the only viable solution, which is the establishment of two States through direct negotiations between Palestinians and Israelis. It is direct dialogue that can find answers to all final status issues regarding Jerusalem, refugees, borders and security. Dismissing those problems will not work. Any future deal must take account of these issues, which are so sensitive and significant for both parties.

Russia will continue to maintain its principled and consistent position that a comprehensive and lasting settlement between Palestinians and Israelis and Arabs and Israelis can be achieved on the basis of internationally recognized principles, including the Security Council’s resolutions, the Arab Peace Initiative, the Madrid principles — including the principle of land for peace — and the two-State formula, which provides for the creation, through negotiations, of an independent State of Palestine living side by side in peace and security with Israel. Policies that seek

to change the facts on the ground are unacceptable, and we reject violence in any form. We consider the expansion of Israeli settlements, the demolition of Palestinian property and the expulsion of Palestinian families to be illegal.

Russia will continue to play an active role in restoring peace in Israel, Palestine and the entire Middle East in its capacity as a permanent member of the Security Council and a participant in the Middle East Quartet, which remains the only mediation format approved in Security Council resolutions. Our offer to convene a summit in Russia between the leaders of Palestine and Israel is still on the table. We will continue to assist the United Nations Relief and Works Agency for Palestine Refugees in the Near East, whose critical humanitarian activities have an important stabilizing effect in the Palestinian territories and the countries of the Middle East.

In conclusion, we want to once again call for genuine collective efforts in the Middle East. Despite the evolving realities, we must help to create conditions there that are conducive to strengthening a general atmosphere of trust, which is hugely important to the relations between the Arab States, Israel and Iran. We would like to remind members that in its resolution 598 (1987), the Security Council directed the Secretary-General to work with regional stakeholders on measures to strengthen security and stability in the region. It is time to implement that resolution. In that context, we believe that the Russian blueprint for security in the Persian Gulf could be very helpful. Russia stands ready to work on all of those aspects, and others, with interested partners on a basis of openness and impartiality.

Mr. Skoog (Sweden): I thank Special Coordinator Mladenov for his briefing today and for his tireless efforts, which we very much appreciate. The United Nations and its agencies deserve to be commended for the work that he is doing on the ground in what we understand to be a challenging and sometimes explosive environment.

This is the last time that Sweden will speak on this issue in the Chamber, as we come to the end of our two years as a member of the Security Council. I would therefore like to begin with some broader reflections, in the same vein as Ambassador Haley, whom I want to thank for providing us with insights into the current thinking in the United States on how to pursue peace in

the Middle East, and to say that for us the United States remains a key partner in that pursuit.

When Sweden joined the Council, there was a moment of hope for Middle East peace. The Council had just adopted resolution 2334 (2016), France was organizing its international conference on the two-State solution, and the new United States Administration had announced its commitment to resolving the Israeli-Palestinian conflict.

Today it is with heavy hearts that we conclude that hopes are evaporating, with no peace process in sight. The two-State solution is rapidly moving beyond our reach as realities on the ground trend towards an expansion of Israeli settlements. The desperate situation for the people in Gaza has further deteriorated into a humanitarian crisis, making Gaza increasingly unliveable and on the verge of social and economic collapse. The spread of violence on the ground is leading to a tragic loss of life on both sides, instilling fear among Israelis and Palestinians and destroying hopes for peace for young people, the so-called post-Oslo generation.

The idea behind resolution 2334 (2016) was for the Security Council to shoulder its responsibility and reverse this negative trend. Two years on, the resolution remains as relevant as ever. Its core components — demands for ceasing all settlement activities and an end to the violence — reflect the gravity of the situation on the ground.

We are deeply concerned over the deteriorating security situation and escalation of violence in the West Bank and Jerusalem. We strongly condemn the acts of violence against civilians that have led to a tragic loss of life in recent days. Terrorism can never be tolerated. We call on all actors to de-escalate and stop attacks against civilians. Security forces on both sides must exercise restraint so as to avoid escalation and further loss of life.

We reiterate our grave concern over the continued Israeli settlement expansion. Israel's settlement policy is illegal under international law. We condemn the Israeli decisions to advance additional settlement units, including in Hebron and East Jerusalem. The illegal settlement expansion seriously undermines the two-State solution and clouds all hope for peace.

We are also concerned about the demolition of Palestinian homes and at the fact that the Palestinian

population is at risk of forcible transfers in Area C. We urge the Israeli authorities not to proceed with the demolition of the Bedouin village of Khan Al-Ahmar, as that would have serious consequences for its residents, including children. The village is located in Area E1, a location of strategic interest for preserving the contiguity of the Palestinian State.

Against this dismal backdrop, the international community must act, otherwise we risk ending up with perpetual occupation and a one-State reality. Resolution 2334 (2016) was a milestone, and its implementation is key to the return to a path of peace.

We are therefore disappointed that no written report on the implementation of the resolution was circulated prior to this meeting, as is standard practice for any other issue. This is a question of the credibility of the Council on how we conduct our work, and neglecting its reporting serves only to distance the Council from its responsibilities. Resolution 2334 (2016) was adopted by the Council and cannot be disregarded. The oral report we just heard is a long list of events and incidents, each leading to personal calamity and despair. Along with many others, we wish to see regular written reports from the Secretary-General in future, so that these meetings can be properly prepared and focus on the direst realities on the ground and how to improve them.

Individually, we as Member States also need to step up our implementation of the resolution, which calls on all of us to distinguish, in our relevant dealings, between the territory of the State of Israel and the territories occupied since 1967. The European Union has clear policies with regard to such differentiation. Settlement products cannot be promoted as Israeli products, and all agreements between the State of Israel and the European Union must explicitly indicate inapplicability to the occupied territories. This does not constitute a boycott and is fully in line with resolution 2334 (2016). We encourage other Member States to adopt similar policies.

We are as committed as anyone to peace in the Middle East. During our two years as a member of the Council, we have witnessed challenges to the international consensus on peace as well as attempts to take final-status issues off the table. We therefore wish to reiterate once more our support for a just, lasting and comprehensive peace, based on international law, the relevant United Nations resolutions and previous agreements. Our position and that of the

whole European Union reflect the continued broad international consensus on a two-State solution, as expressed in the recently adopted General Assembly resolution 73/89, submitted by Ireland.

Any peace plan that fails to recognize these internationally agreed parameters would have little chance of succeeding and would run counter to the fundamental positions of the European Union. There cannot be any clean slate. Final-status issues can be taken off the table only when resolved through negotiations between the parties.

Implementing resolution 2334 (2016) is not a matter of taking sides. Sweden has a long-standing friendship with the peoples of Israel and with the peoples of Palestine. This is about the responsibility of the international community to save yet another generation of young Israelis and Palestinians from growing up in a reality of constant tension, mistrust and conflict.

This is about making sure that the objective of two States, Israel and Palestine, living side by side in peace and security, with Jerusalem as the future capital of both States and home of three world religions, is kept within reach. And this is about keeping hope of peace in the Middle East alive.

Ms. Pierce (United Kingdom): Before I start, could I, through the American delegation, pass on a tribute to Ambassador Haley in connection with her time on the Council. Her ambition for the Council and her commitment to delivery and effectiveness have really helped moved issues and ourselves forward. So I would ask the United States delegation to please thank her very much indeed for that, and I will come to what she said about the peace process a little bit later. I also thank the Special Coordinator. I completely echo the Swedish Ambassador in paying tribute to him and his team in such difficult circumstances.

As others have noted, it is two years since the Council adopted resolution 2334 (2016), and no steps have been taken by Israel to cease settlement activity during this period. In fact, settlement activity has continued. The Government of Israel has also moved forward with retroactive legislation of the outpost Havat Gilad. We are deeply concerned about the Government's announcement last week to retrospectively legalize thousands more homes in the West Bank, construct 82 new residential units in the Ofra settlement and advance the construction of two new industrial zones in the West Bank.

The United Kingdom's position on settlements is clear. They are illegal under international law. Settlements present an obstacle to peace, and they threaten the physical viability of a two-State solution. That is why we supported resolution 2334 (2016), and we urge the Government of Israel to reverse its policy of settlement expansion.

At the same time, we see continued demolitions taking place, including in East Jerusalem. We are concerned by the demolition of 16 small businesses in the Shuafat refugee camp on 21 November. There are no valid town plans for the camp, and this forces Palestinians to resort to building without permits. We are also closely monitoring developments in Sheikh Jarrah and Silwan, where many hundreds of Palestinians are at risk of eviction. This risk is exacerbated by recent Israeli legislative developments and court rulings. We will continue to support the Palestinian presence in East Jerusalem, including through legal aid programmes for those facing demolition or eviction.

We welcome the temporary postponement of plans to demolish the Bedouin community of Khan Al-Ahmar, but we remain gravely concerned about the fate of that community. The United Nations has said that this demolition could amount to forcible transfer, in violation of international humanitarian law. As I have said before in this Chamber, Israel is in no way obligated to demolish Khan Al-Ahmar. It has the power to change its mind, and we urge it to do so.

We look to the Israeli Government to provide a clear, transparent route for Palestinian construction to end the cycle of illegal building and demolitions.

Turning to some of the other issues that the Special Coordinator raised, I have no hesitation in joining him in unreserved condemnation of all terrorist attacks, no matter against whom they are perpetrated. We share his concern about the intensity of these attacks, and we convey our condolences to the families of the victims on both sides.

In the context of the Hamas resolution in the General Assembly recently (A/73/L.42), I note that it would have been adopted by a majority of 30 had there not been a required two-thirds majority. However, I think that majority of 30 is very significant and shows the direction in which the tide is going.

Turning to the humanitarian situation in Gaza, yesterday the United Kingdom announced an additional

\$7 million of emergency funding to the United Nations Relief and Works Agency for Palestine Refugees in the Near East to provide food to refugees in Gaza. The immediate priority must be to ease restrictions on movement and access, reduce tensions and avoid another conflict. We expect Hamas, the Palestinian Authority and Israel to do their utmost to prevent escalation. We continue to support tangible steps towards intra-Palestinian reconciliation and uniting the Gaza Strip and the West Bank under the effective functioning of the Palestinian Authority. I welcome the efforts of the Special Coordinator in this respect.

I would like to address what Ambassador Haley said about the peace process. We very much welcome the confirmation that a United States plan is ready and we look forward to receiving it and studying it in due course. We agree that both sides will clearly be asked to make difficult decisions to achieve peace and we agree that European and Arab States will have an important role to play in supporting any peace plan. We look now to the parties to take steps to build confidence and to build the right environment so that any peace process can succeed.

For the United Kingdom, it is very clear that the well-known parameters are the most viable framework for a just and lasting peace. First, there must be an agreement on the borders of the two States, based on the 4 June 1967 lines, with equivalent land swaps as may be agreed between the parties. Secondly, security arrangements for the Palestinians must respect their sovereignty and show the occupation is over; for the Israelis, they must protect their security. Thirdly, a just, fair, agreed and realistic solution to the refugee question must be put in place. Fourthly, the aspirations of both parties for Jerusalem need to be fulfilled and a way must be found through negotiations to resolve the status of Jerusalem as the future capital of both States.

It follows from this that we continue to believe that a two-State solution remains the best outcome of a peace process. The United Kingdom remains committed to working with both parties, as well as regional and international partners, in support of this goal.

Mr. Delattre (France) (*spoke in French*): At the outset, I should like to thank Nikolay Mladenov for his briefing, which was, as usual, most enlightening, as well as for his commitment day in and day out. I join other members of the Council, on principle, to express our regret that the quarterly report presented

to us today pursuant to resolution 2334 (2015) is not a written report. In the absence of any clarification to the contrary in the text of the resolution, the procedure that must be followed by default is that of a written report. Ten members of the Council made this request more than six months ago and it is important that it be taken into account.

Developments over the past few days confirm once again the assessment that we highlight before the Council on a regular basis, namely, that the illusion of the status quo conceals a daily deterioration of the situation that is liable to degenerate at any time and further undermines the foundations of peace every day. I said this last month about Gaza (see S/PV.8405), which, from 11 to 13 November, was on the verge of being plunged into a new conflict. The return to relative calm does not detract from the tragic humanitarian situation of the people of that territory. The situation requires urgent political, humanitarian and development measures to be adopted. Today, however, I would like to focus on the West Bank, where last week's escalation reminds us of just how volatile the situation is.

First of all, I wish to recall the violence of recent days, which intensified after the 9 December firearms attack on Israeli civilians on the outskirts of the Ofra settlement in the West Bank and — as we are aware — took a tragic death toll. I wish to reiterate with the utmost clarity that France emphatically condemns this attack and the apologia that Hamas has made in its regard. Violence against civilians is unacceptable and unjustifiable. In the wake of the attack, Israeli forces deployed massively in the West Bank, including Zone A, particularly in Ramallah. A new cycle of violence followed, marked by numerous clashes with Palestinian protesters and attacks by Israeli settlers. It peaked during the day of 13 December, with several attacks in the West Bank and Jerusalem that killed two Israeli soldiers. While a precarious calm seems to have been restored on the ground, we call on all parties to exercise restraint. We regret that the Israeli authorities have chosen to respond to these events with new decisions in favour of settlement activities.

My second point concerns the fact that these developments have unfolded in an environment marked by the absence of any political horizon and an acceleration of settlement activity policies. In this context, I reiterate that France's position on settlement activity will not change. Settlement activities are illegal under international law; they contravene the

Fourth Geneva Convention and paragraphs 1 and 2 of resolution 2334 (2016). They are dangerous, aggravate tensions between populations and exacerbate spiralling violence. Settlement activity is counterproductive; it is progressively destroying prospects both on the ground and at the political level for the two-State solution, which must remain our ultimate goal.

While resolution 2334 (2016) calls for an immediate halt to settlement activity, exactly the opposite has occurred since its adoption almost two years ago. This systematic policy has continued over the course of the year, with a number of announcements of new housing units in Jerusalem, almost reaching the woeful record set in 2012, and a succession of announcements of new housing units in settlements in the West Bank, especially in particularly sensitive areas such as Hebron. I would like to recall here the unique situation of that divided city, where the presence of 800 settlers has become a symbol of settlement activity and its consequences, including the expulsion of the Palestinian population, recurrent tensions between armed settlers and Palestinians, and restrictions on public freedoms, including movement and access to places of worship.

Demolitions and forced displacements have also continued at a steady pace. Almost 200 Palestinian structures were demolished in the first half of 2018, and more than 40 schools in Zone C and East Jerusalem have been subject to an order of demolition. We call on the Israeli authorities to abandon these demolitions and forced displacements. We have taken note of the suspension of the demolition orders in Khan Al-Ahmar and call on the Israeli Government to definitively abandon the demolition of the village and the displacement of its population. I join my British colleague in underscoring the need to support the maintenance of the Palestinian presence in East Jerusalem.

Finally, legislative initiatives aimed at regularizing the so-called outposts — which are illegal not only under international law but also under Israeli law — are continuing, with the adoption of a so-called regularization law, covering settlements built on private Palestinian land, that is the subject of an appeal to the Israeli Supreme Court. A second law, under review, concerns the regularization of more than 60 settlements. We call on the Israeli authorities to reverse these decisions, which seek to normalize or even intensify a policy that is illegal under international law.

In light of this risk — to introduce my last point — we are obligated under both international humanitarian law and resolution 2334 (2016) to refuse to recognize the 1967 border violations effected by the Israeli settlement policy under paragraph 3 of the resolution; to acknowledge the distinction between Israel and the occupied territories, under paragraph 5; and to address the need to identify practical means to ensure the implementation of relevant Council resolutions by the parties, under paragraph 11.

We hope that the decisions taken by the international community that meet these obligations, in particular those under paragraph 5 of resolution 2334 (2016), will be systematically reflected in the reports submitted to the Council pursuant to the resolution, as was the case today. The European Union has adopted, through the 2013 guidelines on European financing and the 2015 Interpretative Notice on products of the settlements, several instruments that must be included among the good practices in this regard.

The reality is that we are close to the point of no return. The fragmented territorial aggregation that is taking shape before our eyes is creating an unequal coexistence of two populations on the same territory. The culmination of this process will spell, for the Palestinians, the abandonment of their national aspirations, which involve the establishment of a State; and for the Israelis, the renunciation of the democratic nature of the State of Israel.

As we all know, the destinies of Israelis and Palestinians are intertwined; neither of the two peoples will realize their aspirations in the long term at the expense of the other. As a friend of the Israelis and the Palestinians, France has only one objective — the implementation through negotiation of a two-State solution, which is the only way to bring about a just and lasting peace between Israel and Palestine. It is against that yardstick and in the light of respect for internationally agreed parameters that France will closely scrutinize, with the resolve to make progress, the forthcoming proposal of the United States that has just been mentioned by my colleague and friend, Ambassador Nikki Haley.

Mr. Ma Zhaoxu (China) (*spoke in Chinese*): I would like to express my deep gratitude to my colleagues who will be leaving the Council and thank them for their outstanding contribution to the work in the Council.

I thank Special Coordinator Mladenov for his briefing.

At present, hotspot issues in the Middle East are complicated and intertwined. Conflicts and confrontations are ongoing and the evolution of the situation is worrying. The issue of Palestine is the root cause of the Middle East problem and touches on the long-term peace, stability and development of the region. The current security and humanitarian situation in the West Bank and the Gaza Strip is grim, which is not conducive to regional stability and the peace process. China expresses its concern in that regard.

Fighting violence with violence will solve no problem. China urges all parties to bear in mind the safety and security of the people of the region and the imperative of peace and stability by exercising restraint to avoid an escalation of the situation. The Security Council should adopt a long-term perspective and make every effort to create the conditions necessary for stabilizing the situation and resuming dialogue. Relevant parties should cease all settlement activities in the occupied territories, lift the blockade of Gaza as soon as possible, and take measures to prevent violence against civilians.

The international community should create increase its support to the United Nations Relief and Works Agency for Palestine Refugees in the Near East, including support for countries hosting refugees. There is a need to comprehensively implement relevant Security Council and General Assembly resolutions, adopt a long-term perspective and jointly promote the resumption of talks. In that regard, I would like to make the following observations.

First, there is a need to remain united and consistent and renew our efforts to promote peace talks. All parties should meet each other halfway, avoid any action or rhetoric that would aggravate the situation and refrain from any unilateral action that would undermine trust in order to create the conditions necessary for the resumption of dialogue. Parties that can bring influence to bear on the question of the Middle East should play a constructive role and explore new mediation mechanisms to break the deadlock in Palestinian-Israeli talks as soon as possible.

Secondly, there is a need to uphold the two-State solution and address the root cause of the Palestinian-Israeli conflict. The international community should adhere to the relevant United Nations resolutions,

the principle of land for peace and the Arab Peace Initiative, and persevere in resolving the issue of Palestine in a comprehensive, just and lasting manner through negotiations. Resolution 2334 (2016) should be implemented in earnest. China hopes that the Secretary-General will submit a written report on the implementation of resolution 2334 (2016).

Thirdly, there is a need to properly address the final status of Jerusalem. This issue is complex and sensitive and concerns the situation the future of the two-State solution and the peace and security of the region. All parties should proceed with caution and refrain from imposing a solution that could lead to new confrontations. Relevant United Nations resolutions and international consensus should serve as the basis for finding a solution through negotiations that accommodate the interest of all parties.

China firmly supports and promotes the Middle East peace process, the just cause of the Palestinian people to restore their legitimate national rights, and the establishment of an independent State of Palestine with full sovereignty based on the 1967 borders with East Jerusalem as its capital. We support the greater integration of Palestine into the international community.

China will follow the four-point proposal of President Xi Jinping to promote the political settlement of the Palestinian issue and continue to work with the rest of the international community to explore innovative mechanisms to facilitate of peace in the Middle East, to promote an early resumption of peace talks between the two sides and make tireless efforts to realize comprehensive, just and lasting peace in the region.

Mr. Umarov (Kazakhstan): My delegation thanks Special Coordinator Nickolay Mladenov for his comprehensive and objective briefing and his unflinching commitment to the region.

First of all, we welcome the decision taken by Israel and Hamas in Gaza to hold a ceasefire that would follow the agreement the two sides reached in 2014. We appreciate the political will of both sides, which has resulted in concluding a viable truce. We hope that this will lead to a full-fledged peace treaty between the two sides and thus prevent a relapse, for which no efforts should be spared. It is clear to all that in a state of fierce war or exchange of fire between the parties, which we should avoid at all costs, all the rest of the issues simply

fade away, including a critical problem like the illegal settlements in the Palestinian territories.

We sincerely welcome the contribution of Egypt and the United Nations since the beginning of the crisis to pull Israel and Gaza back from the brink of war and bring some calm. Astana also appreciates the measures of the international community and different entities to obtain a ceasefire. I need hardly recall that confidence-building measures and political and diplomatic measures are at the core of our foreign policy. We therefore always urge our partners to utilize them.

Astana expresses its concern over the intention of the Israeli leaders to legalize thousands of Jewish settlement homes in the occupied West Bank. Kazakhstan calls on both sides to honour their respective commitments, in accordance with all Security Council resolutions that have been adopted over the 50 years since 1967. The Council must ensure that resolution 2334 (2016) is complied with, and we urge a complete freeze on the construction of settlements.

Astana encourages Member States with influence — in particular the Arab countries, the United States and Russia — and the European Union to urge Israel and Palestine to return to the negotiating table. This should be aimed at reaching an agreement upon mutually acceptable principles of the coexistence of two States based on international law and Security Council resolutions.

We also need to address the blockade of the Gaza Strip, where an acute food shortage persists. We share the concerns of Mr. Nickolay Mladenov, Special Coordinator for the Middle East Process, who said that further conflict between Israel and Hamas in Gaza is likely, due to the humanitarian situation in the Palestinian coastal enclave. It is therefore obvious that stakeholders should increase the amount of electricity supplied to Gaza.

Kazakhstan hopes that the work of the unique Middle East Quartet will be revived and intensified. We believe that with the assistance of the participants of the Quartet, the parties will be able to find common ground for the continuation of a peaceful dialogue.

Astana is deeply concerned about the recent violent incidents in the occupied West Bank, including East Jerusalem. A very serious security situation still prevails in the occupied West Bank. We have learned

that four Palestinians have been killed by Israeli forces in separate operations over the past week in the occupied West Bank, with the Israeli army announcing the city of Ramallah to be a closed military zone. We express our sorrow over a shooting attack that took place near the illegal settlement of Ofra, east of Ramallah, where two Israeli soldiers were killed by an unknown Palestinian. The Israeli and Palestinian security services must work together to restore calm and avoid escalation. We condemn all acts of violence and terrorism, in particular against innocent civilians, and we call on political, religious and community leaders to speak out clearly against such brutal acts and those who glorify them.

My country's position remains unchanged and is very clear. Kazakhstan is a strong advocate of a two-State solution to the Israeli-Palestinian conflict. We still believe that peace is possible between Israelis and Palestinians. We believe that Israelis and Palestinians can live together in peace and security with the rest of the region.

Kazakhstan ends its term on the Security Council on 31 December, and this is our last consultation on the subject. We have invested much effort towards the rapprochement between the two sides over the past two years of our term. Even as we step down, our interest will remain steady and ongoing in the future, and we will always work towards peace in the Middle East through the General Assembly and other forums — and even the Security Council, externally — as a passionate State Member of the United Nations that is deeply committed to peace and security. We wish Mr. Mladenov and his team every success, and hope that Palestine and Israel can fulfil their aspirations.

Ms. Wronecka (Poland): At the outset, let me thank Special Coordinator Mladenov for his very comprehensive and insightful briefing on the implementation of resolution 2334 (2016). I would also like to thank Ambassador Nikki Haley for sharing her plan for the peace process with us.

Exactly two years ago this month, the Security Council adopted resolution 2334 (2016), reaffirming its previous resolutions regarding the applicable international law and the parameters of a peaceful solution to the Palestinian-Israeli conflict. This year also marks 25 years since the first Oslo Accord. Despite its many shortcomings, the agreement represented a historic compromise. Unfortunately, since then the

conflict has not seen significant progress towards achieving peace. On the contrary, we have seen that the recent security situation in Israel and the occupied Palestinian territory has become more tense. Many times over the past months, we have expressed our great concern about the tragic loss of civilian lives on both sides.

Recent developments on the ground clearly point to a constant need to continue the de-escalation process. Despite the ceasefire between Israel and Hamas on 14 November, the security situation in Gaza remains fragile, and miscalculations could result in the outbreak of violence. In that context, let me underline that all sides must fully comply with their obligations under international humanitarian and human rights law.

Recent reports on the violence in the West Bank, including East Jerusalem, are a source of great concern. We deeply deplore the loss of lives on both sides. We call upon all parties to exercise restraint and spare no effort to avoid further escalation.

Our priority is to restore a political horizon for the resumption of a meaningful peace process. We believe that a negotiated two-State solution and the resolution of all final status issues, including Jerusalem, settlements, the future of Palestinian refugees, borders and security arrangements remain a realistic way to fulfil the legitimate aspirations of both parties and achieve long-term peace. We appeal to both sides to refrain from taking unilateral steps that prejudge the outcome of final status negotiations, and expect them to demonstrate, through their actions and policies, their commitment to peace.

In more general terms, let me underline that Poland supports a two-State solution, under which the national aspirations of both parties to the conflict would be met, including the Palestinian right to self-determination and independence, the Israeli right to ensure its security and the normalization of relations with Arab States. Unfortunately, we have so far not seen significant progress towards achieving that goal.

The situation in the Gaza Strip is extremely worrying. There is a lack of progress on the political, security and humanitarian fronts. The prevailing lack of decisive steps towards a return of the legitimate Palestinian Government to Gaza, despite Egypt's best efforts to revive the process, is detrimental to Palestinian aspirations to statehood, contributes to the worsening of the humanitarian crisis and risks

escalation. Undoubtedly, progress in the Palestinian reconciliation process would contribute to improving the situation on the ground. The humanitarian situation on the ground has continued to deteriorate. In the Gaza Strip, humanitarian conditions are especially dire. Basic needs continue to be unmet and many people lack access to basic services, including health care.

The critical financial shortfalls of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) have also raised the alarm, particularly as 80 per cent of Gaza's population is dependent on the Agency's humanitarian services. In that regard, I commend the mobilization of the donors that helped secure additional funding for its budget, as well as the imposition of austerity measures by the Agency, under the leadership of Commissioner-General Pierre Krähenbühl. It is vital to continue those efforts in the coming year so as to ensure sustained support to UNRWA, as well as the transparency and accountability of its programmes.

Unfortunately, provocation, incitement and inflammatory rhetoric continue on both sides. In our opinion, such acts constitute a significant obstacle to the reactivation of the peace process. It must also be stated that we have observed an increasing number of dangerous incidents as a result of that incitement and inflammatory rhetoric. Some of those incidents involve children, who need special protection.

In conclusion, I would like to reiterate the long-standing position of the European Union that all settlement activity is illegal under international law. Settlements continue to undermine the practical prospects and hopes for peace. In that context, I also wish to reiterate our call for the plans to demolish Khan Al-Ahmar/Abu Al-Helu to be cancelled. Not only is the community at imminent risk of demolition and displacement, but it would also set a significant precedent for other Bedouin communities in Area C.

Mr. Van Oosterom (Netherlands): First of all, let me thank Nickolay Mladenov for his frank and sobering briefing on the developments of the past months, including on the implementation of resolution 2334 (2016). In that regard, let me refer to the letter (S/2018/454) that was sent to the Secretary-General in May, signed by 10 Security Council members, in which we requested written reports on the implementation of resolution 2334 (2016). We welcomed the written report (S/2018/614) that we received in June and would

have appreciated a continuation of that practice in September and this month. Written reports provide the factual basis that is needed to fruitfully discuss the implementation of the resolution in the Council.

Today marks two years since the adoption of resolution 2334 (2016). And today, we sadly have to conclude, as others have done, that most parts of the resolution have not been implemented. Unfortunately, the situation on the ground is worse than it was two years ago. Positive steps are urgently needed. The Kingdom of the Netherlands recalls that each side can and must take positive steps to bring peace closer, as the Middle East Quartet recommended in 2016 (see S/2016/595, annex).

In that context, I will focus on three issues: first, the undermining of the prospects of peace; secondly, settlement activities; and thirdly, Gaza.

On my first point, prospects for peace continue to be undermined through terror attacks, violent incidents and incitement. We condemn the recent terrorist attacks by Palestinians against Israelis in the West Bank that has led to the loss of lives. There is no excuse for terrorism. Those recent attacks have further increased tensions in the West Bank. We condemn the statements by Hamas and other terrorist groups welcoming those cowardly attacks. Those statements serve only to increase tensions. We regret that General Assembly draft resolution A/73/L.42, condemning Hamas, was not adopted, as we need to speak out as one United Nations against terrorism in all cases.

At the same time, the attacks in the West Bank are no justification for the ensuing violent response of some settlers against Palestinian civilians. We call upon the Palestinian and Israeli leadership to observe calm and restraint and to refrain from provocative actions and rhetoric that could further increase tensions. We call upon the parties to make every effort to find the perpetrators of those acts and bring them to justice.

That brings me to my second point, on settlements. Calls for the annexation, expansion or legalization of settlements and all actions in that regard serve only the purposes of the extremists and will create only more tensions between both sides. The Kingdom of the Netherlands strongly opposes Israel's settlement policy, which we consider to be illegal under international law. It is a policy that includes actions such as forced transfers, evictions and demolitions. Settlement activities have increased since the adoption of the

resolution. If we look at the past two years, we see that in 2017 construction was started on almost 1,700 units and that in the first six months of this year, construction was started on more than 1,000 units. In addition, the number of planned and tendered units are a multiple of that. That shows a substantial increase as compared to the numbers of 2015 and 2016.

It is not only about the numbers. A new expansion of settlements has been announced for sensitive areas, such as Hebron and East Jerusalem. Those are areas that are of crucial importance to the viability of a future Palestinian State. In addition, over the past two years, Israel has continued with the demolition of Palestinian houses and structures and with the eviction of Palestinian families from their homes. We are deeply concerned by the developments in East Jerusalem, where an unprecedented number of families face eviction. Although we welcome the fact that the planned demolition of Khan Al-Ahmar has not taken place, we reiterate our call upon Israel to withdraw those plans all together.

Thirdly, the situation in Gaza remains extremely fragile. We have seen the tragic results of resorting to the use of violence in Gaza over the past year all too often. We condemn the indiscriminate firing of rockets. We express grave concern about the use of force by Israel that has led to the loss of life of over 200 Palestinian civilians. We have called for a thorough investigation into all cases where lives have been lost and we have concluded several times that a sustainable solution for the situation in Gaza is needed. That solution would include the urgent improvement of the humanitarian and economic situation.

Thanks to regional and international efforts, the situation in Gaza has marginally improved. We thank Nikolay Mladenov and his team for their unabated efforts in finding solutions to alleviate the humanitarian and economic crisis, including through the projects of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians.

Another positive development that I want to highlight is that the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) was able, with the combined efforts of the Agency itself and many donors, to continue to provide basic services and to close the financing gap. Continued support to UNRWA, including next year, is needed. We will continue to work together with the United Nations

and the international community, as well as Israel and the Palestinian Authority, to find solutions that bring tangible relief. Those solutions must also include the return of the Palestinian Authority to Gaza as the legitimate Government. Moreover, they must include the full opening of the crossings, taking into account Israel's security needs.

My last point is on the need to restart a genuine peace process. We thank Nikki Haley for the first glimpse of the United States plan for peace in the Middle East. We look forward to further information and consultations in that regard. As was just said in a press statement of the former, current and incoming members of the European Union to the Council, "We see an urgent need for a political horizon to be restored".

It is unfortunate to have to sum up the many developments since the adoption of resolution 2334 (2016) that have undermined the prospects for peace and of a two-State solution. In addition to the developments mentioned so far, I also want to express our concern about the shrinking space for civil society in both Israel and the Palestinian territories. We are, for example, concerned by the threats and hostile reaction to the Israeli non-governmental organization B'Tselem, which is an organization that rightly won international praise for its work. The findings by Human Rights Watch about suppression of dissenting opinions by both the Palestinian Authority and Hamas, including by the use torture, are deeply concerning. A vibrant civil society is essential to long-term sustainable peace and stability.

In conclusion, two years after the adoption of resolution 2334 (2016), we have to recognize that we continue to reaffirm our collective commitment to a two-State solution, while the situation on the ground is developing towards a one-State reality. That development must be reversed. Positive steps are urgently needed to restart a genuine peace process, leading to a two-State solution based on internationally agreed parameters. We should all remain united in our efforts towards that goal.

Mr. Esono Mbengono (Equatorial Guinea) (*spoke in Spanish*): I thank Mr. Mladenov, Special Coordinator for the Middle East Peace Process, for his clear and detailed briefing. I would also like to express to him and his team our appreciation and recognition of the continued work carried out and efforts made this year.

We encourage them to keep up the same spirit and dynamism in their work next year.

Unless there are further insurgencies, I believe that this will be the last meeting on the Palestinian question of this working year. The delegation of Equatorial Guinea is extremely concerned that, despite all the support and effort, we have been unable to achieve any political progress in both the disputes between Israelis and Palestinians and the intra-Palestinian relationship.

The Republic of Equatorial Guinea is convinced of the important role that the United Nations has always played with regard to the Palestinian question, but also believes that the Security Council and the international community must conduct a deeper moral and political examination of what and how much we are doing and in what way and if we are taking the right approach. Seventy years is too long to wait for the resolution of a conflict that is unrelenting in taking human lives on all sides, keeping millions of Palestinians displaced and hindering the development of Palestinian society, while unravelling the basic livelihoods of some localities, as has been the case in the Gaza Strip. The amount of time that this sad reality has lingered on is completely unjust and could create scepticism in international public opinion about the will and spirit that drives our work of managing peace and security in the Middle East, in particular the Israeli-Palestinian conflict.

Every year, we advocate new draft resolutions to alleviate the conflict, which is all well and good, but what about the many resolutions that have already been adopted? The history of the conflict has proven that it is extremely difficult to adopt draft resolutions on this matter in the Council, which demonstrates how rational and fair the existing resolutions are. We must therefore all support strict compliance with those resolutions, which, in our opinion, provide a balanced solution to the problem.

We regret and strongly condemn the heavy exchanges of gunfire between Israeli forces and Hamas militias in November, the magnitude of which caused severe alarm among the population and led to several deaths and infrastructure damage. In that regard, we call on Hamas and other Palestinian organizations in the area to refrain from any provocation against Israel. Likewise, we urge the Israeli security forces to respect international humanitarian law by evaluating their responses to those threats. We therefore call on

the parties to respect the provisions of resolution 2334 (2016).

We welcome the efforts of the United Nations that, together with its partners and donors, has continued to improve the humanitarian and economic situation in Gaza. We hope that such inroads can garner further international support. However, in order to achieve a secure and sustained settlement in Gaza, it is important to guarantee a stable security environment, for which we have always demanded the return of the Palestinian Authority. That compels us to join Egypt's actions to promote reconciliation among the Palestinian parties, while bearing in mind that security in the Gaza Strip would help to alleviate the tension with neighbouring Israel.

History has starkly taught us that the conflict has no military solution. The Republic of Equatorial Guinea therefore reiterates that the political solution to the Palestinian question must comprise a two-State solution that is negotiated by the parties, within the 1967 borders and with East Jerusalem as its capital. The interests of both parties must always be taken into account. Likewise, we urge the Security Council not to remain indifferent in the face of the stalemate in negotiations between the parties and to work to implement measures that allow for compliance with its own resolutions. We ask that written reports on the implementation of resolution 2334 (2016) be published, as was requested by 10 members of the Council.

Finally, the United States peace plan that has been initiated by Ambassador Nikki Haley deserves our due attention, as it currently lacks detail. We welcome the plan and hope that it will be fair and convincing in the eyes of the international community. We wish to take this opportunity to pay well-deserved tribute to Ambassador Haley for her leadership during her time here at the Security Council.

Ms. Guadey (Ethiopia): I would like to express our appreciation to Special Coordinator Mladenov for his comprehensive briefing on the situation in the Middle East, including the Palestinian question.

Ethiopia is closely following the situation and is very concerned about the recent incidents that have taken place following the renewed escalation of violence in the occupied Palestinian territory since last month, particularly in the Gaza Strip. We expressed the same concern at both emergency consultations that were convened under the agenda item "Any other business" on

the escalation of violence in Gaza and Southern Israel, when the Council was briefed by Under-Secretary-General Miroslav Jenča, and at the monthly briefing (see S/PV.8405) and consultations, when Special Coordinator Mladenov briefed the Council, stressing the situation's fragility and underscoring the urgent need to change the dynamics on the ground and address underlying political issues. We continue to appreciate the efforts of the United Nations, in close consultations with countries such as Egypt and other relevant parties, to help restore calm and on the need to promote political dialogue between the parties based on a two-State solution, to which Ethiopia fully subscribes.

Today's briefing and recent discussion further show how the latest developments are bound to cause damage and undermine the long-sought hope for peace between the Israelis and Palestinians. The deteriorating political, humanitarian and security situation in Gaza remains extremely worrisome. Although Special Coordinator Mladenov pointed to progress in terms of reconstruction efforts and the provision of water services, among other things, we believe that the humanitarian situation cannot be alleviated without fixing all essential services, as well as easing the movement of people, goods and services.

We would also like to note the importance of promoting intra-Palestinian reconciliation, supporting the efforts of Egypt and bringing the Gaza Strip under the control of the Palestinian Authority, as per the Cairo agreement, which have not yet fully materialized. Therefore, it is vitally urgent that all sides exercise maximum restraint and that every effort be made to de-escalate tensions, in order to avoid endangering the lives of innocent civilians and exacerbating the humanitarian situation.

All of that makes it self-evident that, unless the peace process is advanced and the underlying problems are peacefully solved, the tragedy at hand will only happen again and again, eventually getting to the point of no return. That is why it is so critical that ways and means be found to continue the peace process and save the two-State formula, which is the long-held position of the United Nations and the international community.

We all know that those same underlying problems and known obstacles to peace persist, with no movement forward to speak of — a situation that is hardly conducive to sustainable peace and security for either party. Without genuine efforts to remove those

obstacles, there cannot be any meaningful progress towards realizing the two-State solution. That is why direct negotiations between the parties should resume without any preconditions and without any delay. As we leave the Council next month, we can only hope that the international community, and particularly the Council, will be able to take steps in support of realizing that objective.

Mrs. Cordova Soria (Plurinational State of Bolivia) (*spoke in Spanish*): We appreciate the briefing made by Mr. Nickolay Mladenov on the latest quarterly report on the implementation of resolution 2334 (2016) and the illegality of the Israeli settlements in the occupied Palestinian territories.

I will begin by reiterating what was mentioned in letter contained in document S/2018/454, of 14 May, regarding the timely distribution of a written report on resolution 2334 (2016). We thank the Secretary-General for having heeded our request last June and we reiterate that that must become common practice, in accordance with the usual practice stated in the provisions of paragraphs 62 and 64 of presidential note S/2017/507.

As a pacifist country, Bolivia has persistently echoed the innumerable calls of the international community for Israel — the occupying Power for more than 70 years — once and for all to stop its expansionist and annexationist policies, which violate international law and Council resolutions. Yet once again today we must express our outright rejection of the manifest intention demonstrated by the Government of Israel to impose its illegal policies in the occupied Palestinian territories through violent actions, in clear violation of resolution 2334 (2016) and in accordance with the report of the Office for the Coordination of Humanitarian Affairs of 30 November.

Sixty-three structures been demolished in the West Bank in just the past month, which has resulted in the displacement of at least 35 people. We reiterate that the demolition of civilian buildings forms part of the coercion affecting many Palestinians in the West Bank, including East Jerusalem, which also means restrictions on accessing natural resources. The denial of basic services and safe housing for Palestinians is a product of Israeli plans to relocate communities to urban municipalities, such as the case of Khan Al-Ahmar/Abu Al-Helu.

During the two years that we have occupied a seat on the Security Council, we have categorically rejected the criminal actions of the Israel Defence Forces, which used lethal weapons to end the lives of more than 228 Palestinian civilians, including 43 children, in various circumstances during what was called the Great March of Return. We have seen a marked deterioration of the humanitarian situation in the Gaza Strip as an explicit result of the violent incursions of the Israeli army.

The 11-year-long land, air and sea blockade imposed by Israel on Gaza has paralysed its economy, resulting in high levels of unemployment, food insecurity and dependence on international aid. Gaza's economy is in free fall, according to the World Bank. Unemployment reached 54 per cent in the second quarter of this year, with more than 70 per cent of young people and 78 per cent of women unemployed, while poverty has skyrocketed to 53 per cent and food insecurity to 68 per cent.

There were power cuts in Gaza for between 18 and 20 hours per day during most of this year, which have prevented the provision of basic services. Productive activity has also seriously deteriorated, especially in hospitals, water treatment facilities and sewage and solid waste collection services, which rely almost entirely on the emergency fuel provided by the United Nations.

In the multilateral forums to which it belongs, Bolivia will question how a Member State can be allowed to infringe upon the human rights of the Palestinian population in such a way before the international community. Accordingly, we demand that Israel fully comply with its legal obligations and responsibilities under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949. In that regard, we cannot fail to mention the great spirit of solidarity of the Government of Qatar, which provided a significant amount of fuel in October that led to a significant improvement in the supply of electricity to the population of the Gaza Strip.

We again express our firm commitment to all international efforts that lead to a peaceful solution and end to the Palestinian occupation. In that regard, we endorse initiatives such as the Quartet road map, the Madrid principles, the Arab Peace Initiative and others that constitute guarantees for a just and lasting peace, so that both peoples can safely live within recognized borders.

In conclusion, we reaffirm our conviction that the only long-term solution to the occupation suffered by the Palestinian people is that of the two-State solution, whereby a free, sovereign and independent Palestinian State can finally become a full Member of the Organization, within the pre-1967 international borders and East Jerusalem as its capital, in accordance with the relevant Security Council and General Assembly resolutions.

Mr. Meza-Cuadra (Peru) (*spoke in Spanish*): We wish to thank you, Mr. President, for convening this meeting, and Mr. Mladenov for his important briefing and dedicated efforts.

We must express our deep concern about the situation described regarding the continued deterioration of the political and humanitarian conditions underpinning the question of Palestine and the acute risks that that represents for a particularly unstable region and the maintenance of international peace and security. We note with dismay the complex humanitarian situation in the Gaza Strip, which has been exacerbated by recurrent episodes of violence and cuts in funding to assistance programmes. It is evident that the situation favours those actors interested in promoting violence and extremism.

We must continue to condemn the recurrence of indiscriminate attacks against the civilian population and terrorist attacks by Hamas and other radical Palestinian actors, the imbalanced Israeli responses and the confrontational rhetoric of its respective authorities, which fuel ongoing hostile dynamics. We reiterate that settlement practices, the demolition of buildings and evictions in the Palestinian territories occupied since 1967 undermine the possibility of reaching a two-State solution and openly violate international law and resolution 2334 (2016). We underline the need for the Israeli authorities to stop and reverse those practices, and we note with particular alarm the political and social impact that would be caused by the demolition of a set of structures in the town of Khan Al-Ahmar.

There is a clear need for political gestures to build a climate favourable to détente, dialogue and negotiation between the parties, with the support of the international community and the Council. In that regard, we have taken note of the information provided by the United States Ambassador on the peace plan that her country is preparing. We look forward to further details on that.

We believe that all possibilities of resuming negotiations aimed at reaching a two-State solution with secure and internationally recognized borders must be explored. In line with that objective, we underline the urgency of alleviating the humanitarian situation in Gaza and moving forward the process of intra-Palestinian reconciliation. With regard to the latter, we would like to highlight the efforts made by Egypt and the importance that the Council closely follow them, while providing the necessary support.

I would like to conclude by noting, as other delegations have done, that we continue to expect a written report on compliance with resolution 2334 (2016) by the Secretary-General, which was requested by 10 members of the Council, as that would provide greater transparency and allow for a deeper discussion on this sensitive topic. We hope that that practice will be resumed in the coming quarters.

The President (*spoke in French*): I shall now make a statement in my capacity as the representative of Côte d'Ivoire.

My delegation thanks Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process, for his briefing on the recent developments regarding the situation in Palestine, which once again reminds the Security Council of the urgent need to mobilize further around issues of peace and security in the region.

Côte d'Ivoire is concerned about the situation in the Palestinian territories, particularly in the Gaza Strip and the West Bank, where tension remains high despite the many efforts of the international community to restore peace and stability. My country wishes to reaffirm its steadfast position in favour of a peaceful and negotiated solution to the conflict through dialogue between the parties. That is why we believe, in accordance with international consensus, that the status of the city of Jerusalem must be determined following peace negotiations between Israelis and Palestinians.

Côte d'Ivoire can, under no circumstances, approve the policies of settlement expansion and intensive reconstruction that have thrown entire Palestinian families into complete disarray, which threatens the urgent need to restore dialogue in the quest for lasting peace in the region. We therefore call for stringent compliance with the provisions of resolution 2334 (2016) and call on the various parties to exercise restraint and urge them to refrain from unilateral

actions that could irrevocably compromise the chances of a peaceful settlement to the conflict.

The Israeli-Palestinian crisis carries with great risk of deterioration to the socioeconomic and humanitarian situation in the region. Many reports from United Nations agencies indicate that unemployment has reached 27 per cent, the highest in the world. According to those reports, the state of health of Palestinians is deteriorating and a significant proportion of the population does not have access to drinking water or electricity, despite the substantial assistance provided by some States in the region, in particular Qatar. Given the seriousness of the situation, Côte d'Ivoire reiterates its urgent call for a general mobilization and collective responsibility on the part of the members of the Council so that significant humanitarian and financial assistance is provided to the populations in distress. In that connection, my delegation urges the United Nations and international partners to continue providing financial support to the United Nations Relief and Works Agency for Palestine Refugees in the Near East. That support will allow it to efficiently carry out its mission of providing assistance to more than 5 million refugees whose needs are constantly increasing.

The end of the humanitarian crisis is highly dependent upon a settlement of the political and military crisis that has pitted Palestinians against Israelis for several decades. Hence the need to put an end to the cycle of deadly violence and repression. In that regard, my delegation calls on the Israeli and Palestinian parties to enter into new peace talks without preconditions, as part of the good offices of the United Nations. To that end, the Council should support all mediation initiatives in favour of reconciliation between Fatah and Hamas, thereby allowing the Palestinian Authority to recover all of its prerogatives over Palestinian territory.

My country welcomes and encourages the mediation conducted by the Egyptian authorities under the supervision of the United Nations. We also express our continued support for the two-State solution, Israel and Palestine, living in harmony, side by side, in peace and security, in accordance with resolution 242 (1967). In that connection, I welcome the United States initiative to develop a peace plan focused on improving the quality of life for people in the Middle East. I am pleased to note that the plan will be available in the near future, and I hope it will have the desired impact on the region.

In conclusion, my delegation encourages Mr. Mladenov to continue his constant efforts to find a negotiated solution.

I now resume my functions as President of the Council.

There are no more names inscribed on the list of speakers. I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 12.25 p.m.



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Implementation of Security Council resolution 2334 (2016)

Report of the Secretary-General

I. Introduction

1. The present report, the ninth quarterly report on the implementation of Security Council resolution 2334 (2016), provides a review and assessment of the implementation of the resolution since my previous report on the subject, which was delivered orally by my Special Coordinator for the Middle East Peace Process and Personal Representative on 18 December 2018. The report covers developments from 15 December 2018 to 15 March 2019.

II. Settlement activities

2. In its resolution 2334 (2016), the Security Council reaffirmed that the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace. In the same resolution, the Council reiterated its demand that Israel immediately and completely cease all settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and that it fully respect all of its legal obligations in that regard. No such steps were taken during the reporting period.

3. During the reporting period, Israeli authorities advanced, approved or tendered some 3,150 housing units in Area C of the occupied West Bank, including East Jerusalem. This figure comprises plans advanced for some 2,500 units and announcements of tenders for about 650 units.

4. Nearly half of the total units promoted are to be built in outlying locations, deep inside the occupied West Bank, including 500 units in the Nablus area and 120 in the Hebron Governorate. One of the plans effectively legalizes the outpost of Ibei HaNahal as a neighbourhood of the Ma'ale Amos settlement in the Hebron Governorate. This is the first such decision in almost five years.

5. On 19 December, the Knesset passed, in a preliminary vote, a bill endorsed by the Government to advance the legalization of some 66 illegal outposts throughout the occupied West Bank within two years of its adoption. The bill would also require Israeli authorities, during the two-year period, to provide the outposts with funding,



electricity and other services and to freeze the implementation of demolition orders unless instructed otherwise by the Government.

6. In a separate step, in mid-December, the Israeli Government established a team to fast-track the legalization of outposts and housing units in settlements built illegally according to Israeli law. The move followed an opinion issued by the Attorney General's office on 13 December that allows the Government to initiate steps to retroactively legalize settlement units built "in good faith", including on private Palestinian property, which, at the time of construction, was mistakenly believed to be "State land" under Israeli law. Some 2,000 settlement units throughout the occupied West Bank could be retroactively legalized using this mechanism, commonly referred to as the "market regulation" principle.

7. On 3 January, following an order by the Jerusalem District Court, the Israel Defense Forces evacuated dozens of settlers from the site of the former Amona outpost, on the outskirts of the Ofra settlement in the northern occupied West Bank, which was evacuated in February 2017 in compliance with a ruling of the Israeli Supreme Court. On 12 February, Israeli authorities removed and confiscated several mobile homes used as outposts near the settlement of Itamar.

8. During the reporting period, demolitions and seizures of Palestinian-owned structures continued across the occupied West Bank, including East Jerusalem. In all, 133 structures were demolished or seized by Israeli authorities, resulting in the displacement of 252 people, and leaving 20,157 others affected, on the grounds of lack of Israeli-issued building permits, which are almost impossible for Palestinians to obtain.

9. Among the structures demolished were parts of three water connections in Area C, that supplied, or were about to supply, Beyt Dajan and Beyt Furik villages in Nablus (housing approximately 18,000 people), 13 herding communities in the Masafer Yatta area of Hebron (1,200 people), and the Bedouin community of Wadi Abu Hindi now living in Jerusalem (320 people). All of these communities suffer from severe water shortages, especially in the summer. Two of the water connections were funded by international donors as part of humanitarian assistance efforts.

10. In occupied East Jerusalem, on 17 February, following an Israeli court decision, Israeli security forces evicted a Palestinian family from their home in Jerusalem's Old City and facilitated its handover to Israeli settlers, who had invoked an Israeli law that allows Israelis, but not Palestinians, to claim lands owned prior to 1948. The eviction displaced eight family members, including three children. Another seven families in the Old City are at risk of eviction and, according to the Office for the Coordination of Humanitarian Affairs, a total of 200 Palestinian families in occupied East Jerusalem face similar evictions. In the Sheykh Jarrah neighbourhood, 32 Palestinians are also facing imminent risk of eviction.

III. Violence against civilians, including acts of terror

11. In its resolution [2334 \(2016\)](#), the Security Council called for immediate steps to prevent all acts of violence against civilians, including acts of terror, as well as all acts of provocation and destruction, for accountability in this regard and for compliance with obligations under international law for the strengthening of ongoing efforts to combat terrorism, including through existing security coordination, and to clearly condemn all acts of terrorism. The reporting period, however, was characterized by acts of violence throughout the Occupied Palestinian Territory, including the continued use of lethal force against Palestinian demonstrators in Gaza

and the firing of rockets, mortars and incendiary devices from Gaza towards Israel by Hamas and other Palestinian militants.

12. Overall, 27 Palestinians, including 10 children, were killed by Israeli security forces, including during demonstrations, clashes, airstrikes, security operations and other incidents.

13. In Gaza, ongoing demonstrations continued at the perimeter fence, with relatively small crowds participating during the week and numbers approaching 10,000 every Friday. While most demonstrations remained peaceful, some participants engaged in violent activities, such as launching incendiary and explosive devices towards Israel, planting improvised explosive devices or attempting to breach the fence. The Israeli security forces responded using tear gas, rubber-coated metal bullets and live ammunition.

14. In February, after a lull of several months, Palestinian militants resumed the launching of balloons carrying incendiary or explosive devices into Israel from Gaza: one such device exploded near a house, causing damage to it. During the reporting period, 40 incendiary devices were flown towards Israel. No casualties were reported. The Israel Defense Forces responded by striking what they identified as militant targets in Gaza.

15. During the reporting period, in Gaza, 20 Palestinians were either killed by Israeli security forces using live ammunition, or died of wounds sustained previously, including 1 woman, 7 children and 1 person with a mental disability. In addition, some 3,415 people were injured; and 4 Israeli soldiers were injured by firebombs, explosive devices, stones and gunfire.

16. During the reporting period, Palestinian militants launched 46 rockets and six mortar shells towards Israel. The Israeli Air Force fired 123 missiles on military sites and open areas in Gaza. On 22 January, Palestinian militants from Gaza opened fire twice at soldiers of the Israel Defense Forces patrolling the perimeter. One soldier was lightly injured when a bullet fired by a sniper struck his helmet. The Israel Defense Forces responded by firing shells at militant observation posts, killing one member and injuring four other members of the Hamas Al-Qassam Brigades. In response, the Israeli Air Force also launched five missiles on Hamas military targets, with no injuries reported. On 14 March, militants fired 10 rockets towards Israel, including two towards Tel Aviv for the first time since the 2014 conflict. Israel responded by striking what the Israeli Air Force identified as over 100 militant targets in Gaza. No casualties were reported.

17. Health providers in Gaza continued to struggle to treat those injured during the demonstrations. A significant number of the wounded have required complex medical procedures not currently available in Gaza. Overall, 67 per cent of patients who sought treatment outside Gaza during the reporting period were granted permits by Israel. Out of the patients who were injured during the demonstrations, 5 per cent of those seeking treatment outside of Gaza were granted permits by Israel.

18. The Office of the United Nations High Commissioner for Human Rights (OHCHR) reported shooting incidents at sea off the shore of Gaza, which resulted in the injury of 11 Palestinian fishermen, including 1 injured with live ammunition fired by the Israeli Navy; 20 others were arrested, including a child, and nine boats were confiscated during the incidents.

19. Beginning on 14 March, and lasting for several days, thousands of Palestinians in Gaza protested the dire economic situation and the injustice due to Palestinian division and the Hamas takeover of Gaza by force and violence. Hamas security forces responded by conducting a campaign of arrests and violence against protesters,

including women and children. Journalists and staff from the Independent Commission for Human Rights were also brutally beaten and had their homes raided.

20. During the reporting period, in the occupied West Bank: 7 Palestinians were shot and killed, including 3 children; and 797 were injured by Israeli security forces, including 193 children injured during demonstrations, clashes, security operations and other incidents. Overall, Israeli forces arrested 127 Palestinians, including 20 children.

21. On 7 February, a 19-year-old Israeli woman was attacked, sexually assaulted and stabbed to death in a forest south-west of Jerusalem. Israeli security forces arrested a Palestinian suspect, who confessed to having a nationalist motive behind his crime. He was indicted for murder and sexual assault on 7 March.

22. During the reporting period, the Office for the Coordination of Humanitarian Affairs recorded 71 incidents in which Israeli settlers attacked Palestinians or damaged their property, a 23 per cent increase in the number of attacks compared with the previous reporting period. The Office also recorded 47 Palestinian attacks against Israeli settlers in the West Bank, which resulted in 12 injuries and damage to 37 vehicles.

23. On 25 December, the convoy of the Palestinian Prime Minister was hit with stones, injuring two bodyguards. The attack occurred in the same location where settlers had thrown stones at a Palestinian car in October, killing a Palestinian woman. In addressing the latter crime, on 24 January, Israeli authorities charged a 16-year-old Israeli for the killing of the Palestinian woman.

24. On 26 January, armed Israelis from the Adei Ad outpost entered neighbouring Mughayyir village near Ramallah, where they attacked Palestinian residents, including with live ammunition. The ensuing clashes resulted in the killing of a 38-year-old Palestinian man and the injury of 15 others. The Israel Defense Forces stated that it dispersed the crowd with “riot dispersal means”. According to eyewitnesses, the Israel Defense Forces used tear gas canisters and live ammunition to disperse the Palestinians but did not intervene to prevent the violence on the part of the settlers. An investigation into the incident by the Israel Defense Forces and the Israeli Police is reportedly ongoing.

25. OHCHR has also observed a rise in settler violence and harassment in the H2 area of Hebron following the 28 January decision of the Government of Israel not to renew the mandate of the Temporary International Presence in Hebron. On 12 February, two settlers accompanied by four Israeli security forces entered the house of a Palestinian family living in Hebron’s Old City, adjacent to a settlement, and reportedly threatened to kill them and take over their house. On 17 February, a 14-year old Palestinian boy of the same family was arrested, handcuffed and blindfolded by the Israeli security forces in the Old City for alleged stone-throwing: the boy released the following day. Pressure by settler organizations also reportedly led another organization, the World Council of Churches, to temporarily suspend its protective presence through the Ecumenical Accompaniment Programme in Palestine and Israel. In the weeks following the withdrawal of the Temporary International Presence in Hebron, Israeli security forces declared closed military zones over various parts of the H2 area for varying lengths of time, further hindering access of humanitarian and human rights organizations, including protective presence organizations.

IV. Incitement, provocations and inflammatory rhetoric

26. In its resolution [2334 \(2016\)](#), the Security Council called upon both parties to act on the basis of international law, including international humanitarian law, and their previous agreements and obligations, to observe calm and restraint and to refrain from provocative actions, incitement and inflammatory rhetoric with the aim, inter alia, of de-escalating the situation on the ground, rebuilding trust and confidence, demonstrating through policies and actions a genuine commitment to the two-State solution and creating the conditions necessary for promoting peace. Provocation, incitement and inflammatory rhetoric continued during the reporting period.

27. Some officials from Fatah and the Palestinian Authority continued to glorify perpetrators of attacks against Israelis, including on social media accounts, by regularly referring to them as “heroes” or a “source of pride”, and welcoming attacks when they occurred. In late February, an official Fatah social media account shared a contemptuous anti-Semitic falsehood suggesting that Jews are morally corrupt and therefore deserved their fate in the Holocaust. The post was later removed. In mid-February, a senior Fatah official declared that Prime Minister Benjamin Netanyahu had attended the Warsaw Conference on peace and security in the Middle East “in order to remind us of the Holocaust and Auschwitz, [while] in every city in Palestine... there is an Israeli Auschwitz to massacre Palestinians”. Hamas and the Palestinian Islamic Jihad in Gaza also continued to use inciteful and inflammatory rhetoric during the reporting period. On 22 February, a member of the Hamas politburo told the media that the Great Return March was a message that Palestinians will “cleanse their land of the [impurity] and would stop only at martyrdom or victory.”

28. At the same time, some Israeli politicians also continued to make inflammatory statements. Several ministers openly rejected the Palestinian right to statehood, stating that a Palestinian State would “endanger” Israel’s existence. Others called for the creation of “facts on the ground” with the annexation and application of sovereignty over Area C. In February, a member of the Government and leader of a party running for the upcoming legislative elections, proposed annexing the West Bank Area C and granting “full citizenship” to Palestinians living there. One member of the Knesset also called for Israel to “go back to targeted assassinations” in the Gaza Strip.

29. In Jerusalem, tensions erupted at Haram al-Sharif/Temple Mount on 16 February, when Israeli police installed a metal fence and a lock at the top of the stairs leading to the Bab al-Rahmah (Gate of Mercy), two days after prayers were held there for the first time since 2003. The Gate and the building located therein had not been used since 2003, when an Israeli court banned the Islamic World Heritage Committee from accessing it because of claims that the site was being used for illicit activities. The Waqf Council maintains that the building should be opened for Muslim prayers and restored for use. Between 17 and 21 February, Israeli Police and Palestinian worshippers clashed repeatedly when worshippers tried to remove the metal fence to access and conduct prayers at the Bab al-Rahmah area. Tensions between Palestinian worshippers and Israeli Police have continued since that time.

V. Affirmative steps to reverse negative trends

30. In its resolution [2334 \(2016\)](#), the Security Council called for affirmative steps to be taken immediately to reverse the negative trends on the ground that are imperilling the two-State solution. Some positive developments were witnessed

during the reporting period, but they were significantly outweighed by negative trends.

31. Significant headway was made in the implementation of the package of urgent humanitarian and economic projects endorsed by the Ad Hoc Liaison Committee for the Coordination of International Assistance to Palestinians in September in an effort to stabilize the situation in Gaza, prevent an escalation and support Egyptian-led reconciliation efforts. Since then, nearly \$110 million (out of \$210 million) has been raised by the United Nations: \$60 million for fuel; \$4.6 million for health care; and \$44.25 million for cash-for-work programmes.

32. The implementation of the cash-for-work programmes has created 4,200 jobs, with another 15,000 expected soon. These developments occurred against the backdrop of high levels of unemployment (50 per cent in the fourth quarter of 2018), poverty and food insecurity. Over 2,370 families, some 13,300 people, remain internally displaced as a result of the 2014 hostilities. During the reporting period, funding cuts by donors have forced the World Food Programme to reduce its cash-based transfer entitlements for 166,000 people across Gaza by 20 per cent, from \$10 to \$8 per person per month.

33. Funding received to date has enabled a temporary increase in the supply of electricity in Gaza to between 9 and 12 hours of electricity per day, supporting the delivery of large quantities of essential medicines and allowing thousands of emergency surgeries to be carried out. Despite the increase in the supply of electricity, emergency fuel for back-up generators for emergency and surgery rooms during power outages is still needed and is running out. This shortage has forced the reduction or suspension of services at some hospitals and clinics, especially with regard to sterilization, diagnostic imaging and cleaning services. The situation is exacerbated by shortages of essential medicines and supplies due to lack of funding. The lack of generator fuel has also had a negative impact on critical water and sanitation facilities.

34. In February 2019, the Central Emergency Response Fund allocated \$8 million for the Occupied Palestinian Territory, 70 per cent of which is for health, water and sanitation needs in Gaza. On 4 March, the humanitarian pooled funds managed by the Office for the Coordination of Humanitarian Affairs also announced an allocation of \$12 million, 75 per cent of which is for Gaza.

35. Progress continued on the repair of houses totally destroyed or partially damaged during the 2014 conflict, with the reconstruction of 167 houses and the repair of 44 others completed during the reporting period. An additional \$23 million was disbursed towards the housing reconstruction effort.

36. The temporary Gaza Reconstruction Mechanism continued to play an important role in reconstruction efforts, as well as in new construction work. The reporting period witnessed significant improvements as a result of the joint review of the Gaza Reconstruction Mechanism conducted by the Government of Israel, the Palestinian Authority and the United Nations. The improvements are expected to significantly enhance the effectiveness, functionality, predictability and transparency of the Gaza Reconstruction Mechanism, including by making it more user-friendly, expediting approval times for the entry of materials and stimulating economic activity.

37. In addition, and in order to support the implementation of critical humanitarian and economic projects, the United Nations has established a project management unit in Gaza. The unit, which began its work in January 2019, provides guidance and support to users of the Gaza Reconstruction Mechanism. The unit also works with United Nations agencies to increase the effectiveness of programmes on the ground, and to support the implementation of the above-mentioned package of urgent

humanitarian and economic projects for Gaza being undertaken by the Ad Hoc Liaison Committee.

38. The Rafah crossing between Egypt and Gaza remained open in both directions during the reporting period, despite the recall of its personnel from the crossing by the Palestinian Authority on 7 January. A total of 9,405 people entered Gaza and 14,473 exited through Rafah between 15 December and 11 March. Monthly exit rates of Palestinians from Gaza into Israel reached their highest in over two years in December, January and February, with the volume of exports from Gaza also peaking since the tightening of closures by Israel in 2007.

39. On 2 January, for the first time since 2000, Israel extended a small section in the middle of Gaza's fishing zone to 12 nautical miles. Fishing in the areas off the northern and southern shores of the Gaza Strip is still restricted to 6 nautical miles. Fishing, however, is still not permitted outward to the full 20 nautical miles of the Maritime Activity Zone L agreed upon in the Oslo Accords.

40. On 14 January, Israeli and Palestinian ministers participated alongside their counterparts from Cyprus, Egypt, Greece, Jordan and Italy in a regional summit in Cairo, in which they discussed cooperation on developing recently discovered natural gas resources and related industries in the Eastern Mediterranean.

41. On 10 March, Palestinian President Mahmoud Abbas asked Mohamed Shtayyeh to begin consultations on the formation of a new government, following the resignation of the cabinet of Prime Minister Rami Hamdallah on 29 January.

42. Negative trends continue to overshadow positive developments. On 17 February, the Israeli Government began implementing the law adopted by the Knesset in July 2018 obliging the Israeli Government to freeze, from the clearance revenues it collects on behalf of and transfers to the Palestinian Authority, an amount equal to the sums paid by the Palestinian Authority "directly or indirectly" to Palestinians, or to the families of Palestinians convicted by Israeli courts of involvement in alleged "terrorist activities" or other security-related offenses, as defined by Israeli law, or who were killed while carrying out such activities. The legal view of Israel is that such payments violate the obligation of the parties to the Oslo Accords, namely to "take all measures necessary to prevent acts of terrorism, crime and hostilities directed against each other" and to prevent incitement. Accordingly, on 17 February, Israel announced that it would freeze approximately \$139 million from the Palestinian Authority's clearance revenues over the course of 2019, amounting to a little over 6 per cent of the total amount of revenue transfers in 2018.

43. On 21 February, the Palestinian Authority informed the Israeli Government of its rejection of this unilateral decision, stating that under the Paris Protocol no amount may be deducted without the consent of both parties and that it will not cease its social welfare payments to the families of prisoners. The Palestinian Authority has since refused to accept any clearance revenue transfers from Israel, noting that it will only accept the revenue if the full amount payable is transferred. Clearance revenues from Israel constitute up to 65 per cent of the total revenues of the Palestinian Government. This decision has prompted the Palestinian Government to take severe austerity measures, including reduced salary payments to Government employees, cessation of all promotions, appointments and bonuses, purchase of property and cars and reduced expenses on travel, hospitality and fuel. In addition, the Palestinian Authority has delayed the transfer of social payments to some of the poorest families in the country.

44. On 28 February, the independent international commission of inquiry on the protests in the Occupied Palestinian Territory, mandated by the Human Rights Council in its resolution S-28/1, released its report on the demonstrations held in Gaza between 30 March and 31 December 2018, the response of Israeli security forces to

the demonstrations and the impact on civilians in Gaza and Israel. The commission found reasonable grounds to believe that, in all but two of the 189 fatalities and more than 300 injuries it investigated, the use of live ammunition by Israeli security forces against demonstrators was unlawful.

45. Tensions between Fatah and Hamas increased during the reporting period, further entrenching the divide between Gaza and the West Bank. The lack of progress in advancing intra-Palestinian reconciliation has also adversely affected the already deteriorating conditions of the health and education sectors in Gaza. During the reporting period, the salaries of over 5,000 public sector employees in Gaza were cut. In January, the Ministry of Health in Gaza stated that 263 of its employees, most of whom were doctors, were not paid by the Palestinian Authority. Another 400 employees in the education system, including approximately 270 teachers, reportedly also did not receive their salaries in January 2019.

46. The Cairo agreement enabled the Palestinian Authority to take over the control of crossings into Gaza in November 2017. However, as at the end of February 2019, the Palestinian Authority no longer had a presence at either the Kerem Shalom or the Rafah crossing. The Palestinian Authority withdrew its personnel from Rafah on 7 January as a result of increased tensions with Hamas. Staff hired by Hamas also reassumed control of the Palestinian side of the Kerem Shalom crossing on 17 February. These changes led to a temporary and partial closure of Rafah, which has since reopened in both directions. To date, no changes have been recorded in the procedures or flow of goods through the Kerem Shalom crossing.

47. In December 2018, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) announced that it had raised sufficient funds to cover its 2018 funding shortfall of \$446 million. Over 42 donors increased their contributions from 2017 and UNRWA undertook internal measures to reduce costs.

VI. Efforts by the parties and the international community to advance the peace process and other relevant developments

48. In its resolution [2334 \(2016\)](#), the Security Council called upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967. There were no known developments related to States doing so during the reporting period.

49. In resolution [2334 \(2016\)](#), the Security Council also called on all parties to continue, in the interest of peace and security, to exert collective efforts to launch credible negotiations and urged in this regard the intensification and acceleration of international and regional diplomatic efforts and support aimed at achieving, without delay, a comprehensive, just and lasting peace in the Middle East on the basis of the relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet road map, and an end to the Israeli occupation that began in 1967.

50. At the invitation of the Russian Federation, representatives of 12 Palestinian factions, including Fatah and Hamas, participated in the third intra-Palestinian meeting in Moscow, held from 11 to 13 February. Fatah officials welcomed the meeting as an opportunity for Egypt to resume its efforts to implement the agreements previously signed in Cairo. Hamas also stated that Palestinian factions agreed, inter alia, on the need to end division, to strengthen national unity and to achieve the right of return. In the course of the meeting, 8 out of the 12 participating factions agreed on the proposed text of a final statement, with the Palestinian Islamic Jihad and Hamas notably abstaining over the reference to the Palestine Liberation Organization

as the sole and legitimate representative of the Palestinian people, and over the reference to the establishment of a Palestinian state on the territory occupied since 1967 with its capital in East Jerusalem.

51. On 18 and 19 February a group of Arab and European Foreign Ministers met in Dublin to discuss the Middle East peace process. Participants expressed alarm at the deterioration of the situation on the ground and reaffirmed their continued support and commitment for the two-State solution, in line with relevant United Nations resolutions, long-standing international parameters and prior agreements. Participants also emphasized the importance of advancing Palestinian reconciliation.

52. On 25 February, during their first joint summit in Sharm el-Sheikh, Egypt, the leaders of the League of Arab States and the States members of the European Union reaffirmed their common positions on the Middle East peace process, including on the status of Jerusalem, and on the illegality under international law of Israeli settlements in the occupied Palestinian territories. They reiterated their commitment to reaching a two-State solution based on all relevant United Nations resolutions, as the only realistic way to end the occupation that began in 1967, including of East Jerusalem, and to achieve a just, lasting and comprehensive peace between Israelis and Palestinians through direct negotiations between the parties that address all final status issues. They recalled the importance of upholding the historic status quo for the Islamic holy sites in Jerusalem, including with regard to the Hashemite custodianship of the sites. They also called on all parties to take immediate steps to produce a fundamental change for the better in Gaza, in full respect of international law, including human rights and humanitarian law, especially with respect to the protection of civilians, and reaffirmed the indispensable role of UNRWA.

53. On 28 January the Prime Minister of Israel announced that Israel would not extend the mandate of the Temporary International Presence in Hebron beyond 31 January. On 1 February the Foreign Ministers of the contributing countries for the Temporary International Presence (Italy, Norway, Sweden, Switzerland and Turkey) issued a joint statement regretting Israel's unilateral decision and stating that it constituted a "departure" from the Oslo II Accord and undermined one of the few established mechanisms for conflict resolution between Israelis and Palestinians.

VII. Observations

54. The expansion of illegal Israeli settlements in the occupied West Bank, including East Jerusalem, continues unabated. The advancement, approval or tender of more than 3,000 units in the occupied West Bank is the largest batch since May 2018. I reiterate that the establishment of settlements in the Occupied Palestinian Territory, including East Jerusalem, has no legal effect and constitutes a flagrant violation of international law, as stated in resolution [2334 \(2016\)](#), and must cease immediately and completely. The existence and expansion of settlements fuel anger and disillusionment among the Palestinian population and significantly undermine the prospects for ending the occupation and achieving the two-State solution by systematically eroding the possibility of establishing a contiguous and viable Palestinian state. Moreover, attempts to pass legislation that would directly apply Israeli law to the territory of the occupied West Bank raise fears of future annexation plans.

55. The demolition and seizure of Palestinian structures also continues. The demolition of structures linked to vital water connections in Area C communities already suffering water shortages is particularly troubling. I am concerned by the continued pressure being placed on Palestinians in the occupied West Bank, including East Jerusalem. The forced eviction of Palestinians from their homes in East

Jerusalem and the risk of high numbers of further evictions to facilitate the expansion of future settlements highlight the growing problem of Palestinians in East Jerusalem facing displacement. Such policies must be reversed and Israel should abide by its obligations under international law.

56. The situation in Gaza continues to be at risk of a major escalation, and the immense suffering of the people continues. I remain gravely concerned by the number of deaths and injuries of Palestinians along the Gaza perimeter fence. Serious concerns remain over Israel's use of force during the Gaza protests at the perimeter fence with Israel. Israeli security forces have the responsibility to exercise restraint and lethal force must be used only when strictly unavoidable in order to protect life. Force must not be used against medical personnel exclusively carrying out their medical duties. Children should never be the target of violence and Hamas and other militant groups have an obligation to protect children, ensuring that they are never put in harm's way. The indiscriminate launching of rockets and mortars towards Israeli civilian populations is prohibited by international humanitarian law and must immediately cease. The launching of incendiary and explosive devices towards Israel must also stop. The organizers of the demonstrations must ensure that protests remain peaceful.

57. The violent response by Hamas security forces against protesters, including women and children, in Gaza is unacceptable. The long-suffering people of Gaza have the right to protest without fear of reprisal.

58. There is no justification for terrorism and I call on all members of the international community to join the United Nations in condemning it unequivocally.

59. I am concerned by reports of increased number of settler attacks and incidents of harassment compared to the previous reporting period. I am very concerned about the Palestinian population, protective presence actors and human rights defenders in the H2 area of Hebron following the withdrawal of the Temporary International Presence in Hebron on 1 February 2019, particularly noting that parts of the H2 area were designated as closed military zones. I call on Israel to ensure the safety and security of the Palestinian population, to refrain from any steps that may cause further tension, to allow humanitarian actors and human rights defenders to carry out their activities freely and safely and to ensure that any attacks are thoroughly, impartially and independently investigated and the perpetrators held accountable.

60. Provocative and inflammatory rhetoric by Palestinian and Israeli officials during the reporting period also continues to deepen the divide and fuel mistrust and hatred between the parties, while undermining efforts to advance the goal of peace. Leaders have a responsibility to demonstrate a willingness to pursue compromise and to promote positive dialogue between both sides. Fuelling tensions, promoting conspiracy theories and cultivating hate between communities only serves to perpetuate the conflict.

61. I am deeply concerned about developments relating to the clearance revenues of the Palestinian Authority, in particular the political, economic and security implications for both Palestinians and Israelis, which undermine the Oslo Framework and the chances of achieving the two-State solution. At \$2.3 billion, clearance revenues account for over 65 per cent of the total annual revenue of the Palestinian Authority. Both sides need to engage in a constructive manner with the goal of restoring the revenue transfers in full, in line with the Paris Protocol on Economic Relations. They must do their utmost to prevent a further deterioration and to recommit, with the support of the international community, to the basic tenets enshrined in long-standing bilateral agreements.

62. I note the criticality of continued support for UNRWA, which requires \$1.2 billion in funding in 2019 for its regular programmes and humanitarian operations. To avoid any disruption in services in 2019, UNRWA needs its donors to maintain funding levels and to increase the number of multi-year agreements to ensure enhanced financial stability. The recent establishment of a developmental “Waqf” fund for Palestine refugees, as announced by the Council of Ministers of the Organization for Islamic Cooperation, is an important step in this regard. I call upon Member States to continue their support for UNRWA.

63. Regrettably, the few and modest affirmative steps taken by the parties were insufficient for reversing negative trends. Instead, the viability of the two-State solution is under increasingly grave threats. I once again call on all parties to refrain from unilateral steps that undermine the prospects for a two-State solution and that are not in line with bilateral agreements, including the Paris Protocol.

64. I remain deeply concerned by the deteriorating humanitarian and economic situation in Gaza. Taking into consideration its legitimate security concerns, I urge Israel to ease the restrictions on the movement of goods and people to and from Gaza, with the goal of ultimately lifting them. Only by fully lifting the debilitating closures, in line with Security Council resolution 1860 (2009), can we hope to sustainably resolve the humanitarian crisis. Restrictive measures by the Palestinian Authority continue to compound the impact of the long-standing closures, further widening the intra-Palestinian political and administrative gap. Funding received to date has enabled the temporary increase in energy supply in Gaza and has supported the delivery of a large quantity of essential medicines and the performance of thousands of emergency surgeries. However, with the funding provided by Qatar for fuel for the Gaza power plant set to run out in April 2019, there is a real concern that, without additional funds or a sustainable solution for the energy crisis, energy outages will again reach 20 hours per day, significantly impacting the provision of essential services. This comes against a backdrop of rising needs, with humanitarian partners facing record-high funding cuts and an increasingly restricted operating space. The 2019 Humanitarian Response Plan, launched on 17 December, called for \$350 million for the Occupied Palestinian Territory, \$270 million of which is for Gaza. I urge donors to increase their contributions to allow for a modicum of relief to the needs of the population.

65. On a positive note, improvements in the Gaza Reconstruction Mechanism are expected to significantly enhance its effectiveness, functionality, predictability and transparency, to make it more user-friendly and to help stimulate economic activity. I also welcome the decision by Egypt to keep the Rafah border crossing open, with due respect for its security concerns. In addition, I welcome the expansion of Gaza’s fishing zone to 12 nautical miles in a small area off the Gaza coast, but remain concerned by ongoing arrests of and injuries to Palestinians fishing within permitted waters.

66. These are positive steps that can avert another violent confrontation between Israel and Hamas in Gaza, but any long-term solution requires restoring intra-Palestinian national unity, returning Gaza to the control of a legitimate Palestinian Government and lifting the crippling Israeli closures.

67. It is critical that the important Egyptian-led intra-Palestinian reconciliation efforts continue. The United Nations stands firm in its support of Egypt’s efforts in this regard, and I call on all Palestinian factions to make serious efforts to ensure the reunification of Gaza and the West Bank under a single, democratic, national government. Only then can we hope to sustainably resolve the humanitarian crisis and begin the important task of development. Gaza is, and must remain, an integral part of a future Palestinian state as part of a two-State solution.

68. I remain greatly concerned by the state of our collective efforts and the weakening of the international consensus to achieve an end to the occupation and the realization of a negotiated two-State solution of the Israeli-Palestinian conflict, and I have repeatedly raised the alarm about the conflict's dangerous trajectory. Given the interconnected nature of conflicts throughout the region and the potential of the Palestinian-Israeli conflict to fuel extremist narratives worldwide, creating conditions for the parties to return to meaningful bilateral negotiations remains critical. In the absence of a political process to end the conflict, the United Nations partners in the Middle East Quartet provided a series of recommendations in the report of July 2016, which, if implemented effectively, would begin to establish such conditions.

69. The United Nations has advocated for a strengthened commitment to bilateral agreements and is implementing a series of humanitarian projects aimed at supporting Gaza and Palestinian reconciliation, and ultimately lifting the closures. We have continued to stress that the recommendations contained in the 2016 report of the Middle East Quartet remain deeply relevant. I reiterate that there is no viable alternative to the two-State solution, with Israel and Palestine living side by side in peace and security with Jerusalem as the capital of both States. What is needed, first and foremost, is the necessary leadership and political will to take concrete steps in support of ending the military occupation and realizing a lasting peace. Until that can be found, for yet another generation, Israelis and Palestinians are destined to spend their lives searching in vain for an elusive peace.

70. I express my deep appreciation to my Special Coordinator for the Middle East Peace Process, Nickolay Mladenov, for his outstanding service in what remains a challenging context. I pay tribute, too, to all staff working under difficult circumstances in the service of the United Nations.



Security Council

Seventy-fourth year

8557th meeting
Thursday, 20 June 2019, 10 a.m.
New York

Provisional

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	Russian Federation	Mr. Safronkov
	South Africa	Mr. Matjila
	United Kingdom of Great Britain and Northern Ireland	Ms. Pierce
	United States of America	Mr. Hunter

Agenda

The situation in the Middle East, including the Palestinian question

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The meeting was called to order at 10 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President (*spoke in Arabic*): In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I give the floor to Mr. Mladenov.

Mr. Mladenov: Today I will devote my regular briefing on the situation in the Middle East to presenting, on behalf of the Secretary-General, the tenth report on the implementation of resolution 2334 (2016), which covers the period from 25 March to 10 June 2019.

Let me reiterate that developments during this reporting period cannot be divorced from the broader context of Israel's continued military occupation of Palestinian territory and settlement activity; Hamas' continuing hold over Gaza and its militant activity; the persistent threat of war; unilateral actions that undermine peace efforts; and severe challenges to the fiscal viability of the Palestinian Authority. All those developments collectively erode the prospects of a two-State solution.

From the outset, I would like to also highlight that the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) continues to face significant financial challenges. It is now operating on the basis of a projected shortfall of \$211 million of its \$1.2 billion budget for the year and is facing serious cash-flow issues. That could impact operations, including UNRWA's ability to maintain food assistance to over 1 million Palestine refugees in Gaza. I note that UNRWA's annual pledging conference will take place on 25 June here in New York. I call upon Member States to continue their support.

Paragraph 2 of resolution 2334 (2016) calls on Israel to

“immediately and completely cease all settlement activity in the occupied Palestinian territory, including East Jerusalem, [and to] fully respect all of its legal obligations in this regard”.

No steps were taken to that effect during the reporting period.

During the reporting period Israeli authorities advanced, approved or tendered nearly 6,000 housing units in the occupied West Bank, including East Jerusalem. That constitutes the largest settlement advancement in two years and includes plans for approximately 4,450 units in Area C settlements, of which at least 200 have reached the final stage of approval.

Those plans include 700 units in Efrat and 600 units in Ma'ale Adumim — two large settlements in strategic locations that hamper the possibility for a contiguous Palestinian State and north-south, east-west connectivity. Another of the plans would retroactively regularize, under Israeli law, the illegal outpost of Haresha by incorporating it into the existing Talmon settlement. Tenders were also announced for some 950 housing units in Area C settlements, and for 550 units in East Jerusalem. Approximately 20 per cent of all the plans advanced or tendered are in settlements in outlying locations deep inside the West Bank.

In addition, on 3 June, Israel's National Infrastructure Committee rejected a series of objections against a controversial plan to construct a cable car between West Jerusalem and the Old City and submitted the plan for Government approval. The plan has raised concerns among Palestinian residents of East Jerusalem and Israeli non-governmental organizations that it seeks to deepen Israel's control over the area.

Demolitions and seizures of Palestinian-owned structures by Israeli authorities also continued during the reporting period. Citing the absence of Israeli-issued building permits, 92 Palestinian-owned structures were demolished or seized, resulting in the displacement of some 104 people. As the Middle East Quartet highlighted in its 2016 report (S/2016/595, annex), those permits are nearly impossible for Palestinians to obtain. Demolitions in East Jerusalem also peaked in April, reaching 58 — more than any other single month since the Office for the Coordination of Humanitarian Affairs (OCHA) started monitoring in 2009.

The situation in the Wadi Yasul area, in the Silwan neighbourhood of East Jerusalem, is also of concern. Eleven people, including seven children and two women, were displaced on 30 April, after their homes were demolished. Some 50 legal cases concerning other homes and structures in that area are pending in Israeli courts. Punitive demolitions also continued during the reporting period, with the authorities demolishing four homes belonging to families of Palestinian perpetrators of various attacks. As a result, three families comprising 13 people, including six children, were displaced.

In addition, the Israeli army continues to conduct military training exercises in areas designated by the army as firing zones in the Jordan Valley and the West Bank. As a result, approximately 184 Palestinians, 80 per cent of whom are women and children, from the Tell Al-Khashaba, Lifjim and Humsa Al-Baqai'a communities were forced to temporarily evacuate their homes on 11 occasions, including during Ramadan. On 22 May, the Israeli High Court of Justice rejected a petition against the recurrent displacements of those communities.

Paragraph 6 of resolution 2334 (2016) calls for

“immediate steps to prevent all acts of violence against civilians, including all acts of terror, as well as all acts of provocation and destruction”.

However, the reporting period saw a very dangerous escalation of violence in Gaza and continued violence in the occupied West Bank, including East Jerusalem. I reported to the Council last month (see S/PV.8532) that over the course of 48 hours, on 4 and 5 May, Gaza saw the worst escalation since 2014, with Hamas and Palestinian Islamic Jihad launching more than 700 projectiles towards Israel: several houses, two kindergartens, a school and a hospital were directly hit by rockets fired from Gaza. Four Israelis were killed and 200 were injured during those incidents.

Meanwhile, in Gaza, the Israel Defence Forces (IDF) stated that, in retaliation, it had hit more than 300 militant targets. Twenty-one residential buildings were hit by air strikes, one of which was a residential building in northern Gaza. Twenty-seven Palestinians, including two children were killed and 150 injured.

On 30 March, 50,000 Palestinians demonstrated, largely peacefully, marking the anniversary of the Great March of Return, and, although violence at the Gaza perimeter fence declined during the reporting period,

nine people, including three children, were killed by Israeli fire during the demonstrations.

Incendiary kites, balloons and other devices also continued to be launched from Gaza, starting fires in southern Israel. At least 70 fires were reported, resulting in the burning of over 30 hectares of land during the reporting period. The period also saw continued violence in the occupied West Bank, including East Jerusalem. Four Palestinians, including one child, were killed by the Israeli security forces during demonstrations, clashes and various security operations. Meanwhile, two Israelis were injured by a Palestinian in a stabbing attack.

On 27 March, a 17-year-old Palestinian medic was shot by the Israeli security forces near the Dheisheh refugee camp in Bethlehem, dying of his wounds later. On 24 April, following the arrest, tying and blindfolding of a 15-year-old Palestinian boy on allegations of stone-throwing, soldiers shot him twice in the lower body as he attempted to escape while still blindfolded.

On 31 May, in a stabbing attack, a Palestinian severely injured an Israeli civilian and a child in the Old City of Jerusalem. The perpetrator was shot dead by the Israeli security forces. Later the same day, a 16-year-old boy was killed and a 21-year-old man was injured by the Israeli security forces as they attempted to cross the separation barrier between West Bank and Jerusalem near Bethlehem.

The situation at the holy sites also remained tense during the reporting period. For the first time in decades, Israel's Jerusalem Day commemoration coincided with the final days of Ramadan. Israeli authorities announced that Jews would not be allowed to visit the compound towards the end of Ramadan, in keeping with previous practice, but later declared that limited visits would be permitted based on the circumstances on the ground. Against that backdrop, on 2 June clashes erupted between Israeli police forces and Palestinians inside the compound.

Settler-related violence also continued during the reporting period. According to OCHA, one Palestinian was killed, 32 were injured and 41 incidents of damage to property by settlers were reported. On 17 May, on two separate occasions, Israelis were filmed torching Palestinian lands in Nablus, and the Israeli security forces later confirmed that one of the perpetrators was an off-duty soldier, who has since been suspended pending a police investigation. In the same period,

OCHA reported that seven Israelis were injured and 22 incidents of damage to property by Palestinians were reported.

During the reporting period, there were some developments regarding ongoing cases before Israeli authorities pertaining to the perpetrators of various acts of violence. On 14 May, the Israeli minor accused of killing Aisha Al-Rabi, the Palestinian mother of eight, in 2018, was released on bail to house arrest with electronic monitoring. Prosecutors also reached a plea bargain with the Israeli suspected of conspiring to carry out the 2015 arson attack that killed the Dawabsheh family. According to the deal, the suspect, who was a minor at the time of the attack, will plead guilty to conspiracy to commit arson out of racist motives, as well as for other hate crimes. His trial over the remaining charge of membership in a terrorist organization will proceed.

Meanwhile, on 15 May, the Israeli Military Police Criminal Investigation Division closed its investigation into the killing of a double amputee at the Gaza fence demonstrations in December 2017. It concluded that there was no evidence that the man was killed by direct Israeli army fire.

Several Palestinians were prosecuted for involvement in attacks on Israelis, including one indicted for planning under Hamas' instructions a suicide car bombing on Israel's election day, and two other men for planning a shooting attack at Tel Aviv's beach.

Paragraph 7 of resolution 2334 (2016) calls upon the parties "to refrain from provocative actions, incitement and inflammatory rhetoric". Unfortunately, such actions continued during the reporting period. On 15 May, a senior Hamas official addressed a rally in Gaza and warned Israelis that the "day of your slaughter, extermination and annihilation is near". He called for them to leave and search for a place "in Europe, or in hell, or in the sea". The official Hamas television channel also repeatedly continued to glorify perpetrators of terror attacks against Israelis, and broadcast songs with graphic lyrics encouraging viewers to blow up Jews. Fatah's official social media pages also continued to glorify perpetrators of terrorist attacks.

Israeli officials continued to make highly provocative statements as well. An outgoing member of the Knesset confronted families of Palestinian prisoners and threatened to "eliminate them [and] bury them with pigs". Another politician called on the Prime

Minister to allow hunger-striking Palestinian prisoners to die, while many boasted about the damage Israel was causing in strikes in Gaza in response to rocket attacks.

Resolution 2334 (2016) reiterates calls by the Middle East Quartet for affirmative steps to be taken immediately to reverse negative trends on the ground that are imperilling the two-State solution. Some positive developments were witnessed during the reporting period, most notably with regard to addressing the critical humanitarian and socioeconomic needs in Gaza, but they were significantly overshadowed by the negative trends.

The international community has continued its efforts to address the dire situation in Gaza. The Ad Hoc Liaison Committee for the Coordination of International Assistance to Palestinians met in Brussels on 30 April and reiterated its support for the implementation of a package of urgent humanitarian and economic interventions in Gaza by the United Nations.

On 7 May, the State of Qatar announced its continued provision of financial assistance to the Palestinian people, including a pledge of \$480 million, of which \$180 million is intended for humanitarian assistance to Gaza, some of it to be implemented by the United Nations; \$250 million as loans for the Palestinian Government; and \$50 million as grants for projects in the West Bank. That commitment has made a very positive impact on the efforts to de-escalate the situation in Gaza. However, what remains is the necessity to find a sustainable and comprehensive solution that addresses the dire economic and humanitarian conditions and establishes the conditions for lasting peace. In that regard, the United Nations currently has funding to extend the fuel programme that will provide electricity to Gaza until the end of the year. In parallel to that effort, we are actively working on more sustainable solutions in the energy sector.

The United Nations is also advancing on the creation of dignified jobs for Gaza's men and women. The ongoing temporary employment programmes, which the United Nations Development Programme and UNRWA started with Swiss and Qatari funds, are already making a critical difference to people's lives. So far, more than 7,500 people have been employed in temporary jobs, with at least 2,500 more likely to follow. The programme, we hope, can be expanded soon.

Nevertheless, as I said, negative trends continue to overshadow positive developments. In Gaza, despite

the intensified efforts, the humanitarian, security and political situation remains deeply worrisome, as the Egyptian brokered intra-Palestinian agreement in October 2017 on the return of the Palestinian Authority to Gaza remains unimplemented. The situation was also worsened by the temporary closures of the Erez and Kerem Shalom crossings and a series of reductions in the fishing zone introduced by Israel as tensions continued to fluctuate. Seized fishing vessels have yet to be returned to their owners by the IDF.

The reporting period also saw serious movement and access constraints being placed on national staff from United Nations agencies and international non-governmental organizations (NGOs) in Gaza. Some 250 personnel, including 149 United Nations staff and 103 NGO staff, are prohibited from obtaining Israeli-issued permits for travel from Gaza to the West Bank, including East Jerusalem, for a period of 12 months. Those numbers reflect a significant increase from 2017, when only 40 United Nations staff faced similar prohibitions.

The reporting period also saw no resolution of the Palestinian Authority's financial crisis, following Israel's decision to withhold part of the clearance revenues of the Palestinian Authority. That was followed by the Palestinian leadership's refusal to accept any transfers from Israel less than the full amounts owed to it. The fiscal crisis and related austerity measures are severely impacting the Palestinian economy, with the outlook for the private sector remaining very bleak.

Paragraph 5 of resolution 2334 (2016) calls on Member States

“to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967”.

We are not aware of any such steps taken during the reporting period. Paragraph 8 of the resolution also calls upon

“all parties to continue [inter alia] to exert collective efforts to launch credible negotiations”.

No credible efforts have been made in that direction either.

In conclusion, I would like to share some broad observations concerning the implementation of the resolution 2334 (2016) during the reporting period. The expansion of Israeli settlements has no legal effect

and constitutes a flagrant violation of international law, as stated in resolution 2334 (2016). It must cease immediately and completely. Settlement expansion in occupied East Jerusalem, which further undermines the viability of the two-State solution with Jerusalem as the future capital of both Israel and Palestine, is particularly concerning. During the Israeli election campaign, statements were made by some politicians expressing support for the unilateral annexation of all or parts of the West Bank. Such a prospect would be devastating to the potential of reviving negotiations, regional peace and the very essence of the two-State solution.

The persistent threat of demolitions and the displacement of Palestinians in Area C, East Jerusalem and Hebron's H2 area are also of concern. Only 13 per cent of East Jerusalem is designated for new Palestinian residential construction, an estimated one-third of housing units in East Jerusalem are built without a permit, and an estimated 13,000 demolition orders issued against Palestinian-owned structures in Area C since 1988 are still outstanding. The demolitions and displacement in Area C and East Jerusalem affect women and girls in particular. Women have to shoulder additional daily responsibilities to ensure their own survival and that of their families in unfamiliar circumstances. A 2018 report by UN-Women on Palestine has shown that the burden of family responsibility, coupled with the anguish and trauma of sudden loss, takes a huge toll on the women's health and well-being.

Israel has declared some 18 per cent of the West Bank as firing zones for military training, while civilian presence is prohibited by military order during training exercises. There are 38 Palestinian herding communities and a population of over 6,200 people located within these areas who are impacted by a range of measures, including evacuations. There are also 11 Israeli outposts located either partially or completely in the designated firing zones, which have not been subjected to similar evacuations. The practice of evacuating Palestinian communities located in these areas should also cease.

The situation in Gaza continues to be perilous, with the persistent threat of another major escalation and the continued suffering of the population. It is tragic and unacceptable that people continue to be killed and injured unnecessarily during demonstrations by indiscriminate rocket attacks or other hostile acts. The launching of rockets and mortars towards Israeli civilian

populations is prohibited by international humanitarian law, and Hamas and Palestinian Islamic Jihad must cease this practice immediately. Consistent with international human rights standards, Israeli security forces have the responsibility to exercise restraint and should use lethal force against demonstrators only when strictly unavoidable in order to protect life.

I unequivocally condemn all attacks on Palestinian and Israeli civilians and call on all to refrain from violence and on leaders to clearly condemn such acts when they occur, as called for by resolution 2334 (2016). All perpetrators must be held accountable for their crimes.

The situation of the Palestinian population and human rights defenders in the H2 area of Hebron following the withdrawal of the Temporary International Presence in Hebron remains worrying. United Nations staff and the diplomatic community have been harassed and intimidated since the departure of the Temporary International Presence. Humanitarian actors and human rights defenders must be allowed to carry out their activities freely and safely and to ensure that any attacks are thoroughly, impartially and independently investigated and the perpetrators held accountable.

I am deeply concerned about developments relating to the clearance of revenues of the Palestinian Authority. The Palestinian Government is facing a very serious financial crisis that, unless resolved, risks triggering a series of dangerous developments that will be difficult to mitigate and contain, including the potential collapse of the Authority and the undermining of 25 years of international investment in supporting the two-State solution and the Oslo process. I echo the call of Palestinian Prime Minister Mohammad Shtayeh on Israel to restore the revenue transfers in full and call on both sides to engage in a constructive manner to ensure compliance with the Protocol on Economic Relations between the Government of the State of Israel and the Palestine Liberation Organization.

I remain deeply concerned by the deteriorating humanitarian and economic situation in Gaza. Funding received to date has enabled the temporary increase in energy supply. However, sustainable solutions for the energy crisis must be advanced without delay. At the same time, while acknowledging its legitimate security concerns, Israel must continue to ease restrictions on the movement of goods and people to and from Gaza, with the goal of ultimately lifting them. It is crucial

to ensure that calm is sustained in order to gradually introduce longer-term projects that will support Gaza's development.

I reiterate my call on all Palestinian factions to actively engage with Egypt on reconciliation. Despite the challenges, it is critical that these efforts continue. The United Nations remains steadfast in its support of Egypt's efforts in that regard, and I call on all factions to take concrete steps to ensure the reunification of Gaza and the West Bank under a single, democratic and legitimate national Palestinian Government. Gaza is and must remain an integral part of a future Palestinian State as part of the two-State solution.

Finally, I take note of the upcoming workshop convened by the United States and the Kingdom of Bahrain to discuss the potential for economic investments and initiatives that would be made possible by a future Palestinian-Israeli peace agreement and a solution to the final-status issues. Humanitarian and economic support for the population is crucial to creating an environment conducive to viable negotiations. However, I must emphasize that the conflict cannot be resolved through economic measures alone. Such steps can only be complementary to a legitimate political process that ends the occupation and addresses all final-status issues in accordance with relevant United Nations resolutions.

In closing, let me reiterate that I remain deeply concerned by the state of our collective efforts and the weakening of the international consensus on achieving an end to the occupation and the realization of a negotiated two-State solution to the Israeli-Palestinian conflict, based on the 1967 lines, international law, relevant United Nations resolutions and previous agreements.

In the absence of any progress to resolve all final-status issues, creating conditions for the parties to return to meaningful bilateral negotiations remains critical. Yet we must be clear. On its own, no amount of humanitarian or economic support will resolve the conflict. It requires political solutions. In Gaza, our efforts consist in continuing to try and de-escalate the situation and provide a semblance of hope to the population, but Gaza's future will rest on the ability of leaders to summon the political will to devise concrete and sustainable solutions to the crisis. At the same time, the West Bank continues to simmer as it faces a range of challenges that threaten to upend decades

of Palestinian and international efforts to support a Palestinian State.

The President (*spoke in Arabic*): I thank Mr. Mladenov for his briefing.

I now give the floor to those Council members who wish to make statements.

Mr. Hunter (United States of America): I thank Mr. Mladenov, Special Coordinator for the Middle East Peace Process, for his briefing and tireless efforts on this portfolio.

As Special Coordinator Mladenov mentioned, the United States, in partnership with Bahrain, will be hosting the Peace to Prosperity economic workshop in Manama next week. The workshop is a pivotal opportunity to convene Government, civil society and business leaders to share ideas, discuss strategies and galvanize support for potential economic investments and initiatives that could be made possible by a peace agreement. The workshop will facilitate discussions on an ambitious, achievable vision and framework for a prosperous future for Palestinians, including enhancements to economic governance, development of human capital and facilitation of rapid private-sector growth. We have been very clear that our full plan will address all final-status issues. The economic plan is a complement to the political plan.

We understand that only through a solution to the final-status issues will the economic vision be possible. Sustainable Palestinian economic growth is not achievable in the current environment. The economic vision is a road map that includes a detailed portfolio of real projects and capacity-building programmes that have the potential to unleash sustainable, private sector-driven growth if and when there is peace.

We want to underscore that this is why it is so important that everyone keep an open mind. The Council meets here month after month. Many in this Chamber use the same talking points to describe situations that have not changed. What actions have positively changed the reality on the ground? The United States encourages all to keep an open mind, read through these ideas and then make suggestions. All of us here today care deeply and want to see peace between the Israelis and Palestinians. We hope everyone here will remain constructively engaged with us moving forward.

Mrs. Gueguen (France) (*spoke in French*): I thank Mr. Nickolay Mladenov, Special Coordinator for the

Middle East Peace Process, for his very detailed and informative briefing and for his quarterly report on the implementation of resolution 2334 (2016).

We are extremely concerned about the deteriorating security situation in Gaza. The clashes last week once again highlight the fragility of the ceasefire.

After the flare-up in early May and as Gaza remains in a critical situation, we must do everything we can to prevent an escalation that could turn into a new conflict. We therefore call on the parties to exercise the utmost restraint. In that regard, I would like once again to commend the de-escalation efforts of Egypt and the Special Coordinator.

These developments are taking place in the context of a serious humanitarian and political crisis in Gaza. The humanitarian situation is dire. In that context, I reiterate France's full support for the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and we call on all donors to maintain their level of financial commitment this year at the Organization's donor conference to be held on 25 June. For its part, France has already announced a doubling of its contribution to UNRWA in 2019. Ultimately, there will be no solution in Gaza without the lifting of the blockade accompanied by credible security guarantees for Israel.

Politically, Palestinian unity is now more important than ever. There is therefore an urgent need to relaunch the intra-Palestinian reconciliation process. As we know, there will be no lasting stability in Gaza without a political solution, including the full return of the Palestinian Authority. Ultimately, the future of Gaza cannot be separated from the objective of establishing two States, Israel and Palestine, living side by side in peace and security. There will be no Palestinian State without Gaza and no lasting political solution in the region without a Palestinian State.

That brings me back to the intensification of the settlement policy in the West Bank, which is undermining the foundations and the viability of the two-State solution. Since the beginning of the year, more than 4,500 new housing units have been approved in the West Bank. France is also concerned about the announcement on 30 May by the Israeli authorities of tenders for the construction of settlements in East Jerusalem, including more than 800 housing units. With more than 600,000 settlers, including 200,000 in Jerusalem, we are close to the point of no return. The

various initiatives to implement Israeli law in the West Bank are part of a de facto annexation policy. We take those developments all the more seriously as they have been accompanied by worrying statements about the annexation of all or part of the occupied territories.

In that regard, I would like to recall that, in accordance with international law and Council resolutions, beginning with resolution 242 (1967), France does not recognize any Israeli sovereignty over any of the occupied territories. And in accordance with the Charter of the United Nations, we consider it illegal to acquire territory by force, be it in Jerusalem, the West Bank or the Golan Heights.

If those trends were to continue, it would mean the Palestinians abandoning their national aspirations, which require the establishment of a State, and the Israelis renouncing the democratic nature of the State of Israel. In addition, it is crucial to put an end to hate speech and incitement to violence, which, as the Special Coordinator just recalled, continue and which France condemns.

In that context, it is now more necessary than ever to reaffirm the parameters for the two-State solution agreed by the international community. In the absence of any political perspective, there may be a temptation to break away from the agreed framework, based on international law and the resolutions of the Council, and to replace it with unilateral decisions. We must all fully appreciate the danger of that temptation.

We noted the holding of an economic workshop in Manama on 25 and 26 June, at the initiative of the United States and Bahrain. As we said, France stands ready to support any effort, including economic, as long as it is in line with the approach that we have defined together: the establishment of a viable and independent Palestinian State, genuine conditions for Palestine's economic recovery and, beyond that, the construction of a stronger and more integrated regional economy. But economic peace cannot replace the pursuit of a genuine political settlement, based on the two-State solution and on all the internationally agreed parameters, which are themselves anchored in international law and the resolutions of the Council. Any attempt to deviate from those collectively defined parameters would be doomed to failure. There is no viable or realistic alternative. The solution to this conflict is above all a political one.

France, which is a friend of both the Israelis and the Palestinians, has only one objective: the implementation,

through negotiations, of the two-State solution and the establishment of fair and lasting peace on the basis of parameters agreed by the international community. We will assess any initiatives taken on that basis.

Mr. Matjila (South Africa): It is always emotionally difficult to talk about the Palestinian question, for it makes South Africans relive their difficult past. I would like to thank Mr. Mladenov for his briefing on the situation in the Middle East, including the question of Palestine.

We are all aware of the expression that the Roman Emperor Nero was reputed to have fiddled while Rome burned. If the Council, and indeed the international community, continue to deal with the question of Palestine in the manner in which we are currently doing so, history will no doubt judge us as the abominable Nero. We are fiddling while the reality of an independent, safe, secure and self-sufficient Palestinian State is slowly dwindling. Compounding the effects of the illegal Israeli occupation, earlier this week the Governor of the Palestine Monetary Authority, Mr. Azzam Shawwa, highlighted the dire financial constraints on the Palestinian Authority, which makes it very difficult to deliver basic services to its people.

On 22 November 1967, the Security Council adopted resolution 242 (1967), which called on all parties to end territorial claims and respect sovereignty and for Israel to withdraw from the occupied territories. In 2019, 52 years later, that has still not happened. Two generations later, it has not happened. In reality, Israel has illegally expanded its occupation with no consequences whatsoever from the Council.

From 1967 to January of last year, 250 settlements were constructed in the West Bank, housing 611,000 people, or 10 per cent of Israel's population, and moved 12 per cent of the Palestinian population from their land. Since then, over the past 18 months that figure has sharply increased, as the Council has heard.

Those historical injustices against Palestine and its people must be addressed. The Council must uphold its responsibilities mandated by the Charter of the United Nations and act. It is long overdue for the Security Council to reassume its responsibility and act decisively to assist Israel and Palestine in finding a lasting peace in the Middle East.

Over the years, established legal frameworks have been agreed upon, including the Madrid principles,

the Arab Peace Initiative, the Quartet road map and resolutions of the Security Council and the General Assembly. It is now time to put those guidelines into action.

We have taken note of the Bahrain meeting, which will be convened by the United States sometime this year.

A vital aspect of ensuring lasting peace, security and stability in the Middle East is for the parties to talk to each other directly and negotiate directly towards finding a credible path to peace that is acceptable to Israelis and Palestinians alike. Those direct discussions must include all final-status issues, particularly with regard to borders, the status of Jerusalem and the return of Palestinian refugees. Eroding those core issues through detrimental unilateral action severely undermines previous peacemaking efforts and damages the prospects for durable peace for Israelis and Palestinians alike. The Security Council and its partners in peace must exert every effort to bring all sides to the negotiating table in order to allow them to find long-term peaceful solutions.

With regard to the humanitarian and human rights situation in the occupied Palestinian territory, there too we have all failed. Palestinians continue to live in unacceptable environments where their movement is restricted, their land and property are seized and they have very little control over their own future. In Gaza, Israel's illegal blockade has harshly and negatively impacted the economic and social development of the area. That has been further exacerbated by Israel's illegal withholding of tax and customs revenues that rightfully belong to the Palestinian Authority to dispense as it sees fit. In that regard, South Africa calls for the immediate lifting of the illegal blockade and the release of all tax and customs revenues collected on behalf of the Palestinian Authority.

On the West Bank, we see continued expansion of illegal settlements and the confiscation and destruction of Palestinian property and land in direct violation of international law, including resolution 2334 (2016). Again, the Council has not acted to rectify that injustice. The detailed reports of recent developments regarding settlement expansion should at least compel the Council to act.

As we heard last month and was acknowledged by many members of the Council, the United Nations Relief and Works Agency for Palestine Refugees in the

Near East (UNWRA) plays a vital role in the lives of most Palestinians through the provision of health and education services and employment opportunities in many fields. Its important work must be fully supported and encouraged, and we hope the upcoming UNWRA conference later this month will be supported. We place on record our appreciation of those countries that, under difficult circumstances, have continued to help UNWRA, as Mr. Mladenov noted.

If you want to deny people means of self-reliance, livelihood and future and turn them into desperate beggars, take their land and restrict their movement. That is what has been done and continues to be done to the Palestinians. The Council has watched and watched and talked and nothing has happened for 70 years, nothing.

On a positive note, we congratulate the State of Palestine on successfully joining the International Atomic Energy Agency as an observer on 18 June. That is a further step towards full acceptance by the international community of the reality that Palestine is indeed a State.

The international community has acknowledged that the only credible solution is one that is based on the two-State solution, with the 1967 borders and East Jerusalem as the capital of the independent and sovereign State of Palestine, and the State of Israel. Any peace plan proposed by anyone must acknowledge those facts and not pre-empt them, and must ensure a Palestinian State that has sovereignty, territorial integrity and prosperity.

As we have repeatedly said in the Chamber, no people can be oppressed forever. That will never happen. They will resist and resist. Even if there is only one left standing, that one person will resist. That was true for all of us and it will be true for Palestinians. If all but one Palestinian is killed, that one remaining Palestinian will resist oppression and occupation. The Council must take note of that.

Peace in Israel is a wish all of us pray for every day, because we all pray for peace for Israelis. They are our people. But it will happen only when Palestine is free and enjoying peace. The Council should assist both those two communities — Israelis and Palestinians — in finding peace for the sake of their children and future generations.

Mr. Adom (Côte d'Ivoire) (*spoke in French*): I too would like to welcome this briefing on the latest developments in the situation in the Middle East, including the Palestinian question. I congratulate Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process, for his enlightening briefing, which once again reminds Council members of the need to coordinate their efforts to restore lasting peace and stability in the region.

Many decades after the partition plan for Palestine proposed by the United Nations in 1947, the international community is still struggling to find definitive solutions to a crisis that is becoming increasingly intense and complex. The political and security situation is continuing to deteriorate and to have a negative impact on the humanitarian situation in a worrisome way, in particular in the Gaza Strip and the West Bank, as Mr. Mladenov just reminded us in great detail and as my colleague from South Africa, Ambassador Jerry Matjila, has explained. My delegation therefore urges Israeli and Palestinian leaders to rise above the circumstances by resuming negotiations based on relevant United Nations resolutions.

To that end, my delegation reiterates its commitment to Israel's security and the inalienable right of Palestinians to self-determination. Furthermore, the solution of two States coexisting peacefully within the pre-1967 borders, with Jerusalem as their capital, is the one we support.

The Israeli-Palestinian conflict has reached an impasse despite numerous mediation efforts by the United Nations and other international actors. In addition to the political and security challenges that are taking on increasingly alarming proportions every day in the Palestinian territories, particularly in the Gaza Strip, the West Bank and East Jerusalem, there is a humanitarian crisis that undermines the hope for lasting peace that the 1993 Oslo Accord and its subsequent Protocol had raised. The virtual absence of an appropriate framework for political compromise between the warring parties and the inflammatory ideology and rhetoric displayed on both sides exacerbate tensions and expose civilian populations to armed violence. In view of the prevailing delicate situation, Côte d'Ivoire reiterates its call for restraint to all stakeholders and calls on them to strictly comply with the relevant United Nations resolutions under international law, in particular resolution 2334 (2016).

My country's strong propensity for dialogue as the preferred means of settling disputes between peoples, as well as its consistent position in favour of the security of the State of Israel and the inalienable right of the Palestinian people to self-determination, form the basis of its call for peace between Israelis and Palestinians. In the face of the current impasse, and also of the violence observed in the Middle East, my delegation reiterates its support for the international consensus on the need to relaunch peace talks between the parties concerned, and from this point of view, we look forward to the outcome of the conference convened in Bahrain by the United States.

My country also remains deeply concerned about the humanitarian situation in Gaza, which is characterized by increasingly difficult access to health care, as well as the ongoing water shortages and power outages. This humanitarian crisis, aggravated by a difficult socioeconomic situation, with the consequence of irregular payment of civil servants' salaries and a high unemployment rate, particularly among young people, seems absolutely unacceptable to us. Côte d'Ivoire therefore welcomes the material and financial support of the United Nations specialized agencies and international partners for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and reiterates its call on them to confirm their vital actions for the benefit of populations in distress at the support conference on 25 June 2019.

In conclusion, Côte d'Ivoire wishes to express its support for all initiatives aimed at creating the conditions for a resumption of Israeli-Palestinian dialogue and calls for reconciliation between Fatah and Hamas to enable the Palestinian Authority to fully exercise its functions in both Gaza and the West Bank. It reiterates its support for Mr. Nickolay Mladenov in his commitment to promoting constructive dialogue with a view to a lasting settlement of the Israeli-Palestinian conflict, which will restore peace and stability throughout the region.

Ms. Wronecka (Poland): At the outset, let me thank Special Coordinator Mladenov for his briefing, which was, as always, very precise and informative.

Let me turn first to the situation on the ground, which is extremely worrisome. In recent days, we have once again learned about a potential escalation of violence in Gaza. The firing of rockets into Israel, which fortunately did not harm anyone, must be condemned

in the strongest possible terms. We have also observed other activities, such as the use of incendiary balloons launched from Gaza. In this context, let me reiterate that we recognize the legitimate right of Israel to self-defence and to ensuring the security of its citizens. Such acts represent a dangerous escalation that could quickly spiral out of control. Hamas and other actors in Gaza must refrain from violent actions and provocations against Israel, including the aforementioned incendiary kites and balloons launched with the aim of damaging Israeli property and assets.

We should uphold the existing international consensus that the only way forward for the Palestinians and Israel is the negotiation of a two-State solution, with the State of Israel and an independent, democratic and viable Palestinian State in the West Bank and Gaza living side by side in peace and security, with borders negotiated on the basis of the 1967 lines and mutually agreed land swaps. Today our main aim should be to restore a political horizon for the resumption of a meaningful peace process to that end. A resolution of all final status issues, including Jerusalem, should be found through the negotiated two-State solution.

We must be frank with ourselves — on the political track, we have to acknowledge that the process is currently almost entirely blocked. The intra-Palestinian division only aggravates the situation of the people of Gaza and weakens the national aspirations of the Palestinians. There is an urgent need to relaunch the intra-Palestinian reconciliation process. Everyone must be committed to the Egyptian efforts in this respect.

Poland has long supported and continues to support parameters for a peaceful solution to the Palestinian-Israeli conflict that are based on respect for international principles enshrined in international law. Regrettably, the situation on the ground continues to deteriorate, and the idea of a two-State solution continues to be dismantled piece by piece, in particular by an expansion of Israeli settlements. We are very close to the point where it could be difficult, if not impossible, to establish a viable Palestinian State.

Poland's position on the Israeli settlement policy in occupied Palestinian territory is clear and remains unchanged; it is also the European Union's well-known stance. All settlement activity is illegal under international law. It not only erodes the viability of the two-State solution and the prospects for a lasting peace, but also — we have to be honest with ourselves — it is an

obstacle to peace. The adoption of resolution 2334 (2016) provided a strong reaffirmation of the international consensus on this matter. The resolution underlined the illegality of the Israeli settlements, stressing that the cessation of settlement activities is essential for salvaging the two-State solution. We are also very worried about planned demolitions of the Palestinian village of Khan Al-Ahmar, and we continue to ask Israel to abandon these plans entirely.

Allow me to conclude by praising the collective efforts of the international community to allow the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to fulfil its mandate to provide essential relief, development and protection services to Palestinian refugees and those displaced by the conflict. In our opinion, UNRWA remains a key contributor, providing, as it does, humanitarian assistance, stability and security in the region. In this context, we look forward to the UNRWA conference to be held at the end of this month in New York.

Ms. Pierce (United Kingdom): Before I start on the Middle East, I would just like to say how sorry we were to hear about the terrorist attack on 16 June in Nigeria, near Maiduguri, which killed at least 30 people. The press statement on that attack (SC/13852) that the Security Council just issued is welcome, but our sympathies and condolences go out to those affected and to Nigeria.

Turning to the Middle East, I thank Mr. Mladenov for his briefing. I think some common themes are emerging. For the United Kingdom, we share the Secretary-General's views on the expansion of Israeli settlements in the occupied West Bank, including East Jerusalem. It was disappointing that, on 30 May, the Israeli authorities published tenders for the construction of over 500 settlement units in East Jerusalem. That is a decision that we condemn. As others have pointed out, the continued escalation of settlement activity in the West Bank and East Jerusalem is contrary to international law as reaffirmed by resolution 2334 (2016). An annexation of any part of the West Bank would also be contrary to international law, not to mention destructive to peace efforts. I just wanted to set that out clearly.

Turning to Gaza, the United Kingdom condemns the rocket attack by Palestinian militants against southern Israel on 13 June. We strongly condemn all acts of terrorism and call on Hamas and other terrorist

groups to put a permanent end to their incitement and rocket fire against Israel. We were saddened by reports of a Palestinian medic who succumbed to wounds received last month when he was hit in the face by a rubber-coated bullet at the Gaza periphery. It is very hard to comprehend the killing of those delivering medical services.

We would therefore like to take this opportunity once more to urge all parties concerned to take action to reduce the risk of violence and make renewed progress towards a long-term agreement. It is only through a long-term political solution that brings the Palestinian Authority back to Gaza that communities in Israel and Gaza can be free from the threat of violence.

In response to the fragile humanitarian situation, on 29 May the United Kingdom announced the \$2 million package of support for the World Health Organization to help address the gap in trauma and emergency care in Gaza, and will help establish a new-limb reconstruction unit. We hope that package of support will help relieve the pressure on Gaza's hard-pressed health services.

I wish now to turn to the altercations on Haram Al-Sharif/Temple Mount on 2 June. Given the religious importance and political sensitivity of the holy sites, we look to all parties to maintain the status quo and engage in dialogue to ensure calm, especially during religious observances such as the holy month of Ramadan.

Turning to a solution to the conflict, along with other Member States, the United Kingdom continues to promote a just resolution to the Israeli-Palestinian conflict in line with the relevant Security Council resolutions. It is our understanding, and it seems that the understanding is shared by most Council members, that a sustainable peace requires a safe and secure Israel living alongside a viable and sovereign Palestinian State based on 1967 borders with the agreed land swaps, Jerusalem as the shared capital of both States and a just, fair, agreed and realistic settlement for refugees. There need to be security arrangements that, for Israelis, prevent the resurgence of terrorism and, for Palestinians, respect their sovereignty, ensure freedom of movement and demonstrate that the occupation is over.

To that end, I would like to take this opportunity to encourage our United States colleagues to bring forward detailed proposals for a viable Israeli-Palestinian peace agreement that addresses the legitimate concerns of both parties. We continue to believe that the only way to

achieve that is through substantive peace talks leading to a two-State solution.

There will be a meeting in Bahrain next week about the economic situation and proposals. That is welcome. More needs to be done to enable the Palestinians to trade freely with the rest of the world. In turn, that requires greater movement of goods and people and the easing of Israeli restrictions. Ultimately, in order for the Palestinian economy to flourish, a political solution to the conflict needs to be found.

Lastly, others have mentioned the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and I would like to reiterate that the United Kingdom also remains a committed supporter of UNRWA and of Palestinian refugees across the Middle East. We welcome UNRWA's efforts to broaden its donor base. I would like to encourage others to step up with more funding and more predictable disbursements. In that context, we look forward to a successful pledging conference here in New York next week.

Mr. Meza-Cuadra (Peru) (*spoke in Spanish*): We welcome the convening of this meeting and thank Mr. Mladenov for his comprehensive briefing.

Peru is following with profound concern the persistent cycle of destruction around the question of Palestine, whereby episodes of escalating violence, as over recent months, are followed by fleeting periods of relative calm. This pattern, coupled with the Security Council's inaction and the inertia of certain key actors, has a negative impact in what is already a highly volatile context and generates unpredictable consequences for the Middle East and for the world in general. We are alarmed that the prospects for a political solution seem to grow ever weaker and that unilateral actions risk triggering an even greater escalation of tension and violence.

Peru reiterates its firm condemnation of the launching of rockets and incendiary devices by Hamas, which threatens the lives of the Israeli civilian population, cause material damage and further undermine the potential for a political solution.

At the same time, we underscore that, pursuant to international humanitarian law, the legitimacy of Israel's self-defence hinges upon its strict adherence to the principles of proportionality, distinction and precaution. In that regard, we must recall its obligation

to abide by the resolutions of the Security Council. In particular, we believe there is an urgent and pressing need to put an end to increased settlement activity, home demolitions and evictions in the Palestinian territory occupied since 1967, in accordance with resolution 2334 (2016). Those actions are contrary to international law, seriously jeopardize the territorial integrity of the Palestinian State and undermine the prospects for achieving a two-State solution.

We note with concern the continuing deterioration of the humanitarian situation in Gaza and the West Bank, and how it contributes to fuelling increased radicalization and extremism among the population. We welcome the significant financial contributions intended to improve living conditions in Gaza, which have helped to improve electricity supply, create jobs and to provide medical services. Nonetheless, we underscore the temporary nature of such measures and that they must be followed by political agreements that bring to an end the suffering of millions of Palestinians. That means, among other things, making tangible progress in the process of intra-Palestinian reconciliation, which entails the restoration of Palestinian Authority control throughout the area. It also means ending the Gaza blockade under conditions that guarantee the security of Israel.

Moreover, we are concerned at the destabilizing effect of the Israeli Government's decision to withhold a significant proportion of Palestinian taxes. In that regard, we welcome the willingness of Arab countries to consider options for providing assistance at a forthcoming meeting to be held in Cairo. Nonetheless, we note for the definitive solution to the problem lies in strict respect for the obligations governing the economic relations between the parties.

In conclusion, I reiterate our commitment to the two-State solution, in accordance with the relevant resolutions of the Organization. For that to be achieved, the support of the international community and a constructive role on the part of the Security Council are essential.

Mr. Wu Haitao (China) (*spoke in Chinese*): I thank Special Coordinator Mladenov for his briefing.

We are concerned about the continuing clashes and confrontations in Gaza and at the Al-Aqsa Mosque and the steadily escalating situation. We took note of the fact that the basic principles for settling the Palestinian question were reaffirmed at the emergency summit

of the League of Arab States and the summit of the Organization of Islamic Cooperation, recently held in Saudi Arabia. Safeguarding the legitimate rights and interests of the Palestinian people is the shared responsibility of the international community. I would like to stress the following points.

First, to effectively implement resolution 2334 (2016), the parties concerned must immediately stop all settlement activities in the occupied territory, cease and desist the demolition of Palestinian homes and the destruction of Palestinian property and take measures to prevent violence against civilians. All legislative acts and unilateral moves aimed at legitimizing settlement activities must be stopped immediately and practical measures must be taken to eliminate their effects.

Secondly, the parties must seek a proper settlement to the issue of the final status of Jerusalem — a complex and sensitive matter that is fundamental to settling the Palestinian question and crucial to regional peace and tranquillity. Recent clashes at the Al-Aqsa Mosque are worrisome. All parties must act with caution, based on the principles of respect for the plurality of history, thereby upholding fairness and justice, implementing the international consensus and achieving peaceful coexistence, in accordance with the relevant United Nations resolutions and international law. They must also hold talks to reach a solution that can balance everyone's interests.

Thirdly, the parties must remain seized of the economic and humanitarian situation in Palestine and take measures to improve it. The prolonged blockade of the Gaza Strip has led to severe humanitarian situations in the region and is not conducive to regional stability. Immediate measures must be taken to lift the blockade in Gaza in full so as to prevent any potential escalation. China is concerned about the actions of certain parties to withhold some of the tax receipts collected on behalf of Palestine. We call on the parties concerned to fulfil the obligations under relevant international treaties, such as the Paris Protocol on Economic Relations, and fully implement United Nations resolutions on the issue. The international community should provide more support for the United Nations Relief and Works Agency for Palestine Refugees in the Near East. We look forward to the successful conclusion of its upcoming pledging conference.

The Middle East needs peace and stability. There is no alternative to the two-State solution — the only

correct answer to the Palestinian-Israeli question. In line with the Arab Peace Initiative, the principle of land for peace and the relevant Council resolutions, the international community must adhere to a negotiations-based approach for advancing a comprehensive, just and lasting solution to the Palestinian question so as to achieve the ultimate goal of establishing a fully sovereign State of Palestine, based on the 1967 borders and with East Jerusalem as its capital. Any new initiative should meet those international guidelines.

Mr. Syihab (Indonesia): I wish to thank Mr. Mladenov for his usual comprehensive update on the situation on the ground.

Again, we are disappointed about the continuing provocative actions by the occupying Power, including its destabilizing actions and violations of the situation and historic status of Al-Haram Al-Sharif, thereby potentially creating tensions not only in the region but also in the surrounding areas.

We are deeply concerned about the fact that no concrete measures have been taken, including by this body, in relation to the implementation of resolution 2334 (2016). In that regard, the Council should spare no effort in creating an atmosphere that is conducive for all parties to implement the resolution.

We also took note of the statement by Mr. Mladenov on the various provocations in the occupied Palestinian territory, in particular in Gaza. We call on all parties to refrain from making further statements that may escalate tensions. We share the view of Mr. Mladenov that highlighted that economic measures cannot be considered as the only element that needs to be solved when addressing the issue of Palestine.

With those comments in mind, I wish to highlight three important points in my remarks today.

The first point is the humanitarian crisis in Palestine. While there is no sign of political talks in sight, the living conditions of the Palestinians continue to deteriorate every day, whether in Gaza or in the occupied West Bank, including East Jerusalem. Palestinians continue to be deprived of their rights. Their hope for a better future is fading away. Before our eyes, the occupying Power continues to dismantle past political deals and perimeters that are the foundation of the two-State solution. Widespread and persistent practices such as continuous violence, the expansion of settlements and increasing threats by settlers, the

blockade of Gaza, the demolition of property and evictions aggravate the economic situation and pose a serious security threat. Israel continues to withhold the transfer of Palestinian tax revenues to the Palestinian Authority — a dangerous measure by the occupying Power. Let me again stress that we cannot question the Palestinian Authority's refusal to accept a transfer that is less than the full amount owed to it, but must demand that Israel not take what does belong to it.

That brings me to my second point, namely, the significant role of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) amid worsening economic and social conditions in Palestine. As an organization providing basic services to half of the people of Gaza, UNRWA provides a small glimmer of hope. The generous contributions of many countries are a clear demonstration of the support and responsibility of the international community with regard to the existence of UNRWA for the benefit of the Palestinian people. UNRWA is vital to Palestinian refugees and to Palestinians at large. It is also the least the United Nations can do to help the Palestinians, given the failure of the Security Council to act authoritatively on its own resolutions as they relate to Palestine. The United Nations is indebted to Palestine and we must discharge that debt, now or in the future. With respect to that point, I wish to remind all of us here that on 25 June, just a few days from now, there will be a pledging conference for UNRWA. We did a tremendous job last year, which helped prevent UNRWA from collapsing. I urge all delegations to demonstrate the same sense of commitment again this year.

My third point is the maintenance of the historic status quo of Al-Haram Al-Sharif, to which I alluded at the beginning. Al-Haram Al-Sharif has always been the epicentre of violence because of what it represents, spiritually and culturally. It is critical that we remind ourselves that what happens there affects not just the immediate region, but ripples to far distant areas of the world. In that regard, it is worth recalling that earlier this month, during the last 10 days of Ramadan, during a time when there is a great concentration of people in Al-Haram Al-Sharif, there was another provocation by settlers and security forces of the occupying Power trying to gain access.

Once again, that was a violation of the status quo. What is even more deplorable is that the aggression took place during the celebration of the occupation of East Jerusalem in 1967. Not surprisingly, a number

of Palestinians were injured during the incident. The delegation of Indonesia would like to warn that turning the conflict into a religious one is something that we must prevent, as the consequences could be very serious. I believe all of us here agree on that. We call on Israel to respect history and the status quo and to avoid any measures or insensitive policy that might result in a destabilizing effect.

Finally, on a positive note, I welcome the agreement between the State of Palestine and the International Atomic Energy Agency on a safeguards agreement, which has placed the State of Palestine on an equal footing with other members.

Once again, we call on this body to exercise its authority with regard to the situation in Palestine. Let us be fair and place justice above all.

Mr. Singer Weisinger (Dominican Republic) (*spoke in Spanish*): As in the past, we thank Special Coordinator Mladenov for presenting today's report to us, while recognizing the significant challenge that his work entails in the most adverse of circumstances. Unfortunately, the current state of the situation in the Middle East and the direction it is taking continue to be a cause of great concern and outrage for us, as we witness a progressively worsening trend that is bringing us dangerously close to the brink of the impossibility of achieving a just, lasting and comprehensive peace based on the two-State solution — the only viable one.

Making our feelings heard, however, as we often do in this Chamber, does not relieve us of the primary responsibility conferred upon the Security Council for the maintenance of international peace and security, the success of which demands taking firm and effective action in tandem with our positions and in consonance with the authority and respect that this beacon of world order deserves. Given the absence of significant political will and process and the division among positions, the inertia that we are experiencing with regard to the Israel-Palestine issue threatens to perpetuate the status quo leading to actions that are contrary and in clear violation of international law, the Charter of the United Nations and the relevant Security Council and General Assembly resolutions.

We continue to observe how the hopes of the Palestinian people to establish their own State are fading away in the face of the systematic expansion of Israeli settlements in the occupied Palestinian territory, underpinned by a policy that seeks to

legitimize them. The civilian population, both Israelis and Palestinians, including women and children, continue to be the victims of an environment marked by constant violence, fuelled by provocations and incitement and inflammatory rhetoric, which puts their lives in jeopardy and deprives them of the possibility of well-being, compounded, at the same time, with the inability to embark on a path leading towards a process of intra-Palestinian reconciliation to build a nation.

Consistent with its guiding principles, the position of the Dominican Republic remains the same, including, *inter alia*, respect for the sovereignty and self-determination of peoples, in accordance with the purposes and principles of the Charter of the United Nations with respect to the inadmissibility of the acquisition of territory by force. We reject the expansion of illegal settlements in the occupied Palestinian territory, including East Jerusalem.

Accordingly, we stress that, with regard to Jerusalem, we recognize, in line with the relevant Security Council and General Assembly resolutions, the character and special status of the Holy City of Jerusalem, its spiritual, religious and cultural dimension and heritage, as a sacred place for the three monotheistic religions of Islam, Christianity and Judaism, and we are opposed to any measure that alters or seeks to alter that character and status.

At the same time, we condemn in the strongest terms all acts of violence continuing to take place throughout the occupied Palestinian territory, including the use of lethal force during demonstrations, clashes, security operations and other actions in Gaza and the West Bank, which involve children, women and medical personnel, none of whom should ever be targeted. We also condemn the firing of rockets and the launching of incendiary devices and explosives from Gaza into Israel by Hamas and other Palestinian militants.

The humanitarian situation in Gaza remains critical, heightened by an alarming environmental situation limiting access to drinking water and subsequently affecting health, food security and development, which is compounded by widespread insecurity, the electricity crisis and the lack of opportunities. We therefore commend the vital work on the ground by the relevant organizations and agencies of the United Nations system, such as the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

as well as the support of friendly countries, to alleviate suffering and to bring about change.

I should like to conclude by saying that we will not achieve peace merely by making statements month after month. Let us not deceive ourselves. If we really want to achieve peace, the first step to that end is to end the hate speech by both sides. That is our opinion.

Mr. Schulz (Germany): First of all, let me thank Special Coordinator Mladenov for his comprehensive briefing.

We remain fully and permanently committed to a negotiated two-State solution, based on the internationally agreed parameters, as the only viable solution to the Israeli-Palestinian conflict that meets Israeli and Palestinian security needs and Palestinian aspirations for statehood and sovereignty, ends the occupation that began in 1967 and resolves all permanent-status issues in order to end the conflict.

The Israeli-Palestinian conflict is, first and foremost, a political conflict that requires a political solution. In anticipation of the upcoming Bahrain workshop to be held next week, we will look into any proposal that is aimed at improving the socioeconomic living conditions of Palestinians. Addressing the economic aspect of the conflict, however, cannot replace a solution negotiated between both parties in order to achieve lasting peace. We will support any meaningful initiative that aims at reviving the political process that is acceptable to both parties and based on the internationally agreed parameters.

One of the main obstacles to achieving a political settlement is the ongoing Israeli occupation and the continued settlement activities in the territories occupied in 1967. We reiterate our position that settlement activities in the occupied Palestinian territories are illegal under international law and undermine the prospect for a negotiated two-State solution. The continuous expansion of settlement activities by Israel is a matter of great concern to us. That includes the recent approvals of construction of, and tenders for, hundreds of new housing units in settlements in the occupied West Bank and East Jerusalem, including those dating from the end of May. We reiterate our rejection of any unilateral steps that jeopardize a two-State solution. That also includes the construction of settlements in violation of international law and the related demolition of Palestinian structures in Area C. We call on Israel to end the expansion of settlements, the legalization of

outposts and the demolition and seizure of Palestinian-owned structures.

We are also extremely concerned about repeated statements from various sides alluding to a possible annexation of part of the West Bank. There is no right to annexation. Should such statements be translated into Government policy or law, that would constitute a clear violation of international law. We strongly advise against taking any steps in that direction, as it could lead to serious consequences. We reiterate that Germany will not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations. In its relevant dealings, Germany will continue to distinguish between the territory of the State of Israel and the territories occupied since 1967.

Resolution 2334 (2016) needs to be fully implemented not only with regard to settlement activities, but also with regard to acts of terror, violence against civilians, incitement, provocative action and inflammatory rhetoric. We welcome the fact that the latest report of the Secretary-General also focuses on those obstacles to achieving peace, and the Special Coordinator gave some appalling examples in that regard during his briefing. Germany condemns all attacks on Israel in the strongest possible terms, including the latest firing of rockets from Gaza, which are putting Israel's security and the lives of civilians at risk. Germany remains steadfast in its commitment to Israel's security as a Jewish and democratic State, and we will not be silent when Israel's security or right to exist are questioned or compromised. We call on Hamas and other groups to stop firing rockets from Gaza into Israel, and we strongly urge all parties to de-escalate, exercise restraint and refrain from provocative rhetoric and actions.

It is obvious that joint efforts to restore a political perspective on the resumption of the peace process are urgently needed. We support all attempts to restart meaningful direct talks and negotiations between the parties with the objective of creating a lasting peace. At the same time, we must avoid any unilateral measures and work collectively to counter the negative developments on the ground that are undermining the viability of a negotiated two-State solution to the Israeli-Palestinian conflict on the basis of the internationally agreed parameters.

Before I conclude, I want to make one last point. In the meantime and until a solution is found, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) remains indispensable to the provision of humanitarian assistance and essential services in Jordan, Lebanon and Syria as well as within the Palestinian territories. UNRWA is the key to stability in the region, and we continue to firmly support its mandate and encourage others to similarly continue to support the Agency's work, politically and financially.

Mr. Pecsteen de Buytswerve (Belgium) (*spoke in French*): At the outset, I would like to thank the Special Coordinator, Mr. Nickolay Mladenov, for his detailed briefing and for his and his team's tireless efforts.

The Israeli-Palestinian conflict is becoming bogged down, the situation on the ground in Gaza and the West Bank, including East Jerusalem, continues to deteriorate, and we are seeing evidence that this conflict, the subject of many Security Council resolutions, will have a positive outcome only if we ensure that those same resolutions and international law are respected following a negotiated process between the parties.

A peace can be comprehensive, just and lasting only if it meets the legitimate aspirations of each of the parties to achieve their national destiny in peace and security, within a stabilized region. The goal that the international community must work towards is unquestionably the coexistence of two States, with the city of Jerusalem as the future capital of both, in accordance with the internationally agreed parameters. In Belgium's view, that is the only way to provide the necessary response to the Israelis' desire to live in security in a State that is recognized by all and the Palestinians' legitimate aspirations for a sovereign, democratic and viable State. That possibility can be supported by economic measures, and here I want to remind the Council that the European Union is the world's largest donor to the Palestinian people. But economic measures cannot replace a political solution. The Palestinian economy cannot fully take off until the occupation ends and Palestinians have free access to their land and resources, freedom of movement and access throughout their territory and the ability to integrate into a regional market.

The continuing settlement policy is a flagrant violation of international law and the Council's resolutions, including resolution 2334 (2016).

Settlement activity, which is accompanied by expropriations, demolitions and people's displacement, undermines respect for Palestinians' basic rights. It also fundamentally compromises the two-State solution that we support, and it will soon be irrevocable. The recent publication of several requests for offers of tender to enable more than 800 housing units to be built in settlements in East Jerusalem is a new example of that policy, and Belgium firmly denounces and condemns such developments. In that context, we are also extremely concerned about the increase in tensions and violence between Israeli settlers and Palestinians. Any resort to violence, regardless of who commits it, is unacceptable, and impunity must not prevail. Belgium appeals to the parties to avoid any kind of provocation. We are particularly concerned about the deteriorating situation in Hebron and East Jerusalem, including in the Old City. We want to remind the parties of the obligation to respect international law, which applies to all, and of Israel's responsibility, as the occupying Power, to ensure the protection of Palestinians in Hebron, Jerusalem and all of the occupied territories.

The recent escalation of violence in Gaza is also damaging the prospects for a lasting and stable peace. We would like to remind the parties of their obligation to respect international humanitarian law, including the principles of proportionality and distinction, and to ensure the protection of civilians. If the trends in Gaza are to be reversed, it will be crucial to invest in both the humanitarian and political arenas. We urge all the parties to ensure free access to humanitarian actors. On the political front, only lifting the blockade and fully opening the crossing points, while keeping Israel's legitimate security concerns in mind, can constitute an appropriate solution. Restoring that territory to the control of the Palestinian Authority is also key. We reiterate our call to all the parties to engage constructively in intra-Palestinian reconciliation.

Lastly, we reiterate our request to be provided with a written report as part of this briefing, in accordance with the usual practice of the Council, based on the note by the President contained in document S/2017/507, at least twice a year.

In conclusion, Belgium calls on all parties to the conflict to work towards a solution in accordance with international law, with a view to achieving a just and lasting peace and a stable regional environment.

Mrs. Mele Colifa (Equatorial Guinea) (*spoke in Spanish*): Having come this far in the month, we are pleased with the excellent way in which you and your team are steering the work of the presidency, Mr. President. We congratulate you and encourage you to maintain that momentum throughout the month. We also thank Special Coordinator Mladenov and his team for his detailed and informative briefing.

The Israeli-Palestinian conflict continues to head in the wrong direction, as we saw from the incidents that occurred last week, which is very worrying. Following the extreme violence in May, in which four Israelis and 25 Palestinians lost their lives, a ceasefire agreement was signed between Israel and Hamas, under the joint auspices of the United Nations and Egypt. Although no one was killed in last Thursday's cross-border attack, it violated the spirit of that agreement and demonstrates the mutual distrust and deeply rooted spirit of confrontation that prevail on both sides of the conflict, endangering the lives of Israeli and Palestinian civilians and undermining the efforts of the international community.

My delegation recognizes the right of Israel to defend its population from acts of insurgency and therefore to adopt measures necessary for that, but such measures should always fall within the existing framework of international law, in particular international humanitarian law. No retaliation for Islamist militia action in Gaza should have an impact on the local civilian population. We deplore the fact that dozens of Palestinian civilians were injured last Friday during the March of Return along the fence separating Gaza and the occupied Palestinian territories. Whenever demonstrations are peaceful the people's human rights must be respected by the Israeli security forces. Palestinians have the right to demand the return of their loved ones, and the protests are the only political tool through which any citizen can freely exercise that right. In that regard, we urge the Islamist militias not to interfere in these demonstrations for their own purposes as insurgents.

We have to reiterate the concerns we have raised previously about the ongoing incidents that arise from the fact that Palestinians and settlers are living side by side in the occupied Palestinian territories. In places such as Hebron we are seeing these incidents more and more often, and ensuring protection by the Israeli occupation forces is now more essential than ever,

as they must guard the rights of the citizens of both sides equally.

Despite the continued efforts of the international community, the humanitarian situation in Gaza remains critical. Widespread insecurity, the shortage of jobs, the inadequacy of basic services and a lack of food and drinking water all constrict the lives of Gaza's 2 million inhabitants, more than half of whom depend on the humanitarian support of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). In view of the situation, my delegation appeals to the Government of Israel to revise its blockade policy, which is damaging the local economy, while also urging the international community to advance the intra-Palestinian reconciliation process, which is essential if the Palestinian Authority is to return to Gaza, and encouraging international donors to provide UNRWA with more financial support in order to prevent the collapse of its humanitarian services, which have been suffering financially since last year and which a majority of Palestinians in Gaza depend on.

Before concluding, I urge Israeli and Palestinian politicians to try to find ways to reach a definitive political solution to their differences and to work together to consider any initiative that could enable them to find that solution, bearing in mind that no result can be accepted by the parties unless they can reach a consensus on it.

Finally, the Republic of Equatorial Guinea continues to align itself with the purposes and principles of the Security Council concerning the settlement of conflicts, and we hope that any outcome for the Israeli-Palestinian conflict will be based on these principles.

Mr. Safronkov (Russian Federation) (*spoke in Russian*): We would like to thank Mr. Mladenov, Special Coordinator for the Middle East Peace Process, for his briefing on the situation in the Palestinian occupied territories.

Resolving the Palestinian question and achieving a comprehensive Middle East settlement based on Security Council resolutions must remain a priority for world diplomacy. We say that because the Middle East is still in the grip of destabilizing trends, many of them intentionally introduced from outside. The result is that new crises are piled on top of old ones. In our opinion, the recent growing tension in the Persian Gulf is being artificially whipped up. That crisis is threatening peace and security in the region along with the international

efforts to resolve the crises and conflicts there, including between Palestine and Israel.

This is an urgent warning. Any adventurist attempts using force, should they be carried out, will at the very least bring disaster. It is not hard to predict that there would be outbreaks of violence and new waves of migration, and the consequences for anyone making such attempts would be horrifying. What we need is immediate de-escalation and efforts to seek a negotiated settlement of the current disputes. Confrontation must give way to dialogue, right now. We want to once again remind the Council of the mandate whereby resolution 598 (1987) requests the Secretary-General to examine measures for the security of the region in consultation with the parties in the region. Security is indivisible. It is one and the same for everyone, without exception, and no preference for any individual State. A formula that says what is permitted for some is forbidden for others is not going to work.

We cannot allow a new fault line to nullify the positive trends that we have been seeing recently in the region. Life in most of the Syrian Arab Republic is gradually returning to normal. Iraq, which has chosen to make good-neighbourly relations a priority of its foreign policy, is receiving political and economic assistance. The Special Representatives of the Secretary-General are working actively to find formulas for resolving other conflicts in hotspots in the region. Work is being done to bolster efforts to combat the threat of terrorism, which can be defeated only by putting together a front that is as united as possible.

However, the quest for a solution to the key Middle East issue of the Palestinian-Israeli conflict is still at an impasse. This area has recently been dominated by dangerous trends, in the form of unilateral measures and aggressive revisions of previously settled agreements. In our view, the international legal basis for a settlement in the Middle East, including the relevant Security Council resolutions, the Arab Peace Initiative, adopted by the Heads of State of the Arab world, and the Madrid principles, remains inviolable. We see no alternative to a two-State solution. Any proposals for improving the economic situation in the Palestinian territories must be part of a package with the political components of a settlement, or the peace initiatives are doomed to failure. We want to point out that there has been an international consensus on this issue for many years. The status of the occupied Palestinian territories and other occupied territories, including the

Syrian Golan, is determined by the relevant Security Council resolutions. No unilateral steps can change that reality.

We believe firmly that no breakthroughs can succeed in isolation. History has shown that. We consider the Middle East Quartet of international mediators to be a unique mechanism, endorsed by Security Council resolutions, and a relevant and essential format. We would like to remind Council members of the Quartet's 2016 report, which includes a detailed road map for the resumption of a sustainable political process.

Historically, Russia has supported trusting, friendly relations with both the Israelis and the Palestinians. That is why we believe that establishing a political process to implement a two-State formula not only meets Palestinians' expectations but also satisfies Israel's security concerns. We believe it is vital to involve the countries of the region and the League of Arab States more actively in the efforts to achieve peace in Palestine and the Middle East as a whole. We support a strong and united League with regard to a number of international issues, including the Palestinian question. Russia will continue to cooperate in establishing a positive agenda for a settlement in the Middle East. Our proposal for holding a summit in Russia between the leaders of Palestine and Israel remains on the table. It is high time to implement the Russian initiative for a Security Council mission to the Middle East. We have been working for decades to establish contacts with all the parties, and we can help to restore unity among the Palestinians. We greatly appreciate the efforts of Egypt in that regard.

We also need active international measures aimed at improving the dire humanitarian situation in the Gaza Strip. However, any assistance for Gaza must be provided in coordination with the legitimate authorities under President Abbas and should be part of the efforts to restore Palestinian unity. We assume that this principle will guide the work of the United Nations and all the parties concerned. We will continue our active support for the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, which has a serious political dimension as well as a humanitarian one.

The instability in the Middle East requires united measures. We urgently need to take steps to overcome the impasse in the Palestinian-Israeli issue. Measures must be taken to spread a culture of peace among

religious groups, which will help to prevent new upheavals based on ethnicity or religion and protect the Christians and other religious minorities who have lived in the Middle East for thousands of years and have been a vital cultural and civilizational element, professing principles of tolerance, but who have had to leave the region having become targets of genocide.

However, rather than imposing an outdated herd mentality aimed against the other, we should act with a view to creating platforms for dialogue that will enable us to pursue the quest for solutions to the security issues in the Middle East. We want to once again draw attention to the related Russian initiative on a security architecture for the Middle East. Russia is ready to cooperate constructively with partners on all issues on the Middle East agenda on a platform — to which there is no alternative — for seeking political ways to overcome the existing challenges. Establishing joint political rather than military efforts for the Middle East demands that we renounce any arbitrary concepts of a rules-based order and return to respect for the fundamental principles of the Charter of the United Nations and international law.

The President (*spoke in Arabic*): I shall now make a statement in my capacity as the representative of Kuwait.

At the outset, I would like to thank Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process, for his briefing. We emphasize Kuwait's full support for his efforts and we look forward to receiving at least two written reports annually on the implementation of resolution 2334 (2016), as is the case with the various other items on the agenda of the Security Council and in line with presidential note S/2017/507.

We regret that what we heard today echoed Mr. Mladenov's previous nine briefings in bringing the message that Israel has made no progress in implementing the provisions of resolution 2334 (2016) and has not ceased its settlement activities. It continues to build settlements and seize Palestinian territories, in flagrant violation of the resolution. Today we would therefore like to ask a number of important questions with a view to reminding the Council of the importance of implementing that resolution in order to achieve the peace we all desire.

First, how can there be any real progress in the peace process when Israel, the occupying Power,

is continuing its illegal and illegitimate settlement activities, in complete violation of its commitments stipulated in international resolutions, agreements and treaties? They all affirm that Israel's establishment of settlements in the Palestinian territory that it has occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation under international law and a major obstacle to the achievement of a two-State solution and a just, lasting and comprehensive peace. They also stress that ending all Israeli settlement activities is essential if a two-State solution is to be salvaged. We call on Israel to immediately and completely cease all its settlement activities in the occupied Palestinian territory and fully respect its legal obligations. It must also cease any unilateral measures such as annexing land by force or freezing parts of Palestinian tax revenues, and must pay those tax revenues in full to the Palestinian Government.

Secondly, how can we see any true progress in the peace process when acts of violence by settlers against Palestinian civilians increase on a daily basis? It has been painful to witness the ongoing Israeli attacks even during the holy month of Ramadan, in addition to threats, provocations and hate speech, in flagrant violation of the international resolutions that call for taking immediate steps to prevent all acts of violence against civilians, including acts of provocation and destruction. We reiterate the importance of reviewing the options mentioned in the Secretary-General's latest report on the protection of Palestinian civilians.

Thirdly, how can we see genuine progress in the peace process when the blockade of the Gaza Strip is now in its twelfth year and is a direct cause of the dire situation there that has left millions of civilians on the brink of economic, medical and humanitarian collapse? The Israeli forces have continued to target unarmed civilians participating in the demonstrations of the Great March of Return, and the death toll has reached 279 Palestinians, including 56 children.

Fourthly, how can we see genuine progress in the peace process when Israel, the occupying Power, continues to violate the sanctity of Christian and Muslim holy sites by implementing measures and policies aimed at changing the historic character of Jerusalem — in violation of resolutions 476 (1980) and 478 (1980), which condemn any attempts to change the demographic composition and character of the Palestinian territory that has been occupied since 1967, including East Jerusalem — as well as building or

expanding settlements, moving Israeli settlers, seizing land, destroying homes and displacing Palestinian civilians in violation of international humanitarian law and the relevant resolutions. The Council will not recognize any changes to the borders of 4 June 1967, including those regarding Jerusalem, except when they are agreed to by both parties, through negotiations.

Fifthly, how can we see real progress in the peace process and the settlement of the conflict when the Security Council fails to address all of these and many other violations? The international community cannot remain silent while the crimes continue to be committed against the Palestinian people under Israeli occupation. We must act to uphold our commitments under international humanitarian law and human rights law, as well as the 1949 Fourth Geneva Convention, and to guarantee protection of and respect for the civil rights of those living under occupation, without exception.

In that context, we renew our support for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and its role of providing the necessary educational, health and social services to the Palestinian refugee community. We look forward to the donor conference for UNRWA, which will be held next week in New York. It is our pleasure to see the State of Kuwait is on the list of the Agency's main partners. In the past four years alone, we have provided the Agency with voluntary contributions of \$113 million.

It is more important than ever to implement all the provisions of resolution 2334 (2016), which provides a realistic mechanism for rebuilding trust between parties and relaunching the negotiation process based on resolutions of international legitimacy and agreed

international principles. That was reaffirmed at the latest Arab Summit, held in Tunisia; the first Arab-European Summit, held recently in Sharm El-Sheikh; and the fourteenth Organization of Islamic Cooperation Summit, held on 31 May in Mecca. Those summits confirmed once again that Israeli settlements in the occupied Palestinian territories are illegal and that it is important to remain committed to the two-State solution in accordance with relevant United Nations resolutions. That is the only realistic way to end the occupation that began in 1967, including of East Jerusalem, and to reach a just, lasting and comprehensive peace between Israelis and Palestinians.

In conclusion, we renew our commitment to peace as a strategic choice and to resolving the Arab-Israeli conflict in accordance with the relevant resolutions of international legitimacy, international law and all provisions of the 2002 Arab Peace Initiative. The Initiative stipulates that comprehensive peace and normalized relations with Israel must be preceded by an end to the occupation of Palestinian and Arab territories it has occupied since 1967, including East Jerusalem. Israel must recognize the State of Palestine and the inalienable rights of the Palestinian people, including their rights to self-determination; to establish their independent State on their territories, with Jerusalem as its capital; to return; to compensation for Palestinian refugees; and a fair solution to their issue, based on General Assembly resolution 194 (III) of 1948.

I now resume my functions as President of the Council.

There are no more names inscribed on the list of speakers.

The meeting rose at 12.05 p.m.



Security Council

Seventy-fourth year

8625th meeting

Friday, 20 September 2019, 10.05 a.m.

New York

Provisional

President: Mr. Nebenzia/Mr. Safronkov (Russian Federation)

Members:

Belgium	Mr. Pecsteen de Buytswerve
China	Mr. Wu Haitao
Côte d'Ivoire	Ms. Niamke
Dominican Republic	Mr. Fiallo Billini Portorreal
Equatorial Guinea	Mr. Elé Ela
France	Mr. De Rivière
Germany	Mr. Heusgen
Indonesia	Mr. Ruddyard
Kuwait	Mr. Alotaibi
Peru	Mr. Meza-Cuadra
Poland	Ms. Wronecka
South Africa	Mr. Matjila
United Kingdom of Great Britain and Northern Ireland	Mr. Allen
United States of America	Mrs. Craft

Agenda

The situation in the Middle East, including the Palestinian question

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The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President (*spoke in Russian*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representatives of Israel and Jordan to participate in this meeting.

On behalf of the Council, I welcome His Excellency Mr. Ayman Safadi, Minister for Foreign Affairs and Expatriates of Jordan.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, to participate in this meeting.

In accordance with the provisional rules of procedure and previous practice in this regard, I propose that the Council invite His Excellency Mr. Riad Al-Malki, Minister for Foreign Affairs of the Observer State of Palestine, to participate in this meeting.

There being no objection, it is so decided.

On behalf of the Council, I welcome Mr. Al-Malki to today's meeting.

The Security Council will now begin its consideration of the item on its agenda.

I now give the floor to Mr. Mladenov.

Mr. Mladenov: Today, I will devote my regular briefing on the situation in the Middle East to presenting, on behalf of the Secretary-General, the eleventh report on the implementation of resolution 2334 (2016), which covers the period between 11 June and 11 September.

Let me reiterate that developments during the reporting period cannot be divorced from the broader context — Israel's continued military occupation of Palestinian territory, settlement activity and the threat of annexation; Hamas' continuing hold over Gaza and its militant activity; unilateral actions that undermine peace efforts; severe challenges to the fiscal viability of the Palestinian Authority; and the persistent risk of military escalation in the region. All those developments collectively erode the prospects for a two-State solution.

Paragraph 2 of resolution 2334 (2016) calls on Israel to

“immediately and completely cease all settlement activity in the occupied Palestinian territory, including East Jerusalem” [and to] “fully respect all of its legal obligations in this regard”.

No steps were taken to that effect during the reporting period. During this period, however, Israeli authorities advanced some 3,000 housing units in the occupied West Bank, including some 400 units in East Jerusalem. Among the plans advanced were 354 units in Nili, 346 in Beit El and 215 in Asfar, which are all located east of the route of the separation barrier. In addition, the Security Cabinet reportedly discussed on 30 July the advancement of another 6,000 housing units. However, in a rare step, the Government also approved granting construction permits for 715 housing units for Palestinians living in Area C.

A decision by the District Court in Jerusalem, published on 29 June, determined that under the so-called market regulation principle, four houses built in the Israeli settlement of Alei Zahav could be retroactively regularized under Israeli law, despite being built on private Palestinian land without the consent of the owner. The market regulation principle allows for houses built “in good faith” on private Palestinian land without the consent of the owner to be retroactively regularized under Israeli law and the owner compensated. The decision is the first implementation of this principle, according to which up to 2,000 housing units in settlements could be retroactively regularized. In response to the 23 August terrorist attack near Dolev, the Israeli Government decided to submit a plan for the establishment of a new neighbourhood in the settlement with approximately 300 new housing units. This decision is in line with the practice to expand settlements in the wake of attacks in the West Bank. Finally, on 29 August, a year after being evicted from a disputed building in Hebron's H2 area, several dozen Israelis moved into the compound, despite ongoing legal proceedings to determine ownership.

Demolitions and seizures of Palestinian-owned structures by Israeli authorities have continued across the occupied West Bank and East Jerusalem. Citing the absence of Israeli-issued building permits, which are nearly impossible for Palestinians to obtain in Area C and in East Jerusalem, 165 Palestinian-owned structures were demolished or seized during the reporting period,

which resulted in the displacement of 170 people, including 85 children. Of those, nine structures were demolished by their owners, including seven in East Jerusalem and two in Area C of the West Bank.

On 22 June, Israeli authorities demolished nine buildings in the Wadi Al-Hummus neighbourhood in the village of Sur Bahir in East Jerusalem, most of them located in Areas A and B of the West Bank, although on the “Jerusalem” side of the wall, citing their proximity to the separation barrier as a security concern. This resulted in the displacement of 24 Palestinians, including 14 children.

On 3 July, the authorities delivered several demolition orders for structures in the Hebron governorate, the first such orders based on military order 1797, which authorizes an expedited process for demolition of unauthorized new structures in Area C and gives owners only 96 hours to demonstrate to the authorities that they possess a valid building permit. During the reporting period, three structures have been demolished on the basis of this military order.

On 10 July, after a costly 24-year legal battle, a Palestinian family was evicted from its property in the Silwan neighbourhood of East Jerusalem and the premises handed over to Israelis. This was done after the Israeli Court ruled in favour of a settler-related organization, which had obtained ownership of much of the property.

On 26 August, the authorities demolished a house and a restaurant — the latter for the third time — in Beit Jala, displacing five Palestinians and affecting the livelihoods of another 32. Following the demolition, a new Israeli settlement outpost was reportedly established nearby, without a building permit from the Israeli authorities.

Resolution 2334 (2016) also “calls for immediate steps to prevent all acts of violence against civilians, including acts of terror, as well as all acts of provocation and destruction. However, the reporting period saw worrying levels of violence throughout the occupied Palestinian territory.

In the West Bank, including East Jerusalem, three Palestinians, including one child, and two Israelis, also including one child, were killed, and 336 Palestinians and 21 Israelis were injured in various incidents, including clashes with the Israeli Security Forces (ISF), security operations, attacks and settler-related violence.

On 27 June, in the Al-Issawiya neighbourhood of East Jerusalem, a 21-year-old Palestinian, who is alleged to have targeted Israeli forces with fireworks, was shot and killed by a policeman. Throughout the following two months, tensions in the neighbourhood remained high, as security forces have conducted raids, house searches and arrests. These operations have triggered clashes with residents and were usually conducted at night, causing disruption and trauma to residents and businesses.

According to the Office of the United Nations High Commissioner for Human Rights (OHCHR), on 30 June, three Israeli settlers physically assaulted a 70-year-old Palestinian man living near the Abraham Spring in the H2 area of Hebron. On 6 July, a group of seven Israeli children physically assaulted a 10-year-old Palestinian child near the Al-Ibrahimi Mosque in the H2 area of Hebron. On 12 July, a nine-year-old Palestinian boy was shot in the forehead by the ISF during clashes in Kafr Qaddum, in the West Bank, and remains in critical condition.

On 8 August, a 19-year old Israeli was stabbed to death in the West Bank, close to the settlement of Migdal Oz, south of Bethlehem. Two Palestinian suspects were later arrested by the ISF. On 15 August, two Palestinian teens stabbed and injured an Israeli police officer in Jerusalem’s Old City. One of the assailants was shot and killed. On 16 August, two Israeli teens were injured in a car-ramming attack near the settlement of Elazar, south of Bethlehem. The 26-year-old driver was shot and killed by an off-duty policeman. On 23 August, an improvised explosive device was detonated near the settlement of Dolev, northwest of Ramallah, killing a 17-year-old Israeli girl and severely injuring her father and brother. According to the OHCHR, a Palestinian family was forced to leave its home in the West Bank village of Urif after repeated attacks over the past year.

Tensions in Jerusalem’s Old City also continued. On 10 August, the Muslim Eid Al-Adha and the Jewish commemoration of Tisha B’Av coincided, which led to tensions at the holy sites. Israeli authorities allowed Jewish visitors to gain access to Al-Haram Al-Sharif/ Temple Mount on that day under police protection. In the days before the holiday, Muslim religious leaders had urged worshippers to come en masse to Al-Aqsa Mosque for Eid prayers. Clashes between police forces and worshippers reportedly resulted in 29 Palestinians and four Israeli security officers being injured.

In Gaza, the overall levels of violence and ensuing casualties have decreased during the reporting period, but tension continues. The Israel Defence Forces (IDF) continues to use riot dispersal means and live ammunition against the continuing Great March of Return demonstrations. In this context, four Palestinians, including two children, were killed, and 496 were injured by live fire. Some 10 Palestinian militants, meanwhile, were killed in other incidents, and 13 were injured, while one Israeli soldier was injured by a grenade thrown across the fence, and three were injured in other incidents.

In the same period, 33 rockets and mortar shells were launched from Gaza towards Israel. Most were intercepted but 18 landed in Israeli towns, causing material damage. Although fewer incendiary kites, balloons and other devices have been launched from Gaza compared to the last reporting period, at least 140 fires were reported in Israel.

In a worrying development, on 27 August, three Palestinian policemen were killed, and three pedestrians were injured in two separate apparent suicide explosions targeting police checkpoints inside Gaza. On 6 September, the Israeli Security Forces shot and killed two Palestinian teenagers, aged 14 and 17, during the Great March of Return demonstrations at the Gaza perimeter fence. On 7 September, according to the IDF, an armed drone launched from Gaza dropped an explosive device on an Israeli military vehicle at the perimeter fence. In retaliation the IDF struck a number of Hamas targets in Gaza.

Separately, between 23 and 27 June, three men were arrested and reportedly subjected to ill treatment during interrogation by Hamas for organizing a charity event coordinated with a non-governmental organization connected to Israel. Between 6 and 8 August, at least four men were detained after they criticized Hamas on social media. All were subsequently released.

Resolution 2334 (2016) calls upon the parties “to refrain from provocative actions, incitement and inflammatory rhetoric”. Unfortunately, such actions continued during the reporting period. On 12 July, a senior Hamas official called on Palestinians overseas “to attack every Jew on the globe by way of slaughter and killing,” telling them “enough of the warming up”. The official’s statement was condemned as repugnant by the Palestinian Authority, and Hamas later said that it did not represent the organization’s views. On several

occasions, however, officials from Hamas and other Palestinian factions welcomed and celebrated stabbing, car ramming and bombing attacks against Israelis in the occupied West Bank, calling the perpetrators heroic. Fatah officials also continued to honour and glorify perpetrators of past terrorist attacks.

Israeli officials also made provocative and inflammatory statements. Leading politicians have sought to publicly minimize the connection of Palestinians to their ancestral land, called for the annexation of Israeli settlements in Area C of the West Bank, and rejected the notion of Palestinian Statehood. During a visit to Hebron on 4 September, senior Israeli officials reiterated pledges for the expansion of settlements there and the annexation of the city. Further, on 10 September, the Prime Minister declared his intention, if elected, to “apply... Israeli sovereignty over the Jordan Valley and the northern Dead Sea”, as a first step to applying Israeli sovereignty over

“settlements in Judea and Samaria, as well and also on other important regions for [Israel’s] security, for our heritage, and for our future”.

Resolution 2334 (2016) reiterated calls by the Middle East Quartet for affirmative steps to be taken immediately to reverse negative trends on the ground that are imperilling the two-State solution. Some positive developments were witnessed during the reporting period, but they were once again overshadowed by negative trends.

In Gaza, the United Nations and its partners continued to implement the critical economic and humanitarian interventions identified in the last two reports of the Office of the United Nations Special Coordinator for the Middle East Peace Process to the Ad Hoc Liaison Committee for the Coordination of International Assistance to Palestinians. With those efforts, the energy supply to households in Gaza has more than doubled and some improvements in the economy have been felt. A slight decrease in the unemployment rate to 46.7 per cent in the second quarter of 2019, from 47 per cent, was reported.

Qatar has continued to generously fund the supply of fuel to the Gaza power plant and the daily availability of electricity has more than doubled. More than 10,000 jobs, including 3,000 for women, have been created by the United Nations Development Programme, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and other United

Nations agencies. Some easing of the import and export restrictions by Israel, additional permits, as well as the extension of the permitted fishing zone to 15 nautical miles from the coast and the return of confiscated fishing boats, are also welcome developments.

Despite those efforts, Gaza's health-care system remains on the brink of collapse. In July, 44 per cent of essential medicines in Gaza were completely depleted and 26 per cent of essential medical disposables had less than one month's supply remaining. Over 1,000 people injured in Gaza will require complex limb reconstruction treatment and may risk losing limbs due to infection.

On 22 August, Israel and the Palestinian Authority reached an arrangement, whereby the Palestinian Authority received on an ad hoc basis approximately \$568 million in reimbursed taxes levied by Israel on fuel. While providing some temporary relief, the Palestinian Government's ability to deliver services remains severely affected by the continued disagreement over the bulk of the tax revenue transfers.

On 27 August, Palestinian families demonstrated throughout the West Bank and Gaza, calling for the return by Israel of the bodies of the Palestinians killed, while allegedly carrying out attacks on or clashing with the Israeli security forces. In a decision on 9 September, the Israeli High Court of Justice reversed an earlier ruling and decided that Israel is authorized to withhold Palestinian bodies. According to the Palestinian Authority, 253 such bodies are being withheld by Israel. Sadly, almost two years after the reconciliation agreement brokered by Egypt, internal Palestinian divisions remain deeply entrenched.

The generous support of Member States to date has allowed UNRWA to reduce its funding shortfall from \$211 million in January 2019 to \$120 million. As a result, half a million Palestinian children resumed school on time this year. In East Jerusalem, however, UNRWA has reported on efforts by the Jerusalem municipality to interfere with its work, including obstructing solid waste services in Shuafat camp, replicating sanitation services and attempting to enter an UNRWA vocational training centre in Kalandia without authorization by the Agency.

In its paragraph 5, resolution 2334 (2016) calls on Member States "to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied in 1967". I note ongoing

separate proceedings in the European Court of Justice and the Federal Court of Canada related to the labelling of products originating in Israel and the territories occupied in 1967. The resolution also calls upon all parties to continue, inter alia, to exert collective efforts to launch credible negotiations. No meaningful efforts were made in that direction during the reporting period.

In closing, on behalf of the Secretary-General, I would like to share some broad observations concerning the implementation of resolution 2334 (2016) during the reporting period.

The expansion of settlements has no legal validity and constitutes a flagrant violation of international law, as stated in resolution 2334 (2016). It must cease immediately and completely. The expansion of illegal Israeli settlements in the occupied West Bank, including East Jerusalem, continues unabated. The existence and expansion of settlements, including in East Jerusalem, fuel anger and disillusionment among the population and significantly undermine the prospects for establishing a contiguous and viable Palestinian State, with Jerusalem as the future capital of both States.

I reiterate the Secretary-General's concern over statements regarding the annexation of the Jordan Valley and the northern Dead Sea as a first step towards applying Israeli sovereignty over all settlements and other areas in the occupied West Bank. Such steps, if implemented, would constitute a serious violation of international law. They would be devastating to the potential of reviving negotiations and regional peace, while severely undermining the viability of the two-State solution.

The demolition and seizure of Palestinian structures also continues. The Sur Bahir demolitions and the evictions in Silwan, as well as the use of military order 1797 to demolish structures, are particularly concerning. Some 200 Palestinian families in East Jerusalem have eviction cases filed against them, mostly by settler-related organizations. The number of structures demolished and people displaced since the beginning of 2019 has already exceeded figures for the entire year of 2018. Such policies must be reversed, and Israel should abide by its obligations under international law.

The situation in Gaza remains volatile. It is shameful and intolerable that people, including children, continue to be killed and injured during demonstrations and by indiscriminate rocket attacks or other hostile acts. The Israeli security forces have the responsibility to

exercise maximum restraint and to use lethal force only when strictly necessary, as a last resort, in response to an imminent threat of death or serious injury and in accordance with international law. Children should never be the target of attacks or exposed to violence. The launching of rockets and mortars towards Israeli civilian populations is prohibited by international humanitarian law, and Hamas and the Palestinian Islamic Jihad must cease that practice immediately.

I unequivocally condemn all attacks on Palestinian and Israeli civilians, including settler-related violence, and call on all sides to refrain from violence and to clearly and unequivocally condemn attacks when they occur. All perpetrators must be held accountable for their crimes. I also reiterate the call for the status quo at the Holy Sites to be upheld, in line with the special and historic role of the Hashemite Kingdom of Jordan as custodian of the Muslim and Christian holy sites in Jerusalem.

I remain deeply concerned about developments relating to the clearance of revenues of the Palestinian Authority. Despite the Palestinian Authority's temporary reprieve as a result of the reimbursed taxes levied by Israel on fuel, the financial crisis is very far from over. I urge both sides to engage in a constructive manner with the goal of restoring the revenue transfers in full, in line with the Paris Protocol on Economic Relations.

I would like to also reiterate that the fate of two Israeli civilians and the bodies of two Israeli Defence Forces soldiers missing in Gaza remain an important humanitarian concern for all of us.

Despite our sustained efforts, the deteriorating humanitarian and economic situation in Gaza is a mounting concern. It is not possible to genuinely and sustainably improve the socioeconomic situation there without significantly easing restrictions on the movement and access of goods and people, with the goal of ultimately lifting them, in line with resolution 1860 (2009), and by reuniting Gaza and the West Bank under a single, legitimate Palestinian national authority. At the same time, it is critical to ensure that the current calm be sustained in order to gradually introduce longer-term projects that will support Gaza's development.

I reiterate the call on all Palestinian factions to actively engage with Egypt on reconciliation. Despite the challenges, it is critical that those efforts continue.

The United Nations remains steadfast in its support of Egyptian efforts in that regard, and all Palestinian factions must take concrete steps to ensure the reunification of Gaza and the West Bank. Gaza is and must remain an integral part of a future Palestinian State as part of the two-State solution.

As we approach third anniversary of the adoption of resolution 2334 (2016), we can only lament the worsening situation on the ground. Settlements have expanded, demolitions have accelerated, violence and incitement have continued. Achieving intra-Palestinian unity seems an ever-more distant prospect, and credible negotiations have yet to be launched.

It is hard to tolerate the steady deterioration of the already difficult status quo. It reflects the collective failure of leaders, politicians and the international community to deliver on the vision that peace between the State of Israel and the State of Palestine can be achieved through peaceful negotiations, with support from the international community, based on the 1967 lines, international law, relevant United Nations resolutions and previous agreements.

There is no other viable solution to end the conflict. Those who continue to support a two-State outcome must acknowledge that derailing that prospect means that Palestinians and Israelis are facing a grim future of perpetual occupation, endless violence and threats to regional stability.

The President (*spoke in Russian*): I thank Mr. Mladenov for his briefing.

I now call on the Minister for Foreign Affairs of the Observer State of Palestine.

Mr. Al-Malki (Palestine) (*spoke in Arabic*): I would like to begin by expressing my sincere thanks and gratitude to the President of the Security Council and the Russian delegation for their able leadership of the Council and for convening this important meeting. We also thank Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, for presenting the report of the Secretary-General on the implementation of resolution 2334 (2016). I also welcome His Excellency Mr. Ayman Safadi, Minister for Foreign Affairs and Expatriates of the sisterly Hashemite Kingdom of Jordan.

We listened today to the eleventh report of the Secretary-General on the implementation of resolution

2334 (2016). Unfortunately, it lists only further crimes, violations and arbitrary, as well as illegal Israeli policies. As was the case with previous reports, its outlook is not at all promising in terms of progress in the implementation of the resolution's provisions.

That leads us to wonder: In requesting the Secretary-General to submit these required reports, did the Security Council not intend to follow up on the implementation of the resolution on the ground, assess the parties' commitment to it and consequently take the necessary measures to ensure its implementation? We do not believe that the purpose of the Council's request for periodic reports by the Secretary-General was to listen only to the extent of violations of international law and the number of civilian casualties and ignore the reports' warnings about the diminishing prospects for peace, further incitement, violence and settlement activities.

At the next presentation of the report of the Secretary-General, we will not expect to hear any mention of positive steps towards the implementation of 2334 (2016), as long as there is no motivation or deterrence that would lead Israel to reconsider its military occupation of our Palestinian land, cease targeting Palestinians civilians and reverse its expansionist colonialist settlement activity, which preclude all hope of ending the illegal occupation of our territory and may render the two-State solution within the 1967 borders all but impossible.

Israel is not committed to upholding the relevant resolutions or the Charter of the United Nations; it has never respected the rights of the Palestinian people or recognized the Palestinian people's natural right to self-determination and to establish their independent and free Palestinian State. Israel has arrogantly continued to violate international law and resolutions without any regard for either, believing that it enjoys an exceptional status that affords it the right to assault the rights and territories of others and shields it from criticism and accountability.

Israel's disregard for the rights of the Palestinian people and for the security of the region as a whole has reached the point at which our precious national territories are presented as gifts to bribe extremist right-wing Israeli groups and win their votes. Netanyahu's declaration that he intends to annex occupied land in the valleys and the area north of the Dead Sea is merely a criminal's confession of the crime he has perpetrated. Will the criminal enjoy impunity?

Israel's systematic attempts to change the demographic and geographic structure of the Palestinian land, including East Jerusalem, occupied since 1967 are illegal and rejected, and will not change the legal status of Palestinian territory as occupied. Nor will such attempts legitimize the Israeli occupation of our land. The intention of the occupation authorities has been revealed. It is to usurp the occupied land by force, annex it, forcibly displace Palestinians and transfer Israeli citizens to our lands, which is in stark violation of international humanitarian law and constitutes war crimes under the Rome Statute.

Israel is the occupying Power. It has imposed an illegal blockade on the Gaza Strip, built an expansion racist wall in the West Bank and isolated occupied East Jerusalem. It deliberately murders a nurse and a journalist, kidnaps a child sleeping in his own bed at night and shoots him in the head or heart in a cowardly manner. It prevents a young girl from going to school in Khan Al-Ahmar; it demolishes a family home in Sur Baher; it stops a young man from Gaza from travelling abroad to pursue his studies or a woman from receiving urgent health care; it deprives a man of the right praying in Jerusalem; and it protects settlers who have seized a Palestinian house and forcibly taken up residence therein.

Israel also carries out provocative activities at Al-Haram Al-Sharif and other holy sites. It rejects the international presence documenting its racist practices in Hebron. It establishes arbitrary military checkpoints extending from the far north to the far south of our occupied land. It storms Palestinian villages and refugee camps searching for anyone who rejects its injustice and suppression, and locks away in its prisons and detention centres anyone who seeks freedom and dignity. It pillages our money and natural resources and refuses to accept any criticism at the United Nations or any other international forum.

Is that reasonable? Israel, the occupying Power, continues to create new realities on the ground with the purpose of changing the nature of the final status, while seeking to subjugate the Palestinian people, antagonize their leadership and blackmail their Government, while rejecting the implementation of all signed bilateral agreements. It imposes further absurd conditions requiring the Palestinian side to be content with that reality and accept the little offered to it, as though this were the only road that we can take in order to achieve

a fair and lasting peace among the peoples of the region and ensure the safety of future generations.

Is there anyone in the Council who would accept such a settlement? Our rights are not mere aspirations, and they are not to be compromised. We are a proud people, our land is precious, and our just cause is not for sale.

In fact, a peace plan that does not consider the presence of Israel on our land an occupation and considers the two-State solution a mere slogan, while it sees that the international resolutions and the agreed terms of reference are obsolete and out of date, as well as expecting from the international community as a whole to anticipate that the Palestinians would accept such a situation, runs counter to the conditions for peace. Any serious negotiation process must be based on ending the occupation since 1967, including that of East Jerusalem, within a set time frame and with the aim of addressing all final-status issues in line with the internationally agreed parameters, the relevant United Nations resolutions and the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet road map, as well as the two-State solution and the establishment of an independent Palestinian State within the 1967 borders, with East Jerusalem as its capital under international sponsorship, in line with the statement of President Mahmoud Abbas to the Council in February 2018 (see S/PV.8183).

It is not a Palestinian condition or argument, as some claim, to avoid dialogue, reject negotiations or obstruct peace. It is the settlement to which the entire world agreed. Today we reiterate our acceptance of that solution and our commitment to it. The reference to international law for negotiation is a requirement of common sense for any negotiation process and political initiative to resolve a conflict.

The Palestinian question must not be an exception. It is not reasonable that international resolutions be selectively implemented based on narrow interests.

(spoke in English)

While important, it is not enough to declare that there is no plan B. We need to identify the means for plan A to prevail and to be aware of the alternative reality that Israel is creating on the ground.

In order to be able to counter it, let us give it a name. It is not a one-State reality but an apartheid

reality. The will of peacebuilders needs to prevail over that of bulldozers.

In that regard, allow me to commend the steady and consistent positions expressed by Security Council members and the international community at large by demonstrating how deeply rooted and constant the international consensus for just and lasting peace is. I also wish to thank all those that provide support to the Palestinian people, including Palestinian refugees through the United Nations Relief and Works Agency for Palestine Refugees in the Near East. We also commend the strong response of the Arab world, the Organization of Islamic Cooperation and freedom- and peace-loving nations around the world to provocative statements regarding the annexation of Palestinian land.

I also take this opportunity to thank Jordan for its role in support of the rights of the Palestinian people and as custodian over the Christian and Islamic holy sites in East Jerusalem, including its role in protecting the historic status quo of Al-Haram Al-Sharif.

In adopting its resolutions, including resolution 2334 (2016), the Security Council was motivated by the pursuit of international peace and security in fulfilment of its mandate. However, stating the law is not enough. We must find the channels to act so as to ensure its enforcement. Each country represented here at the United Nations can further contribute to peace by upholding its obligations, including pursuant to resolution 2334 (2016). Member States should do that, first, by supporting our rights, including to self-determination and their fulfilment, and by providing humanitarian and development assistance to the Palestinian people. Secondly, they should not recognize Israel's illegal activities, including those that seek to alter the character and status of Jerusalem. Thirdly, they should not support or assist illegal settlement activities. Fourthly, in their relations Member States should distinguish between the territory of the State of Israel and the territories occupied since 1967. Fifthly, they should ensure accountability, since impunity is the greatest obstacle to peace.

We should make no mistake. At the United Nations the real bias towards Israel shields it from accountability. Impunity is the greatest obstacle to peace, as it allows the occupying Power to take advantage of its occupation instead of facing the consequences and promotes illegal actions instead of ensuring compliance with the law.

A State that believes that it is beyond the law will be tempted to continue to act as an outlaw State.

For the sake of peace, the benefit of all peoples of the region and the authority of international law, we must urgently and collectively act to change course, restore hope and achieve a just and lasting solution to the conflict. We seek justice, not vengeance, freedom, not conditional liberty, and peace, not apartheid.

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

Mr. Danon (Israel): I would like, Sir, to recognize your presidency of the Security Council this month and to welcome Ambassador Kelly Craft. We welcome her presence here and look forward to her voice being heard on behalf of the American people.

We look forward to hearing what the Hashemite Kingdom of Jordan considers the security challenges in the Middle East. We value our relationship with the Kingdom. Our peace treaties with Jordan and Egypt provide a framework for reconciliation and security for the rest of the region. That peace is based on mutual respect and recognition and an understanding that our peoples face mutual challenges that demand cooperation.

Today I will share our perspective on the greatest challenges that every nation in the region, including Jordan, Egypt, Saudi Arabia, Iraq, Yemen and the Islamic Republic of Iran face. For years, Israel has too often been the lone voice in the international community calling attention to the danger and threats that the Iranian regime poses to its people, the region and the world. Many try to paint Israel as the boy who cried wolf. In truth, Israel is like the boy in the Dutch story who plugs a hole in the dyke with his finger, holding back the dangerous sea.

Today we have more partners and allies standing with us at that dyke preventing the sea from engulfing the town. That sea is the Iranian regime.

For more than 40 years, Iran has exported bloodshed and chaos. Let us consider what has transpired over the past few weeks alone. Only this weekend, a strike against the oil processing facilities in Abqaiq and Khurais in Saudi Arabia sent oil prices skyrocketing and threatened to destabilize the international energy market. Iran is trying to hide behind the Houthi militia, which it is funding and arming. But make no mistake that such as attack has Iran's fingerprints all over it.

Last month Iran attacked international shipping vessels in the Strait of Hormuz and shot down a United States drone in international airspace. After we discovered its secret nuclear warehouse in Turqzabad, which we exposed to the world last year, the regime covered up the site, trying to hide its violations. That was not the first time that Israel has caught the Iranians lying regarding their nuclear programme. Last week the International Atomic Energy Agency reported that it had found traces of uranium at the site, proving beyond a shadow of a doubt Iran's violations.

While Foreign Minister Zarif smiles and pretends to extend his hand in friendship, it is the Quds Force commander, Qasem Soleimani, who executes Iran's real destabilization strategy, sowing chaos and destruction at the instruction of Supreme Leader Ayatollah Khamenei. If we were to consider only these most recent examples, it is clear that Iran is building its own case for why it is deserving of international sanction and condemnation. We have 40 years' worth of examples.

I recount this recent behaviour to demonstrate that Iran poses the greatest danger to regional stability and security. Iran must be stopped — not with smiles and handshakes, but with economic, political, diplomatic and any other pressure, as necessary. I call on the members of the Council to act against the Iranian violations and exert greater pressure on Iran. Faced with a regime that has genocidal ambitions and the largest stockpile of ballistic missiles in the region and spends billions of dollars a year supporting terrorist organizations on our border, Israel must take every threat seriously and act accordingly. We must be able to defend ourselves.

Israel is a small country with narrow borders, yet in negotiation with Egyptian President Anwar Sadat, we returned the vast Sinai peninsula in exchange for peace. We did this because this came with a guarantee of security. This means defensible borders, something that every nation in this Chamber and around the world is entitled to. Currently our borders are threatened by the same strategy of aggression and terror that Iran applies to the region. On 24 August, the Israel Defense Forces prevented a large-scale terror attack in which the Quds Force had plotted to send explosive drones into Israel for one purpose: to kill Israelis. They did not intend to launch those drones from Iranian territory but rather from Syria, just outside Damascus.

We know that Iran does not operate just in Syria. It also operates in Lebanon, through its proxy Hizbullah,

an internationally designated terrorist organization. On 1 September, Hizbullah fired several anti-tank missiles from southern Lebanon, targeting and hitting an Israeli military outpost and vehicle in northern Israel. This flagrant violation of Israel's sovereignty marks yet another stage in Hizbullah's ongoing efforts to attack Israel. Furthermore, as we discussed here in the Council a few weeks ago, Iran has been converting rockets in Hizbullah's arsenal into precision-guided missiles. We cannot and will not allow it.

The Quds Force again oversaw this operation, which established facilities across Lebanon, including in Beirut. Israel will continue to act against these threats. Israel will continue to do whatever is necessary to protect its civilians and national security interests. Any country that would allow attacks against Israel from its territory should and will bear the consequences.

We are looking forward to hearing Jordan's position. Nonetheless, Israel has its own position, one that guarantees defensible borders for our country. Israel cannot have defensible borders without control of the Jordan Valley. In his final speech before the Knesset, Israel's former Prime Minister, Yitzhak Rabin, said:

“The security border of the State of Israel will be located in the Jordan Valley in the broadest meaning of that term.”

Prime Minister Netanyahu repeated this exact phrase last week. Defensible borders are not just required for Israel's security but are a necessary condition for regional stability. We would never accept a situation in which Iran also conducts its terrorist strategy from the outskirts of Ramallah and in the Judean hills overlooking our Ben Gurion airport, Tel Aviv and Israeli civilian and financial centres. Their belief that Israel should compromise on its claims would sacrifice our security and potentially our existence on the altar of political expediency after a misreading of the regional situation.

This position is consistent not only with the resolutions of the Security Council but also with our right to self-defence and self-determination, which form the very basis of the United Nations Charter. That is our firm position. We understand that Jordan and others have their own stances; these differences create an opportunity for dialogue.

As we have always said, we would like to move the political process forward. We welcome the efforts of

the United States Administration to revive meaningful dialogue. We are still ready to engage in direct bilateral talks with the Palestinians. Will they come to the table? Will Foreign Minister Al-Malki come to the table to negotiate with us directly, bilaterally? We are waiting for that day. Would Mr. Abbas or Prime Minister Shtayyeh sit with Israel? It is only half an hour between Ramallah and Jerusalem. We can come to them, or they can come to us. Or will the Palestinian leadership continue down its own unilateral path to avoid making the bitter concessions necessary to bilateral negotiations?

The Arab States, the United Nations and other members of the international community ask themselves what they can do to break the stalemate and promote peace. The answer is simple: stop enabling Palestinian rejectionism, pull the Palestinians back from their maximalist demands and urge the leadership to come to the negotiating table without preconditions. Today, like every day for the past 71 years, Israel remains willing to discuss the political process. We are here, ready, waiting for a partner to decide that it is time to look forward, not backwards, and build a brighter future for our people.

The President (*spoke in Russian*): I now give the floor to those members of the Council wishing to make statements.

Mr. Alotaibi (Kuwait) (*spoke in Arabic*): At the outset, I would like to welcome His Excellency the Minister for Foreign Affairs of the State of Palestine, Mr. Riad Al-Malki, and His Excellency the Minister for Foreign Affairs and Expatriates of the Hashemite Kingdom of Jordan, Mr. Ayman Safadi, to our meeting. I also thank Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process, for his eleventh briefing on the implementation of resolution 2334 (2016). We commend the efforts that he has undertaken to implement his mandate, which we fully support.

In paragraph 2 of resolution 2334 (2016), the Council demands that

“Israel immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem, and that it fully respect all of its legal obligations in this regard”.

It is for this reason that in my intervention I would like to underscore the main following points.

First, the Israeli occupying Power continues to build and expand illegal settlements in the occupied

State of Palestine, including in East Jerusalem. This is a clear message that proves the determination of Israel to defy the will of the international community, international law and international resolutions. We regretfully reiterate that international inaction has clearly encouraged Israel to persist in its defiance and obstinacy.

Secondly, as Mr. Mladenov has repeatedly said in this Hall, most recently today, new settlements are being built and the annexation of territory in the West Bank and in East Jerusalem undermines the possibility of creating a Palestinian State, in conformity with the relevant Security Council resolutions and the two-State solution.

Thirdly, Israel, the occupying Power, has continued to take measures and adopt policies that defy international public opinion by announcing recently the construction of more than 2,300 housing units in the West Bank. This recent measure was followed by the provocative announcement concerning the annexation of territories occupied in 1967, in stark violation of international law, the Charter of the United Nations and relevant international resolutions, including resolutions 242 (1967) and 338 (1973).

Fourthly, Israel's illegal plans to annex Palestinian territories has led to an increase in the number of settlers and, as a result, in the number of violent and criminal attacks waged by the settlers against Palestinian civilians, under the very noses of the Israeli occupying forces.

Fifthly, more than ever before, the international community is clearly responsible for upholding international law and holding Israel accountable for all its violations, including the seizure of Palestinian buildings and homes, the arbitrary arrest of Palestinian civilians and such unilateral decisions as depriving the Palestinian Authority of part of its tax revenue, putting pressure on the United Nations Relief and Works Agency for Palestine Refugees in the Near East and using live ammunition against demonstrators taking part in the Great March of Return. Those actions could constitute war crimes and crimes against humanity.

In conclusion, the absence of serious measures to ensure accountability, pursuant to resolution 2334 (2016) and other United Nations relevant resolutions calling on the Israeli occupying authority to abandon to its illegal policies and measures in the occupied territories, including East Jerusalem, and end the

occupation, which has lasted more than 50 years, has unfortunately led to additional flagrant violations by the occupying Power. Nevertheless, we still believe that a lasting, comprehensive and fair solution must end occupation in accordance with agreed terms of reference, namely, relevant Council resolutions, the principle of land for peace, the road map and the Arab Peace Initiative based on the two-State solution — with a view to the Palestinian people recovering all their legitimate political rights and establishing their own independent State on their territory, with East Jerusalem as its capital.

Mrs. Craft (United States of America): As the Council is aware, this is my first time participating in this monthly briefing. With this in mind, I would like to step back for a moment and speak broadly on how I intend to approach issues related to the State of Israel.

First, I believe it is important to be clear on serious matters. So allow me to be clear on the relationship between the State of Israel and the United States of America. In the past, the United States has always supported Israel, the United States supports Israel today, and the United States will always support Israel going forward. Israel will have no better friend than Kelly Craft.

Unfortunately, on matters related to Israel at the United Nations, many Member States do not play fair. I could speak endlessly about the excessive attention Member States give to the affairs of Israel, including complaints, unwarranted criticism and the incessant number of resolutions condemning this great nation.

However, I do not wish to dwell on those well-worn points. As a person who finds value in emphasizing the positive, I wish to, instead, highlight Israel's astonishing record of achievements. Since its creation, Israel has served as a refuge and sanctuary for those fleeing persecution and repression. A vibrant and accomplished democracy, Israel has stood tall and steadfast despite constant threats to its peace and security. All the more impressive is that, in this threatening environment, Israel strongly supports press freedom, defends gender equality and houses a robust and innovative free-market economy. And in opposition to what has been stated here, Israel is a nation that deeply respects the rule of law. Indeed, we have much to learn from her.

Further, as a hub for innovation, Israel has cultivated and earned its reputation as a start-up nation. It is a global leader in research and development and

has a vast network of international collaboration in this space. In fact, it is a leading investor in research and development as a percentage of gross domestic product and has been home to 5,000 new start-ups in the past 10 years alone.

Much like the way they built their great nation, Israelis have used their spirit of courage, faith in education and dogged determination to help their brothers and sisters around the globe. Many nations that are eager to condemn Israel should instead study its resolve, its constant efforts toward making the country stand as first among equals to any of the modern world and its benevolent pursuits in arts and sciences. In so doing, I believe a different picture will emerge — one that showcases all that Israel is and all that the world can gain from this great nation.

Please do not mistake my remarks here. My statement is not meant to indicate that other issues discussed here today, including the continued violence and terror from Hamas in Gaza, as described by Mr. Mladenov in his briefing, are not important. However, as we sit in this building that was created as a hall of peace, I believe it critically important that we acknowledge that no country should face the ceaseless barrage of unwarranted criticism, one-sided antagonism or repeated negative spotlight.

The United States remains tirelessly committed to supporting Israel's fair treatment here in this organ as well as in the United Nations system in general. Further, it should come as no surprise that this is one of my chief priorities. The United States stands with our close friend and partner and will continue to oppose actions and statements that unfairly single it out. And as the representative of the United States to the United Nations, I will work relentlessly to fight every effort that seeks to delegitimize Israel or undermine its security. It is inexcusable that persuasive anti-Israel bias still exists in the United Nations and that we continue to witness attempts by some States Members of the United Nations to undermine Israel's standing as a full member of the community of nations. The United States vigorously opposes all such efforts.

As I said when opening my remarks, I believe it is very important that I be clear on serious matters, so allow me, once again, to be clear on the relationship between the State of Israel and the United States — in the past, the United States has always supported Israel, the United States supports Israel today and the United

States will support Israel going forward. Israel will have no better friend than Kelly Craft.

Mr. Ruddyard (Indonesia): Let me begin by thanking the delegation of the Russian Federation for convening this briefing and for presiding over the Security Council for the month of September.

I would also like to thank Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process, for his briefing. On behalf of my delegation, let me also welcome the Foreign Minister of Palestine, Mr. Riad Al-Malki, and the Foreign Minister of Jordan, Mr. Ayman Safadi, to this meeting.

Exactly one month ago, in this Chamber, the Council met in the spirit of responsibility to address the agenda item entitled "Maintenance of international peace and security: Challenges to peace and security in the Middle East" (see S/PV.8600). At that meeting, Member States expressed their views on the way forward for the Middle East, underlining the primacy of multilateralism and international law in our endeavour to achieve lasting peace in the Middle East.

Last week, however, the incumbent Prime Minister of Israel openly declared that if re-elected, he would annex parts of the West Bank. Against that backdrop, I would like to stress the following points.

First, we must denounce any act that undermines multilateralism and international law. There are times when it is dangerous to mince words. This is one of them. Indonesia unequivocally condemns Mr. Netanyahu's arrogant proposal. We affirm that such a proposal is not designed to — nor can it possibly — yield security or stability for Israel or for the region. If anything, the plan would bury the prospects for a negotiated two-State solution between Israelis and Palestinians upon which United Nations policy has rested for decades and the work of the Quartet has depended for so long. Secretary-General Guterres has already described the plan as being devastating to any hope of peace. Similarly, at the extraordinary meeting of Council of Foreign Ministers of the Member States of the Organization of Islamic Cooperation last Sunday in Saudi Arabia, the Organization strongly rejected and condemned Mr. Netanyahu's stated intention.

My second point is that the Council must assert its authority in the event of any violation of international law and relevant United Nations resolutions. For the Council, this is a very straightforward matter. In

resolution 2234 (2016), *inter alia*, the Council stressed that it would not, I repeat, would not, recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations. The Council affirmed that Israel's establishment of settlements in the Palestinian territory constitutes a flagrant violation of international law. Not only does it threaten peace between them and in the region, it also promises permanent insecurity.

Lastly, I would like to also remind us all of the suffering of the Palestinian people in the occupied Palestinian territories and of Palestinian refugees. While we defend the hope of a two-State solution, let us not forget the humanitarian crisis facing our Palestinian brothers and sisters. We need to remain steadfast in our efforts aimed at assisting the Palestinian people, not only for humanitarian reasons, but also to enhance the capacity of Palestinians to fully govern themselves. To this end, we need to renew our commitment to supporting all possible avenues by lending our utmost assistance to the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and by strengthening our joint efforts through any possible means.

Indonesia wishes to reiterate that a peaceful resolution of the Palestinian issue can only be found in the vision of two States coexisting within internationally agreed parameters. We call on the international community to come together to put the peace process back on track and implement the two-State solution. This is the only way to ensure that dangerous proposals such as this do not arise again in future.

Mr. Matjila (South Africa): I would like to begin by thanking Mr. Mladenov, the Special Coordinator for the Middle East Peace Process, for his briefing on the situation in Israel and Palestine and welcome Ministers for Foreign Affairs Al-Malki and Safadi of the State of Palestine and of Jordan to the Security Council.

As we and many other delegations have stated in the Council before, the only true and just resolution to the situation in the Middle East is one built on the two-State solution, based on the 1967 borders and with East Jerusalem as the capital of an independent, sovereign Palestinian State, in keeping with resolution 242 (1967), of 22 November 1967.

The continued disrespect and disregard for the prevailing and long-standing peace process, such as the systematic foreclosing of final status issues, particularly

with regard to the borders, the status of Jerusalem and continued settlement expansion, is deeply disturbing. The recent pronouncement by Israel on the possible annexation of large parts of the West Bank has gone unchallenged and further undermines prospects for peace. The continued expansion of settlements in the occupied Palestinian territories deliberately violates international law, undermines prospects for peace and contravenes decisions of the Security Council.

Since 1948, or 71 years ago, the Council has adopted numerous resolutions, including resolution 42 (1948), of 5 March 1948, resolution 43 (1948), of 1 April 1948, and others in 1944, 1945, 1947, 1948 and 1949 — we can go on and on. All in all, there has been a total of 72 Council resolutions, with zero implementation. What does that say about the Council?

As we sit here today, thousands of Palestinians live in fear of having their homes and schools destroyed, their property confiscated and their already severely limited freedoms further curtailed. Yet the Council has been unable to act to address these ongoing blatant violations of international law. Just yesterday, it deliberated on the protection of civilians and the dire humanitarian situation in Syria (see S/PV.8623). When will the Council address these same concerns with regard to the Palestinian people? When?

The Security Council's lack of action reduces it to a body unable to uphold its own decisions, whose credibility is being eroded. Therefore, South Africa continues to insist on the full implementation of resolution 2334 (2016) and underscores that violations of Security Council resolutions would in any other case lead to strict measures against the party responsible. In this regard, and in accordance with resolution 2334 (2016), my delegation also strongly calls for written reports by the Secretary-General on the matter.

South Africa believes that the Council should make every effort to restore trust in the legitimate peace process that has been pursued for decades and prevent the further development of antagonism between Israel and Palestine. The exchange of hostilities, including rocket fire and bombings in Gaza, remains a case in point and is deeply concerning. My delegation remains deeply troubled by the continued violations of human rights in the occupied territories and emphasizes that such violations only contribute to fostering hatred and divisions between Palestinians and Israelis. In the place of such antagonistic gestures as the building of

additional barriers and walls, the closing of schools and the killing of civilians, the Council should encourage gestures of hope and the building of trust between Israel and Palestine, which have been lacking in recent times.

In conclusion, my delegation would like to reiterate our call for the Council to reconsider its long-delayed visit to the region. We would like to again suggest that should some members of the Council be unwilling to participate in the visit, the Council might consider a mini-mission, which would include those Council members interested in taking part. A visit to the region would be a clear indication that the international community has not washed its hands of the core and oldest conflict in the Middle East. Similar to the Council's other field visits, like the one we will take next month to Juba, it will also offer Council members an opportunity to meet relevant actors on the ground, including members of the Government in Israel and Palestine, civil society actors and all role-players, and ask them to embrace peace efforts, respect one another, coexist and live in harmony, as we all do in our own countries and regions. We in South Africa are ready to assist in that direction if we are asked to do so.

Mr. De Rivière (France) (*spoke in French*): First of all, I would like to welcome the Minister for Foreign Affairs and Expatriates of Jordan and the Minister for Foreign Affairs of Palestine to our debate.

I thank Special Coordinator Nickolay Mladenov for his informative briefing. His presentation of the eleventh report on the implementation of resolution 2334 (2016) again draws our attention to the gravity of the situation, in particular with regard to the issue of colonization. Ahead of the meetings to be held under resolution 2334 (2016), I would again like to thank the Secretariat for granting our request for regular written reports. They are essential tools for documenting the issue of colonization, as well as that of violence, and for guiding the work of the Council.

The threats to the two-State solution are of great concern. Announcements concerning the possible annexation of some areas in the West Bank, in particular the Jordan Valley, the northern coast of the Dead Sea and, eventually, the settlements on the West Bank are very worrisome. If implemented, such measures would constitute not only a serious and unprecedented violation of international law, but would also provoke instability in the region by exacerbating tensions and fuelling extremism of all forms. We therefore call on

the parties to refrain from any action that is at variance with international law and that would jeopardize the viability of the two-State solution. Together with our European partners, we will continue to monitor the situation closely, including any move towards annexation, and act accordingly.

Ongoing colonization is also a cause for deep concern for France. We have condemned the decisions taken by the Israeli authorities in August to allow the construction of 2,300 housing units in the West Bank. We also condemn the decision by the Israeli Government on 15 September, under Israeli law, to legalize the illegal settlement in the Jordan Valley. As reaffirmed by resolution 2334 (2016), settlement activity is illegal; it serves to heighten tensions. By undermining the viability of the two-State solution, it jeopardizes the conditions for a just and lasting peace between Israelis and Palestinians and must stop. In that regard, I thank the Special Coordinator for his quarterly briefing on the implementation of resolution 2334 (2016).

Lastly, the deterioration of the situation in recent weeks in Gaza — where the firing of rockets into Israel has resumed and several more demonstrators have been killed — sparks fear of a further escalation. We call on all parties to show the utmost restraint. We reiterate our condemnation of the firing of rockets from Gaza into the occupied areas of Israel, as well as of the disproportionate use of force against Palestinian demonstrators. Those developments come against the backdrop of the deadlock in intra-Palestinian reconciliation, despite Egypt's efforts, which I welcome, and the deteriorating humanitarian situation, including a shortage of medicines and the crisis in the health-care system.

The support of the international community, in particular for the United Nations Relief and Works Agency for Palestine Refugees in the Near East, is essential. However, there will be no lasting improvement in the situation in Gaza without a political solution, involving the return of the Palestinian Authority and the lifting of the blockade, along with credible guarantees for Israel, whose security, I repeat, is not negotiable. In that regard, the imminent session of the General Assembly should be an opportunity for us to reaffirm our collective commitment to the parameters agreed upon by the international community and to Security Council resolutions.

The objective must remain that of a Palestinian State, living in peace and security alongside the State of Israel, within secure and internationally recognized borders drawn on the basis of the 1967 borders, with Jerusalem as the capital of both States. France stands ready to support any peace effort in that context. Any attempt to deviate from those internationally agreed and collectively defined parameters would be doomed to failure. It could also lead to regional destabilization, as there is no viable alternative to the two-State solution. None of the two peoples can sustainably satisfy its aspirations to the detriment of the other. The path to lasting peace requires a two-State solution. As a friend of Israel and Palestine alike, France remains more determined than ever to support them on that path.

Mr. Heusgen (Germany): I, too, would also like to welcome Nickolay Mladenov and the representatives of Israel and Palestine. We would like to say a few special words to the Foreign Minister of Jordan. We consider Jordan to be the key pole of stability in the region. I welcome the Foreign Minister to today's meeting.

The last time I spoke to the Council (see S/PV.8623), I highlighted the importance of and need for respect for the rule of law and the implementation of international law. We believe that respect for international law is best for the harmonious coexistence of countries and the well-being of their people. Resolution 2334 (2016) is part of international law. It is a binding resolution that was adopted by the Council three years ago. There was no objection to it.

Germany believes that the implementation of resolution 2334 (2016) would be best for the coexistence of Israel and Palestine and the well-being of their people. For once, let us just imagine that we had implemented resolution 2334 (2016) in 2016. There would be no more settlement activities, no announcements about annexation, no acts of terrorism, no violence against civilians, no incitement, no provocative actions and no inflammatory rhetoric. There would be no firing of rockets from Gaza into Israel by Hamas and others. If resolution 2334 (2016) had been implemented in 2016, I am sure we would now be following real negotiations for a two-State solution, based on internationally agreed parameters.

We believe that only a two-State solution could fulfil the aspirations of Israel and Palestine — Palestine's aspirations for statehood and sovereignty and Israel's aspirations to live in peace as a democratic Jewish State.

I again thank Mr. Mladenov for his report. His conclusion was quite depressing, as he spoke about the deteriorating situation and grim future. We believe that we must not stop trying to work towards the implementation of resolution 2334 (2016) to ensure the well-being of Palestinians and the security of Israel, to which Germany remains committed.

Ms. Niamke (Côte d'Ivoire) (*spoke in French*): I commend Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, for his detailed briefing on the latest developments in the situation in the Middle East, including the Palestinian question.

Côte d'Ivoire notes with regret the persistent climate of violence in the Middle East, which is increasingly detrimental to the prospect of the restoration of peace in the region. Given the complexity of the situation, it is important for the Council to propose innovative approaches to peacefully resolve the various conflicts in the region.

With regard to the conflict in Syria, the consequences on the region are worrisome. Côte d'Ivoire once again deplores the lack of consensus within the Council, which impeded the adoption of a draft resolution yesterday on the humanitarian situation in Syria aimed at easing the suffering of millions of Syrians. We are convinced that there is no military solution to that crisis. My country wishes to reiterate its support for the Special Envoy of the Secretary-General for his tireless efforts to find a lasting political solution to that crisis, in line with the provisions of resolution 2254 (2015).

Turning to the Palestinian question, Côte d'Ivoire, given the impasse in the Israeli-Palestinian negotiations, believes that the following imperatives are necessary. On the one hand, an appropriate framework for negotiations must be established and the political process launched, and, on the other, there must be compliance with the resolutions on the Palestinian question and international law.

My delegation laments the fact that to date no compromise has been reached to meet the aspirations of both sides, namely, the right of the Palestinians to self-determination and independence and Israel's right to ensure its security. In response to that, and in accordance with the recommendations contained in the report of the Secretary-General dated 26 August, Côte d'Ivoire calls on the international community to

redouble its efforts to resume the political process for a comprehensive, just and lasting settlement of the crisis, as soon as possible.

My country remains convinced that a lasting and mutually acceptable solution to the conflict can be reached only through strictly adhering to international law and the relevant Security Council resolutions, including resolution 2334 (2016). In that regard, we reaffirm our commitment to the solution of two States peacefully coexisting within the framework of the 1967 borders.

My delegation also calls on the Palestinian and Israeli authorities to ensure respect for the rights of all vulnerable persons, including children, who are paying a high price in the conflict, an aspect that various UNICEF reports regularly stress. Similarly, Côte d'Ivoire supports all possible efforts towards inter-Palestinian reconciliation, including between Fatah and Hamas, with a view to enabling the Palestinian Authority, which has the primary responsibility for meeting the social and humanitarian needs of the Palestinian people, to exercise its sovereign functions in Gaza and the West Bank.

My delegation also remains concerned about the humanitarian situation in Gaza owing to the extremely difficult socioeconomic conditions, as well as difficulties with the energy supply and in access to basic services. Those precarious living conditions represent potential threats to regional stability, especially since this humanitarian crisis is aggravated by a difficult socioeconomic situation, resulting in the irregular payment of civil servants' salaries and a high unemployment rate, which especially affects young people. The easing of restrictions is therefore necessary, both for the delivery of humanitarian aid and for the movement of goods and people. In that regard, Côte d'Ivoire underscores the crucial role that the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) plays in addressing the needs of nearly 5.4 million people.

In conclusion, Côte d'Ivoire welcomes the material and financial support of the United Nations specialized agencies and international partners of UNRWA and reiterates its call on them to continue their vital efforts for the benefit of the Palestinian population.

Mr. Pecsteen de Buyswerve (Belgium) (*spoke in French*): I thank the Special Coordinator, Mr. Nickolay Mladenov, for his detailed briefing and the work that

he is carrying out with his team. I also welcome the presence of the Ministers for Foreign Affairs of Jordan and Palestine.

We are deeply concerned over what is no longer a status quo but a continuous deterioration of the situation on the ground, which is moving us further and further away from the two-State solution. The settlement in the West Bank, including East Jerusalem, continues unabated and undermines the very foundation and feasibility of a two-State solution. Numerous legislative initiatives contribute to encouraging the settlement policy and facilitating accompanying measures, such as demolitions, evictions and forced displacements.

We note with concern, for example, that 51 schools are being threatened with demolition, including the Um Sidra school, in Hebron governorate. That policy seriously undercuts the exercise of the fundamental rights of Palestinians and is illegal under international law, including resolution 2334 (2016).

We reiterate our deep concern at the worrying increase in the demolition and confiscation of the infrastructure of humanitarian projects. We demand that the Israeli authorities put an end to those demolitions and grant reparations or compensation for the damage incurred. Moreover, we are deeply concerned about the increase in the use of violence by settlers, as well as against settlers. We reiterate our firm condemnation of any use of violence, regardless of the perpetrator.

Resolution 2334 (2016) calls on States to make a distinction in their exchanges between the territory of the State of Israel and the territories occupied since 1967. In that regard, Belgium recalls that the European Union has adopted several measures and instruments to achieve that differentiation. Belgium remains committed to the full, continuous and effective implementation of that policy.

The viability of a Palestinian State also means a return to stability in Gaza. We call on all parties to exercise restraint and recall the imperatives of protecting civilians and respecting international humanitarian law, including the principles of proportionality and distinction.

We are deeply concerned about the humanitarian and health situation. All parties must ensure free humanitarian access at all times, also taking into account the gender dimension and the specific needs of women and girls. Here I would like to commend the

indispensable role of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the mandate of which Belgium will continue to support.

The resolution of the crisis in Gaza requires a fundamental change, including the lifting of the blockade and the full opening of the crossing points, while taking into account Israel's legitimate security concerns. A political solution to the crisis also requires the return of Palestinian territory to the control of the Palestinian Authority. We call on all parties to engage constructively in inter-Palestinian reconciliation efforts.

For Belgium, there is no alternative to the two-State solution within secure and recognized borders, based on the 1967 lines, with Jerusalem as the capital of both States. We will not recognize any changes to the previous 1967 borders, including with regard to Jerusalem, except those agreed by the parties.

In conclusion, Belgium calls on all parties to the conflict to refrain from unilateral measures and declarations taking us farther away from the parameters agreed by the international community and endorsed by the Council. It is time, now more than ever, to work for a solution under international law to achieve a just and lasting peace and a stable regional environment.

Mr. Meza-Cuadra (Peru) (*spoke in Spanish*): We are grateful for the holding of this meeting and to Mr. Mladenov for his comprehensive briefing and the work that he is doing with his team. We welcome the participation of the Ministers for Foreign Affairs of Palestine and Jordan.

Peru is following with deep concern the situation in Palestine. The uncompromising positions, the lack of dialogue between the parties and the continued violence have led to a stalemate in the peace process. The situation is unsustainable and destabilizing for the Middle East and the international community. We must continue to condemn the persistent indiscriminate attacks against the Israeli civilian population by Hamas and other radical Palestinian actors, the disproportionate response by the Israelis, and the aggressive rhetoric of their respective leaders, which perpetually fuel the hostile dynamics of the situation.

In that regard, we stress the importance for the Security Council to regain its unity on this sensitive issue so that it can speak out when the situation on the ground warrants and demand that the parties comply strictly with their obligations under international law,

international humanitarian law and human rights law. We are alarmed that the prospects for reaching a political solution are becoming increasingly faint and that unilateral decisions, actions and their subsequent declarations could degenerate into an even greater escalation of tension and violence.

We recognize Israel's right to safeguard its own security and existence through the exercise of legitimate self-defence, provided it do so in accordance with the principles of legality, proportionality and precaution. The human rights of Palestinian citizens, including those of minors, cannot be ignored. To that end, we must recall Israel's obligation to comply with the relevant Security Council resolutions. In particular, we believe it urgent, in line with resolution 2334 (2016), to end the rise in settlement activities, property demolitions and evictions in the Palestinian territories occupied since 1967. Such practices run contrary to international law, seriously jeopardize the territorial integrity of the Palestinian State and undermine the chances of reaching a two-State solution.

We also emphasize the urgent need to address the basic needs of the people of Gaza, as poverty and marginalization provide fertile ground for those advocating violence and terrorism. We encourage the continuation of infrastructure and development projects, the pursuit of efforts to ensure that the Palestinian Authority can regain effective control of the area, and the provision of stable and predictable funding to the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

In conclusion, we express our full support for Mr. Mladenov in his efforts to prevent further escalation and to promote dialogue among the parties, while reaffirming our commitment to finding a solution to the question of Palestine, which will undoubtedly contribute to the achievement of sustainable peace in the region.

Mr. Fiallo Billini Portorreal (Dominican Republic) (*spoke in Spanish*): We thank Special Coordinator Nickolay Mladenov for his report and the Ministers for Foreign Affairs for their presence among us today.

In 2016, the Security Council adopted resolution 2334 (2016), in which it calls on all parties to end territorial claims, respect sovereignty and liberate the occupied territories. Unfortunately, the situation has not changed since then. The reality is that the occupation

has illegally expanded without any consequences, thereby preventing any step towards achieving peace. According to reports, Israeli authorities have approved more than 12,000 housing units in the occupied Palestinian territory, including East Jerusalem.

The Dominican Republic continues to agree with the existing international consensus that the only way forward for Palestinians and Israelis lies in the negotiation of the solution of two States living side by side in peace and security. The Security Council must remain committed to working with all parties concerned to achieve that goal.

The Dominican Republic remains deeply concerned about the humanitarian and security situation in Gaza, which continues to seriously deteriorate. The health-care system is on the verge of collapse after years of blockade and is now overburdened with the thousands of those injured as a consequence the recurrent Great March of Return demonstrations. The increase in violence and tension only raises concerns about a new escalation of hostilities. We therefore commend the vital work being carried out on the ground by the relevant organizations and agencies of the United Nations system, as well as the support of friendly countries, to alleviate suffering and bring about change.

In that regard, we also note with concern the violent incidents in the West Bank that have resulted in the death of or serious injury to Israelis and Palestinians alike. According to the Office for the Coordination of Humanitarian Affairs, 350,000 people living in 67 communities in the West Bank are vulnerable to settler violence. The Palestinian Authority cannot access that area to provide vital services, such as health care, education and social and policing services. Construction restrictions also hinder the economic and social development of that area. Access to and control over natural resources remain major problems facing the community.

We call on Hamas and other armed groups to end all acts of violence and provocation that endanger the lives of civilians, which we condemn in the strongest terms. We encourage the Palestinian Authority, Israel and regional and international actors to propose sustainable solutions to the threat posed to Israel's security by Hamas.

In conclusion, expressing how we feel — as we often do in this Chamber — does not relieve us of the key responsibility conferred upon the Security Council

for the maintenance of world peace and security, the achievement of which demands firm and effective actions, complemented by our positions, in accordance with the authority and respect that this beacon of world order deserves.

Mr. Allen (United Kingdom): I thank Mr. Mladenov for his briefing.

The United Kingdom has long made its position clear that Israeli settlement activity is illegal. The increased pace of settlement advancement and the retroactive approval of unauthorized settlement outposts — as seen in the Jordan Valley on Sunday — further threaten the physical viability of a two-State solution. We have also previously made clear our deep concern about suggestions that any part of the occupied Palestinian territories could be annexed.

In the light of further recent comments, I want to reiterate the United Kingdom's opposition to the unilateral annexation of all or part of the West Bank. As we have stated before in the Security Council, such a move would be contrary to international law and damaging to peace efforts, and could not pass unchallenged. The United Kingdom remains seriously concerned by the continued demolition of Palestinian property by the Israeli authorities. In all but the most exceptional circumstances demolitions are contrary to international humanitarian law. The practice causes unnecessary suffering to ordinary Palestinians and is also harmful to the peace process. We urge both sides to enable Palestinian development to accelerate, including in Area C.

Settlements and demolitions are not the only obstacles to peace. The people of Israel deserve to live free from terrorism, anti-Semitism and incitement to violence.

Returning to Gaza, the ongoing levels of violence are troubling. The loss of life and the large number of injured Palestinians is tragic. We call on Israel to take all action possible to limit civilian casualties. But the recent increase and infiltration attempts risks Israel's security and contribute to an environment of terror. We call on Hamas and other armed groups to permanently end their incitement and rocket fire against Israel. Such violence is destructive to peace efforts. I would also add my voice to those who have called for the release of the remains of the deceased Israeli soldiers. Holding on to those soldiers' remains and not allowing their

families to complete their grieving is inhumane and beneath those who do it.

We continue to welcome the efforts of Egypt and the United Nations to work towards a cessation of violence and sustainable improvements in the humanitarian situation. Ultimately, a long-term solution that addresses the underlying causes of the conflict and returns the Palestinian Authority to Gaza is required to end the cycle of violence.

A just and lasting resolution that ends the occupation and delivers peace to both Israelis and Palestinians is long overdue. As we have said before, we encourage the United States Administration to bring forward detailed proposals for a viable Israeli-Palestinian peace agreement that addresses the legitimate concerns of both parties. The United Kingdom continues to believe that the best way to achieve that is through substantive peace talks between the parties leading to a two-State solution, with Jerusalem as a shared capital. We call on all parties to immediately end actions that undermine support for the two-State solution and ultimately make peace more difficult.

Ms. Wronecka (Poland): At the outset, let me thank Special Coordinator Mladenov for his briefing, which was very precise and informative, as always. Allow me also to welcome in the Chamber Their Excellencies Mr. Riad Al-Malki and Mr. Ayman Safadi, Ministers for Foreign Affairs of Palestine and Jordan.

Let me begin by reaffirming Poland's commitment to a just and comprehensive resolution of the Israeli-Palestinian conflict through a two-State solution, and an agreement that ends the occupation, which began in 1967, ending all claims and fulfilling the aspirations of both parties, including Israeli and Palestinian security needs and Palestinian aspirations for statehood and sovereignty on the basis of relevant Security Council resolutions and internationally agreed parameters.

Poland will continue to call on all parties to refrain from actions in contravention of international law that would imperil the viability of a two-State solution. In that context, we are concerned about the recent announcements of a possible annexation of areas in the West Bank, particularly the Jordan Valley and the northern shore of the Dead Sea. If implemented, that would constitute a serious breach of international law.

The situation in Gaza remains dire, continues to fuel extremism and radicalization and fosters instability.

We call on all parties to take urgent steps leading to a fundamental change in the humanitarian, political, security and economic situations in Gaza, including by ending the closure policy and a sustained opening of the crossing points important to the daily lives of Gazans, while at the same time addressing Israel's legitimate security concerns. We commend the efforts led by Egypt, Qatar and the United Nations Special Coordinator to improve the humanitarian situation in Gaza, as part of the future Palestinian State.

We must be frank with ourselves. On the political track, we must acknowledge that the process is currently almost entirely blocked. The intra-Palestinian division only aggravates the situation of the people of Gaza and weakens the national aspirations of the Palestinians. There is an urgent need to relaunch the intra-Palestinian reconciliation process. Everyone must be committed to the Egyptian efforts in that regard.

We should uphold the existing international consensus that the only way forward for the Palestinians and Israel is the negotiation of a two-State solution, with the State of Israel and an independent, democratic, contiguous and viable Palestinian State in the West Bank and Gaza living side by side in peace and security.

Today our main aim should be to restore a political horizon for the resumption of such a meaningful peace process. A resolution of all final-status issues, including Jerusalem, should be found through the negotiated two-State solution.

Regrettably, the situation on the ground continues to deteriorate, and the idea of a two-State solution continues to be dismantled piece by piece, in particular by an expansion of Israeli settlements. We are very close to the point at which it would be difficult, if not impossible, to establish a viable Palestinian State.

Poland's position on the Israeli settlement policy in the occupied Palestinian territory is clear and remains unchanged. It is also the European Union's well-known stance. All settlement activity is illegal under international law. Not only does it erode the viability of the two-State solution and the prospects for a lasting peace, but — we must to be honest with ourselves — it is an obstacle to peace.

The adoption of resolution 2334 (2016) provided a strong reaffirmation of the international consensus on that matter. The resolution underlines the illegality of the Israeli settlements, stressing that the cessation of

settlement activities is essential for salvaging the two-State solution.

Allow me to conclude by praising the collective efforts by the international community to allow the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to fulfil its mandate to provide essential relief, development and protection services to Palestinian refugees and those displaced by the conflict. In our opinion, UNRWA remains a key contributor, providing humanitarian assistance, stability and security in the region.

Mr. Elé Ela (Equatorial Guinea) (*spoke in Spanish*): Equatorial Guinea welcomes Their Excellencies Ministers for Foreign Affairs of the Kingdom of Jordan and the State of Palestine and wishes them a pleasant stay in New York. We also thank the team represented by Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process, for the valuable briefing.

The prolonged lack of a lasting political solution to the Israeli-Palestinian conflict and, consequently, the ongoing deterioration of the situation in the occupied Palestinian territories, as well as the insecurity with which the Israelis live, remain a source of deep concern to Equatorial Guinea.

It is now almost 70 years since this question was first introduced at the United Nations in 1947. Most of those who were living at that time are clearly dead and many of those who were born during that period are now old. Both sides have lost many loved ones and significant basic infrastructure. Added to that are the millions of Palestinians who have been forced to flee their homes and properties to depend on humanitarian assistance in various parts of the Middle East and the world. This suffering, which has scarred the civilian population in the course of this long-running conflict, should sound alarm bells and means that we have run out of time to continue with the business-as-usual adoption of endless resolutions without any improvement whatsoever on the ground.

On 23 December 2016, the Security Council adopted resolution 2334 (2016) urging Israel to refrain from any measures aimed at altering the demographic composition, the character or the status of the Palestinian territory occupied since 1967, including East Jerusalem.

In that connection, and in order to preserve the viability of the two-State solution, Equatorial Guinea, a

friend of both Israel and Palestine, regrets the fact that today the Israeli Government is continuing to pursue its settlement policy, which is a flagrant violation of international law. Given that, and given past history, there is a good case to be made for the fact that in today's world we should be able to peacefully resolve many of the problems faced by our countries if all parties wish to do so.

The members of the Security Council must maintain a united front and demand that both parties implement the provisions of all relevant resolutions, which are one of the most important instruments for resolving conflicts. We cannot overlook Israeli concerns over the ongoing security threats coming from Gaza. The ongoing instability in that Palestinian enclave could lead it to become one of the preferred destinations of insurgents who wish to entrench terrorism in the region.

We therefore reiterate our call for the Palestinian Authority in Gaza to retake its place as the best-placed entity to deal with security and socioeconomic issues, which weigh so heavily on the minds of the civilian population there, including women and innocent children. Thus there is a growing need for the support of the international community for the mediation efforts of Egypt and the United Nations to accelerate the process of intra-Palestinian reconciliation, and here the restoration of the Palestinian Authority to its rightful place is vital.

Our delegation very much welcomes last month's agreement between Israel and the Palestinian Authority, which will see the latter body receive \$568 million as a reimbursement for fuel taxes collected by Israel. Nonetheless, it is key to resolve this question once and for all. Here we agree with Mr. Mladenov in that both parties must continue cooperating constructively and abide by the provisions of the Protocol on Economic Relations between the Government of the State of Israel and the Palestine Liberation Organization.

We wish to pay tribute to the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), which, despite its precarious financial situation, is working tirelessly to improve humanitarian conditions for the millions of Palestinian refugees, reducing the pressure on host countries. The vital work of UNRWA must enjoy the full support of the international community in terms of financing to render it more effective.

Finally, on the Palestinian question in general, Equatorial Guinea reaffirms its commitment to support any initiative that takes into account existing instruments of international law, such as the resolutions of the Security Council and the General Assembly and other internationally recognized agreements. As far as we are concerned, the most pressing issue is to find a solution that will bring about negotiations between Israelis and Palestinians and that is supported by the international community. Such a solution would necessarily involve two States, with East Jerusalem as the capital, living in peace and with security guarantees for both and other States of the region,

In that respect, we cherish the hope that the Government that results from the current electoral process in Israel will work for a peaceful solution to the Israeli-Palestinian conflict, which began when the United Nations had barely marked its second anniversary.

Mr. Wu Haitao (China) (*spoke in Chinese*): I thank Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process, for his briefing on the situation in the Middle East and the implementation of resolution 2334 (2016). We welcome the presence of Mr. Al-Malki, the Minister for Foreign Affairs of Palestine, and Mr. Ayman Safadi, Minister for Foreign Affairs and Expatriates of Jordan.

China has listened attentively to the statements made by both Palestine and Israel. The recent period has witnessed an increase in the negative momentum prevailing in the Middle East, where inflammatory statements have intensified tensions in the region. The construction of settlements continues unabated, the humanitarian situation in the Gaza Strip is further deteriorating and the Middle East peace process has stagnated. China is highly concerned over all these developments.

I wish to highlight the following.

First, resolution 2334 (2016) should be effectively implemented. The resolution bears great significance, as it reflects the common aspirations and expectations of the international community and responds to the legitimate calls of Palestinian and the Arab countries at large.

Continued advancement of the construction of settlements by the relevant parties would undermine mutual trust and seriously dampen the prospects of

a two-State solution. All settlement activities in the occupied territories should cease immediately. The demolition of Palestinian homes should be stopped, and the destruction of Palestinian properties should be stopped and measures taken to prevent violence against civilians. All illegal acts and unilateral initiatives aimed at legalizing settlements should be stopped immediately, concurrently with practical measures to eliminate their effects.

Secondly, it is imperative to promote a comprehensive, just and lasting settlement of the question of Palestine on the basis of the existing international consensus. The international community should commit to the two-State solution as its ultimate goal, abide by the relevant United Nations resolutions, the land-for-peace principle and the Arab Peace Initiative as the fundamental guidelines, and take positive actions to promote the early resumption of peace talks between the Palestinians and Israelis, culminating in the establishment of a Palestinian State with full sovereignty, based on the 1967 borders, with East Jerusalem as its capital. Any new initiatives should, without exception, meet the aforementioned international guidelines.

Thirdly, dialogue, negotiations and political consultations are the fundamental way to resolve the Palestinian issue. Neither violence for violence nor inflammatory statements can help solve problems. China is concerned about some recent incendiary remarks concerning the annexation of the occupied Palestine territories, including the Jordan Valley, and opposes any unilateral act that may lead to the intensification of the Palestinian-Israeli conflict. In our view, Israel should act with caution and avoid aggravating regional tension and turbulence and earnestly safeguard the foundation of the Middle East peace process.

Fourthly, we should follow closely and improve Palestinian and economic and humanitarian conditions. Of late, the medical system in the Gaza Strip has suffered serious material shortages, and the humanitarian situation remains dire. The parties concerned should comprehensively lift the blockade of the Gaza Strip as soon as possible and fully implement the relevant United Nations resolutions.

The international community should continue to support the United Nations Relief and Works Agency for Palestine Refugees in the Near East and continue to

contribute to improving the humanitarian conditions of the Palestinian refugees.

China has always been committed to promoting the Middle East peace process and to playing a positive and constructive role in achieving peace in the Middle East. In September this year, China appointed Ambassador Zhai Jun as the special envoy of the Chinese Government on the Middle East. In future he will establish close cooperative relations with the relevant parties, actively promote peace talks and play a positive and constructive role in advancing a proper settlement of regional hot-button issues and achieving regional peace and stability.

The President (*spoke in Russian*): I shall now make a statement in my capacity as the representative of the Russian Federation.

We want to thank Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process, for his briefing on the situation in the occupied Palestinian territories, and we welcome the Minister for Foreign Affairs of Palestine, Mr. Riad Al-Malki, and the Minister for Foreign Affairs of Jordan, Mr. Ayman Safadi.

The Middle East is at the heart of world politics. The region is plagued by multiple crises, old and new. Russia is closely following the latest developments, as we have long-standing relations with the States of the region, based on mutual respect, mutually beneficial cooperation and common interests.

It is no accident that I mention common interests. We believe that the peoples of the Middle East and North Africa, including all ethnic and religious groups, are inextricably linked. They had struck a balance that was upset in the recent past and continues to be disrupted by geopolitical engineering imposed from outside, interference in internal affairs, the use of force and the collapse of entire States.

We note with concern the ongoing tense situation in the Palestinian-Israeli peace process. It is further complicated by Israel's continued settlement activity and demolition of Palestinian buildings, as well as the situation in and around the Gaza Strip. Such activity is not only illegal under international law, but is also one of the most serious obstacles to the establishment of a just, lasting and comprehensive peace in the Middle East.

In that connection, we share concerns about recent statements by the Israeli leadership regarding its intention to extend Israeli sovereignty to the Jordan

Valley. Following through on those intentions will inevitably escalate tensions in the region and undermine hopes for the long-awaited peace between Israel and its Arab neighbours. That also applies to the decision of the United States Administration on Jerusalem and the illegitimate recognition of Israel's sovereignty over the occupied Syrian Golan Heights, which is a flagrant violation of international law, particularly resolution 497 (1981).

At the same time, we are seeing persistent attempts to impose alternative arrangements for a peace process — arrangements that undermine long-established and internationally recognized parameters for resolving the Palestinian problem. We believe that the intention to drag out the efforts to find a lasting comprehensive solution to this issue is counterproductive. Unilateral actions bring us no closer to resolving the long-standing and newer problems of the region. It is clear to us, as it is to most of our colleagues, that the only way forward is to combine international and regional efforts, with the key involvement of the United Nations and the Security Council. That tenet should be the starting point for all relevant efforts and initiatives.

We support the use of the Middle East Quartet of international mediators as a unique mechanism to assist the peace process that has been approved by the relevant Council resolutions. Russia is doing its utmost to promote the full spectrum of measures related to the peace process, including by providing a potential platform for meetings, without preconditions, between the leaders of Israel and Palestine. We are also taking steps to restore intra-Palestinian unity and welcome the steps taken by our Egyptian colleagues in that regard.

Against that backdrop, it is clear that sending a Security Council mission to the region is long overdue. Its goal will be to enhance trust, facilitate the relaunching of negotiations between the parties and to prevent the collapse of the international community's efforts to ensure conditions for the implementation of the only viable solution, based on international law. This basis was developed by the Security Council, and its revision should be undertaken within the Security Council, too. No unilateral steps can replace the key principles of a two-State solution, the Madrid principles and the Arab Peace Initiative.

We continue to support the United Nations Relief and Works Agency for Palestine Refugees in the Near

East, whose work has both humanitarian and political dimensions, as it has an important stabilizing role in the Palestinian territories and the countries of the Middle East.

All final status issues, including Jerusalem, fundamental security issues and refugees, must be resolved through direct negotiations between Palestinians and Israelis.

The unresolved Palestinian issue is one of the factors contributing to the emergence of new challenges in the Middle East. We are concerned about another flare-up of tension in the Gulf region. Against the backdrop of the ongoing exchange of accusations, we are seeing an increase in the military presence, including on the part of States outside of the region, which creates the risk of a military confrontation. Any incident could lead to a conflict that would have devastating consequences. We consistently call on all parties concerned to take steps to de-escalate and resolve the problems in the subregion through political and diplomatic means. It is becoming increasingly important to develop a sustainable mechanism for collective security in the region on the basis of dialogue among equals. A Russian initiative to that effect is aimed specifically at resolving conflict and developing confidence-building and oversight measures.

Russia will contribute actively to stabilizing the situation in the Middle East. We are ready to cooperate with all interested actors and invite everyone to engage in collective efforts.

I now resume my functions as President of the Council.

I call on the Minister for Foreign Affairs and Expatriates of the Hashemite Kingdom of Jordan.

Mr. Safadi (Jordan) (*spoke in Arabic*): At the outset, I would like to thank you, Mr. President, and the delegation of the Russian Federation for your outstanding efforts during your presidency of the Council for this month. I also thank Mr. Mladenov for his comprehensive briefing. I am grateful for the opportunity to address the Council today.

The long-standing and strenuous efforts to achieve comprehensive and lasting peace in the Middle East are today on the verge of collapse. The two-State solution, which enjoys the consensus of the international community as the only means to resolve the conflict and ensure the rights of the peoples of the region to live

in security and peace, is threatened by unilateral Israeli measures that violate the resolutions of international legitimacy and Council resolutions, leading to despair and stoking the flames of conflict and violence. Silence is not an option.

Effective action is required to salvage the remnants of hope for peace. The absence of a clear and strict position promoting international legitimacy and the right of the Palestinian people to live in freedom and establish their own State, as well as the right of the peoples of the region to live in security and stability, will only lead to despair, the decline of moderation, the expansion of extremism and the eruption of conflicts. That would be an immense threat to regional and international peace and security that must be prevented.

A lasting and comprehensive peace is an Arab strategic choice, and the means to achieve it is clear — a two-State solution that guarantees the establishment of an independent Palestinian State based on the 4 June 1967 borders, with East Jerusalem as its capital, living side by side in peace and security with the State of Israel, in accordance with international resolutions and the Arab Peace Initiative.

However, instead of upholding the resolutions of international legitimacy and interacting positively with the Arab Peace Initiative for achieving real peace that would ensure normal relations between all Arab States and Israel and provide comprehensive security guarantees for Israel, in the context of a comprehensive peace ending the occupation that began in 1967, Israel continues to take unilateral illegal measures that undermine the two-State solution and disregard the tenets of the peace process.

Peace and security are a right of all the peoples of the region and a goal that Jordan continues to seek in cooperation with the international community and in accordance with international law. However, peace will not be achieved by establishing and expanding illegal settlements, confiscating Palestinian land, demolishing their homes or displacing their children. Peace will not be achieved by targeting the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) or depriving more than 500,000 Palestinian refugee children of their right to education and dignity. Nor will it be achieved by annexing the Golan Heights, the Jordan Valley and the area north of the Dead Sea in the occupied Palestinian territories, which represent

about one-third of the occupied West Bank. Such actions will kill the two-State solution and not achieve security.

Consecrating the occupation and deepening its injustice will not achieve peace, guarantee security or stability or promote development. Similarly, violations of international legitimacy and the selective implementation of Security Council resolutions erode the international order and lead to chaos and lawlessness. This is a reality that requires effective and urgent international action in order to start serious negotiations to save what remains of the chance for peace based on a two-State solution and to renew hope in that solution before Israeli violations and new illegitimate realities dash all remaining faith and make peace impossible.

The Security Council plays a major role in implementing international resolutions, including resolutions 242 (1967), 338 (1973), 478 (1980) and 2334 (2016), and in adhering to international law, which considers the territories seized forcibly by Israel in 1967 to be occupied. International law requires Israel to honour its obligations as the occupying Power.

The magnitude of the danger requires immediate action by the international community to protect security and peace. The Council and the international community must act to end illegal settlement and its disastrous ramifications. The international community must reject the plan announced by the Prime Minister of Israel to annex one-third of the occupied West Bank, in violation of international law and threatening peace and security. That must be stopped.

The international community must support UNRWA and allow the Agency to continue its work and help over 5 million Palestinian refugees to live in dignity and allow their children to go to school and live in hope instead of leaving them prisoners of want, ignorance, oppression and depression.

We have a responsibility to stop Israel from changing the historic and legal status of Al-Quds Al-Sharif. His Majesty King Abdullah II, who is the custodian of the Muslim and Christian holy sites in Jerusalem, has stressed that Jerusalem is the key to peace. It is the holy city of Muslims, Christians and Jews. It must be a city of peace, not the scene of occupation, injustice and deprivation.

Under international law and Security Council resolutions, East Jerusalem is an integral part of the

Palestinian territories occupied in 1967. Protecting Jerusalem and its historical status is protecting international law and peace. The continuous undermining of that status is a real threat to peace and security. East Jerusalem is an occupied territory that, in the context of a two-State solution, must be liberated as the capital of the Palestinian State. This is the only way to achieve peace. Sovereignty over the city's sanctuaries must be Palestinian. Custodianship over its Islamic and Christian sanctuaries is Hashemite. However, preserving Jerusalem's historical status is a collective responsibility we all bear, particularly in the light of Israeli provocations and violations. The international community must act to save the peace.

The Palestinian question remains the main issue in our region. The Palestinian-Israeli conflict is at the root of all the tension and instability in the Middle East. A two-State solution is the prerequisite for comprehensive peace and security for all. Occupation, oppression and depriving Palestinians of their rights will not lead to peace or security. Security for all the peoples of the region, Palestinians and Israelis alike, will be achieved by respecting everyone's rights arising from our international law, principles and shared humanitarian values.

The Hashemite Kingdom of Jordan has spared no effort to achieve comprehensive, lasting and fair peace and is committed to continuing to work with the Security Council and with all our friends and partners in the international community to achieve a genuine peace that is accepted by all peoples and fulfils their right to a secure future.

When Jordan speaks, it does so with the credibility of a peace broker who remains a voice of truth and moderation and a force for peace. When we warn that the chances of peace may completely disappear soon, we do so with the voice of someone firmly committed to peace. This is a clear call for decisive and effective action now, before it is too late.

I thank you, Mr. President, and we look forward to continuing to work with the Security Council in order to end the deterioration and reclaim the lead by undertaking urgent and collective international efforts aimed at putting an end to a conflict that poses a threat to our security and achieving a comprehensive, fair and lasting peace which is a right for all of us.

The meeting rose at 12.25 p.m.



Security Council

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Implementation of Security Council resolution 2334 (2016)

Report of the Secretary-General

I. Introduction

1. The present report, the twelfth quarterly report on the implementation of Security Council resolution 2334 (2016), provides a review and assessment of the implementation of the resolution since my previous report on the subject, which was delivered orally by my Special Coordinator for the Middle East Peace Process and Personal Representative to the Palestine Liberation Organization and the Palestinian Authority, on 20 September 2019. The report covers developments from 12 September to 6 December 2019.

II. Settlement activities

2. In its resolution 2334 (2016), the Security Council reaffirmed that the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, had no legal validity and constituted a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace. In the same resolution, the Council reiterated its demand that Israel immediately and completely cease all settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and that it fully respect all of its legal obligations in that regard. No such steps were taken during the reporting period.

3. During the reporting period, some 3,000 housing units in the occupied West Bank, including 300 in East Jerusalem, were advanced or approved by the Israeli authorities. The plans include 182 units in Mevo'ot Yericho, an outpost in the Jordan Valley that the Government of Israel decided, on 15 September, to retroactively legalize as a new settlement. Other notable plans include 382 units in Dolev, west of Ramallah, and 609 units in the large urban settlement of Beitar Elit, west of Bethlehem. Some 40 per cent of the units advanced are to be built in outlying locations, deep inside the occupied West Bank. No new tenders were announced.

4. On 15 September, a new farm comprising one portable housing unit was reportedly established by Israeli settlers in Umm al-Hawa, east of the Kedar settlement, in Area C of the West Bank. The settlers reportedly claimed that they had bought the land from the Palestinian owners, which the latter deny. A petition was filed by the owners before the High Court of Justice, where a discussion is scheduled for 20 January 2020.



5. On 1 December, the Defense Minister of Israel instructed the Civil Administration to act “to advance planning procedures” for a new structure for Israeli settlers in the wholesale market in the Old City of Hebron.

6. On several occasions during the reporting period, Israeli authorities reportedly demolished structures or prevented construction in settlement outposts, including near Yitzhar, Bat Ayin and Kokhav HaShahar, resulting in clashes between settlers and Israeli security forces.

7. During the reporting period, demolitions and seizures of Palestinian-owned structures continued across the occupied West Bank, including East Jerusalem. Citing the absence of Israeli-issued building permits, which remain almost impossible for Palestinians to obtain, Israeli authorities demolished or seized 150 structures, resulting in the displacement of 260 people, including 133 children and some 60 women, and leaving 1,800 others affected. A total of 16 of the structures were demolished on the basis of military order No. 1797, which authorizes an expedited process that gives owners only 96 hours to demonstrate that they possess a valid building permit. The demolitions in Area C included 26 donor-funded structures.

III. Violence against civilians, including acts of terror

8. In its resolution [2334 \(2016\)](#), the Security Council called for immediate steps to prevent all acts of violence against civilians, including acts of terror, as well as all acts of provocation and destruction, and called for accountability in that regard and for compliance with obligations under international law for the strengthening of ongoing efforts to combat terrorism, including through existing security coordination, and to clearly condemn all acts of terrorism.

9. The reporting period, however, was characterized by acts of violence throughout the Occupied Palestinian Territory, including the firing of rockets, mortars and incendiary devices by Palestinian militants from Gaza against civilians in Israel and the use by Israel of lethal force against Palestinians.

10. Overall, 44 Palestinians, including 9 children and 3 women, were killed by Israeli security forces as a result of air strikes and during demonstrations, clashes, security operations and other incidents and 2,940 Palestinians were injured, including some 400 Palestinians by live ammunition. A total of 46 Israelis, including 41 civilians, a number of whom were women and children, and 5 members of the Israeli security forces were injured in attacks, clashes and other incidents. On 17 September 2019, one Israeli woman succumbed to wounds she sustained during a rocket attack from Gaza in November 2018.

11. On 1 November, some 10 rockets were launched from Gaza towards Israel, one of which hit a house in Sderot, causing damage but no injuries. In response, the Israel Defense Forces targeted what they identified as various Hamas military sites across Gaza. One Palestinian militant was killed and two others were injured.

12. Over a 48-hour period of escalation, from 12 to 14 November, following the targeted killing by Israel of a commander of Palestinian Islamic Jihad in Gaza, Palestinian Islamic Jihad launched more than 500 rockets towards Israel. According to the Israel Defense Forces, the interception rate by the Iron Dome system was 90 per cent, while some rockets landed in Israeli towns and cities, causing property damage. Shelters across large parts of the country were activated, schools and businesses remained closed for at least a day and 78 Israelis were treated for injuries or shock.

13. In response, the Israel Defense Forces conducted a number of strikes against what they identified as Palestinian Islamic Jihad and other militant targets in Gaza,

killing 33 Palestinians, including 3 women and 8 children, and injuring 109 others, including 51 children and 11 women. At least 20 of those killed were identified as Palestinian Islamic Jihad militants. Eight members of a family, including five children, were killed in a single Israeli strike. Another family member succumbed to his wounds a few days later. The Israel Defense Forces admitted that the family's home had been mistakenly targeted and launched an investigation. In addition, one Palestinian was reportedly killed by a rocket launched by Palestinian Islamic Jihad militants that had fallen short inside Gaza.

14. Following an intense mediation effort, Egypt, working closely with my Special Coordinator, was able to ensure that calm in Gaza was restored, after 48 hours of hostilities.

15. The situation escalated briefly again on 26 November, when two rockets were fired by Palestinian militants towards Israel. According to the Israel Defense Forces, one rocket was intercepted by the Iron Dome system and the other landed in an open area in southern Israel. In response, the Israel Defense Forces struck a number of militant targets in Gaza. No injuries were reported.

16. During the reporting period, protests at the Gaza perimeter fence continued. While most demonstrations remained relatively peaceful, some protesters engaged in violent activities, including using improvised explosive devices, attempting to breach the fence or launching incendiary balloons towards Israel. The Israel Defense Forces responded with riot dispersal means, including tear gas, and live ammunition. A total of 5 demonstrators were killed and 1,746 demonstrators were injured, including 790 children and 60 women.

17. During the reporting period, in the occupied West Bank, 4 Palestinians were shot and killed, including 1 woman, and 1,064 Palestinians were injured, including 23 children, by Israeli security forces during demonstrations, clashes, security operations and other incidents. Nine Israelis, including five members of the Israeli security forces, were also injured.

18. On 18 September, a private security agent working for the Israeli security forces shot and killed a 50-year-old Palestinian woman at the Qalandiya checkpoint while she was allegedly attempting to carry out a stabbing attack against personnel of the Israeli security forces. According to the Office of the United Nations High Commissioner for Human Rights (OHCHR), eyewitnesses reported that the woman was left to bleed for 30 minutes before an Israeli medical crew arrived. On 18 October, Israeli security forces shot and killed a 25-year-old Palestinian man near the Jbara checkpoint, south of Tulkarm, for allegedly carrying out a stabbing attack against Israeli security forces.

19. On 25 September, a 20-year-old Israeli woman was injured in a stabbing attack carried out on route 443. The alleged perpetrator, a 14-year-old Palestinian boy, was arrested by Israeli security forces. A total of six stabbing attacks by Palestinians against Israelis were reported during the reporting period.

20. According to OHCHR, in the H2 zone of Hebron, on 3, 5 and 6 November, while school was in session, Israeli security forces reportedly fired a number of tear-gas canisters and stun grenades into two school compounds, in response to an incident on 3 November during which a few children reportedly threw stones at a military patrol nearby.

21. On 11 November, a 22-year-old Palestinian man was shot and killed by Israeli security forces near Hebron in circumstances that indicate that he was not posing a threat. The Israel Defense Forces has launched an investigation into the incident.

22. On 15 November, a Palestinian journalist lost an eye after being shot by Israeli security forces while covering a demonstration in Surif village, north of Hebron.
23. On 26 November, Fatah assembled thousands of Palestinian protesters to take part in a “day of rage” across the occupied West Bank, during which some groups clashed with Israeli security forces.
24. Despite attempts to find an agreement between the residents of Isawiyah and Israeli authorities to reduce the activities of Israeli security forces near schools and allow the school year to begin on schedule in early September, Israeli security forces continued to conduct frequent night raids, searches and arrests in the East Jerusalem neighbourhood.
25. During the reporting period, the Office for the Coordination of Humanitarian Affairs recorded 106 attacks by Israeli settlers against Palestinians, with 40 injuries resulting from 21 of those incidents, and 88 of the incidents resulting in damage to Palestinian-owned properties. The Office also recorded 19 attacks by Palestinians against Israeli settlers in the West Bank, with four injuries resulting from 4 of the attacks and with 15 resulting in damage to settler-owned properties.
26. The Office for the Coordination of Humanitarian Affairs recorded a high number of incidents during the olive harvesting season, including incidents of physical assault against Palestinian farmers by Israeli settlers, the stealing of produce and the harassment of farmers, as well as damage to some 1,700 olive trees. On 16 October, Palestinian farmers and Israeli and foreign volunteers harvesting olive trees near Burin village were attacked by residents of the Yitzhar settlement, using stones and metal rods. An 80-year-old rabbi and four foreign volunteers were injured. One of the perpetrators of the attacks was arrested.
27. Incidents of violence also occurred in the Old City of Hebron, in the H2 zone. On the weekend of 22 and 23 November, tens of thousands of Israelis visited the city as part of a religious observance. Over the course of that weekend, 30 Palestinians, including 7 children, and 1 Israeli were injured in attacks and clashes with Israeli settlers.
28. During the reporting period, there were some developments regarding ongoing cases before Israeli authorities pertaining to the perpetrators of acts of violence. On 29 October, following a plea bargain that led to the first conviction of an Israeli soldier for actions related to the weekly protests along the Gaza perimeter fence, an Israeli military court reportedly sentenced the soldier to a month of imprisonment for having shot dead a 14-year-old Palestinian boy. On 24 October, a district court convicted one of the Israeli suspects for the arson attack in the West Bank village of Duma in 2015, who pleaded guilty of involvement in several other attacks against Palestinians. The suspect was also convicted of membership in a terrorist organization. On 14 November, an Israeli settler was indicted for an incident in which he fired a gun in the air and threw stones towards the Palestinian village of Burin.

IV. Incitement, provocations and inflammatory rhetoric

29. In its resolution [2334 \(2016\)](#), the Security Council called upon both parties to act on the basis of international law, including international humanitarian law, and their previous agreements and obligations, to observe calm and restraint and to refrain from provocative actions, incitement and inflammatory rhetoric, with the aim, inter alia, of de-escalating the situation on the ground, rebuilding trust and confidence, demonstrating through policies and actions a genuine commitment to the two-State solution and creating the conditions necessary for promoting peace. Provocation, incitement and inflammatory rhetoric continued during the reporting period.

30. On its social media pages, Fatah continued to glorify perpetrators of past terrorist attacks against Israelis, and some Palestinian officials attended events honouring those who had carried out the attacks. A Fatah official referred to Israel as a “biological bomb” that was poisoning the entire region. Some officials and official publications engaged in spreading conspiracy theories, accusing Israel of “planting diseases” in the bodies of Palestinian prisoners or intending to use a hospital being built in Gaza by a non-governmental organization to conduct “experiments on the sick Palestinians” and “trafficking in human organs”. A Fatah member of the Revolutionary Council also compared Israel to Islamic State in Iraq and the Levant, claiming that they were “twins”. Hamas leaders also continued to use provocative and threatening language, including threatening one senior Israeli political leader that he would “regret the day” he was born.

31. Several Israeli officials also continued to make inflammatory statements. Vows to annex the Jordan Valley and Israeli settlements were reiterated by senior politicians, with one senior official saying that Israel had the “full right” to apply its sovereignty over the Jordan Valley. A series of derogatory and inflammatory statements were aimed by political leaders towards Israeli Arabs, including calling them an “existential threat to the State of Israel”. One minister said that Palestinians and Israeli Arabs were “still here” only because Israelis were “hospitable”, adding “at least for now”. Other Israeli officials referred to the Palestinian people as “fictitious and made-up”.

V. Affirmative steps to reverse negative trends

32. In its resolution [2334 \(2016\)](#), the Security Council called for affirmative steps to be taken immediately to reverse the negative trends on the ground that were imperilling the two-State solution. While some positive developments can be reported, a number of negative trends overshadow them.

33. Significant progress was made in the implementation of the package of urgent humanitarian and economic interventions for Gaza, endorsed in September 2018 by the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians.

34. As reported by the United Nations during the biannual meeting of the Ad Hoc Liaison Committee, held in New York on 26 September 2019, the interventions have had an important impact across many sectors. In 2019, the daily availability of electricity in Gaza increased to an average of nearly 12–15 hours. This has increased the volume of water and wastewater that can be treated, reduced the need for expensive fuel to run hospitals and lowered costs for private businesses and families. As at 6 December, almost 660,000 people in Gaza had benefited from emergency health care and nearly 580,000 had benefited from the delivery of drugs and medical supplies since the implementation of the interventions. Temporary job creation programmes set up by the United Nations have also produced more than 30,000 jobs so far, and work is progressing on reviving an industrial zone to create long-term economic opportunities.

35. At the end of October and November, the Office for Gaza Reconstruction distributed its monthly humanitarian cash payments of \$100 per family to 75,000 needy families in Gaza.

36. There was also, during the reporting period, some easing of the restrictions on the movement of people to and from Gaza. On 28 October, Israeli authorities removed 150 individuals from the list of 260 Gaza-based national staff of United Nations agencies and international non-governmental organization prohibited from exiting

Gaza and began issuing permits for them to travel to the occupied West Bank, including East Jerusalem.

37. On 3 October, an agreement was reached between Israel and the Palestinian Authority, which resulted in the transfer of some \$425 million of clearance revenues to the Palestinian Authority.

38. On 26 September, the President of the State of Palestine, Mahmoud Abbas, announced at the General Assembly his intention to set a date for Palestinian elections. On 27 November, Hamas provided a written response, accepting the election plan and the terms laid out in the President's letter to the Central Elections Commission of the State of Palestine. Throughout the process, the United Nations, including through my Special Coordinator, has been consistently engaged with senior Palestinian officials and different factions in efforts towards holding inclusive elections throughout the Occupied Palestinian Territory.

39. On 21 October, the Palestinian Cabinet decided to advance amendments to the Palestinian civil status law in favour of women, including increasing the minimum age of marriage and granting women the right to manage their children's bank accounts.

40. On 11 November, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) launched a programme to support the advancement of the women and peace and security agenda in the State of Palestine, including the development of the Palestinian national action plan for the next four years on the implementation of Security Council resolution [1325 \(2000\)](#).

41. In Gaza, while the reconstruction and repair of some 160 houses was completed during the reporting period, no new funding has been disbursed towards the housing reconstruction effort since February 2019, and there is still a funding gap of \$45 million, which is needed to complete the reconstruction of 1,268 entirely destroyed homes, and of another \$75 million, which is needed to repair 56,050 partially damaged homes.

42. Despite continued progress on the implementation of the package of interventions of the Ad Hoc Liaison Committee, the humanitarian and socioeconomic situations in Gaza remain dire. The long-standing shortage of medical supplies continues to be a major concern. Of all the supplies, 46 per cent are at critically low levels and 41 per cent are totally depleted. Increased support to the health sector by the Palestinian Authority will therefore be required, at a time of growing needs and reduced humanitarian funding. Support for health should not be determined by political considerations, but by needs. Health-care providers continue to struggle to treat those injured during the demonstrations. Overall, 58 per cent of patients who sought treatment outside Gaza during the reporting period were granted permits by Israel. Of the patients who were injured during the demonstrations, 18 per cent of those seeking treatment outside Gaza were granted permits by Israel. The socioeconomic situation in Gaza also remains grim, as the unemployment rate remains at almost 45 per cent. With limited economic opportunities, vulnerable communities have fallen into a cycle of indebtedness in order to meet their most pressing needs. Overall, an estimated 1.7 million Palestinians are considered food insecure, and funding gaps are hindering efforts to reach the entirety of the population in need.

43. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) continues to face serious financial challenges, including the lowest ever cash flow levels and an outstanding funding shortfall of \$167 million. The Agency is weeks away from having to halt salary payments to 30,000 staff delivering essential services to millions of Palestine refugees and to 22,000 teachers responsible for educating more than half a million children – half of whom are in Gaza. At the

meeting of the Advisory Commission of UNRWA on 26 November, key donors committed to disbursing funds.

VI. Efforts by the parties and the international community to advance the peace process and other relevant developments

44. In its resolution [2334 \(2016\)](#), the Security Council called upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967.

45. On 12 November, the Court of Justice of the European Union issued a ruling, determining that “foodstuffs originating in the territories occupied by the State of Israel must bear the indication of their territory of origin, accompanied, where those foodstuffs come from an Israeli settlement within that territory, by the indication of that provenance”, in order for the indication of origin to be correct and not misleading for the consumer.

46. In its resolution [2334 \(2016\)](#), the Security Council also called upon all parties to continue, in the interest of the promotion of peace and security, to exert collective efforts to launch credible negotiations and urged in that regard the intensification and acceleration of international and regional diplomatic efforts and support aimed at achieving, without delay, a comprehensive, just and lasting peace in the Middle East on the basis of the relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet road map, and an end to the Israeli occupation that began in 1967. There were no developments regarding such efforts.

47. On 18 November, the United States of America announced that it no longer viewed “the establishment of Israeli civilian settlements in the West Bank” as “per se, inconsistent with international law”.

VII. Observations¹

48. I remain gravely concerned by the continued increase in the number of Israeli settlements in the occupied West Bank, including East Jerusalem. In Area C settlements, some 10,000 units were advanced or approved in 2019, compared with some 6,800 in each of the previous two years. At the same time, tenders were announced for 700 units, compared with more than 3,000 in both 2017 and 2018. In East Jerusalem, some 1,100 units were advanced, marking a decline compared with 2017 (2,300) and 2018 (2,100), and tenders were announced for some 600 units, approximately the same as in 2018 and higher than in 2017, when no tenders were announced. Approximately one third of the 12,400 units advanced, approved or tendered in 2019 are planned for settlements in outlying locations deep inside the West Bank, a marked increase compared with about one quarter of the total 13,300 units in 2018 and about one fifth of the total 12,200 units in 2017.

49. Overall, since the adoption of Security Council resolution [2334 \(2016\)](#), settlement planning and construction have continued. Over the past three years, plans for more than 22,000 units were advanced or approved in Area C and East Jerusalem settlements and tenders were announced for more than 8,000 units. On the ground, the construction of more than 5,000 new units began in Area C during the same period.

¹ As December marks the annual anniversary of the adoption of resolution [2334 \(2016\)](#), in line with standard practice, the observations provided in the last quarterly report of the calendar year draw on annual trends and themes observed throughout the year.

50. I reiterate that the establishment of settlements in the Occupied Palestinian Territory, including East Jerusalem, has no legal effect and constitutes a flagrant violation under international law, as stated in resolution 2334 (2016), and must cease immediately and completely. The existence and expansion of settlements fuel resentment and hopelessness among the Palestinian population and significantly heighten Israeli-Palestinian tensions. In addition, they continue to undermine the prospects for ending the occupation and achieving the two-State solution by systematically eroding the possibility of establishing a contiguous and viable Palestinian State. In this context, I regret the announcement made by the United States on 18 November that it no longer viewed “the establishment of Israeli civilian settlements in the West Bank” as “per se, inconsistent with international law”.

51. I remain deeply concerned by the continued demolitions and seizures of Palestinian structures, which have included internationally funded humanitarian projects. Demolitions in Area C increased in 2019, with 365 Palestinian-owned structures demolished, representing a 38 per cent increase compared with 264 in 2017 and a 36 per cent increase compared with 268 in 2018, and the number of people displaced has more than doubled, with 464 people displaced in 2019 compared with 216 in 2018. In East Jerusalem, 194 structures were demolished in 2019, representing a 13 per cent increase compared with 2018, and the number of Palestinians displaced has more than doubled, with 325 people displaced in 2019 compared with 158 in 2018. The eviction of a Palestinian family in the Old City of Jerusalem in February and the high number of Palestinian households in occupied East Jerusalem with eviction cases filed against them are also very concerning. Israel must abide by its obligations under international humanitarian law.

52. I remain gravely concerned about the continuing violence, terrorist attacks against civilians and incitement to violence that greatly exacerbate mistrust between Israelis and Palestinians and are incompatible with a peaceful resolution. There is no justification for terrorism, and I call upon all members of the international community to join the United Nations in condemning it unequivocally. The launching of rockets and mortars and its indiscriminate effect on Israeli civilian population centres is prohibited by international humanitarian law, and Palestinian militants must cease this practice immediately.

53. The security situation in Gaza remains very fragile, with three serious military escalations in 2019. The killing of nine members of a family whose home was mistakenly targeted in an Israeli air strike must be thoroughly investigated.

54. The situation in Gaza continues to be at risk of a major escalation, and the immense suffering of the people continues. I remain gravely concerned by the number of deaths and injuries of Palestinians along the Gaza perimeter fence. Serious concerns remain over the use of force by Israel during the Gaza protests at the perimeter fence. Israeli security forces have the responsibility to exercise maximum restraint, and intentional lethal force may be used only when strictly unavoidable in order to protect life. The relevant authorities and the organizers of protests in Gaza must ensure that protests remain peaceful. Children should never be the target of violence, and Hamas and other militant groups have an obligation to protect children, by ensuring that they are never put in harm’s way.

55. I am concerned by reports of an increased number of attacks and incidents of harassment attributed to settlers, including during the olive harvesting season and in Hebron, and call for further measures to ensure that Israel fulfils its obligation to protect Palestinian civilians from all acts or threats of violence, including by Israeli settlers, and to investigate and hold accountable those responsible for attacks.

56. Provocative and inflammatory rhetoric during the reporting period continued to deepen the divide, fuel mistrust and hatred between the parties and undermine efforts

to advance the goal of peace. Leaders and officials must set a tone that encourages tolerance and facilitates increased dialogue, rather than using their public platform to further escalate tensions. I am particularly appalled by, and call upon all to join the United Nations in condemning as unacceptable, all racist and inflammatory statements that aim to spread fear and hatred among people. I am also concerned by the continued statements on the prospect of annexation of the Jordan Valley and other parts of the West Bank. Such steps, if implemented, would constitute a serious violation of international law. They would be devastating to the possibility of reviving negotiations and regional peace, while severely undermining the viability of the two-State solution.

57. September marked one year since the start of the implementation of the United Nations package of urgent humanitarian and economic interventions for Gaza. The efforts to date have achieved important results, yet the situation remains fragile, with the constant threat of renewed conflict alongside the continuation of a harsh Israeli closure regime, the lack of progress on intra-Palestinian unity and continued insecurity and militant activity. The volatile dynamics in Gaza are exacerbated by rampant poverty and sky-high unemployment, while the provision of basic services, including health care and water, still falls far short of demand. Some of the funding from investments made as a result of efforts by the United Nations will run out by 31 December, and without additional funding and a durable Israeli and Palestinian commitment, the situation in Gaza could, once again, be pushed to the brink of collapse.

58. The impact on women of the ongoing humanitarian and economic crisis in Gaza is of particular concern. Some 70 per cent of all women in Gaza are unemployed, resulting in female-headed households being more likely to face poverty and food insecurity. Poverty and a lack of economic opportunities also remain key factors behind violence against women in Gaza, while the humanitarian crisis has resulted in a large number of health issues for women. The United Nations continues to provide assistance to Palestinian women and girls across a broad range of areas, but much more needs to be done to ensure that their needs are addressed.

59. I take this opportunity to reiterate that no amount of humanitarian or economic support on its own will resolve either the situation in Gaza or the broader conflict. Gaza ultimately requires political solutions. Taking into consideration its legitimate security concerns, I urge Israel to ease the restrictions on the movement of goods and people to and from Gaza, with the goal of ultimately lifting them. Only by fully lifting the debilitating closures, in line with Security Council resolution 1860 (2009), can there be hope that the humanitarian crisis will be sustainably resolved. It is also crucial to end the militant build-up in Gaza and the threat of rocket attacks, and I reiterate my call upon Hamas to provide full information regarding the Israeli nationals who are being held in Gaza.

60. I welcome the ongoing discussions on the holding of Palestinian general elections. If elections are held, they will be the first Palestinian elections since 2006, giving renewed legitimacy to national institutions. The international community should support this process, with a view to strengthening national unity rather than division. As has been emphasized to all interlocutors by the United Nations, including by my Special Coordinator, the critical elements required for elections to be credible are the following: first, they must be organized across the Occupied Palestinian Territory – in the West Bank, including East Jerusalem, and Gaza – in line with the Basic Law for the Palestinian Interim Self-Government Authority, electoral legislation and international best practices; second, both legislative and presidential elections are necessary and should be held within a clearly identified and reasonable time frame; and third, broad intra-Palestinian agreement must be reached on the modalities of holding elections.

61. It is critical that the important Egyptian-led intra-Palestinian reconciliation efforts continue. The United Nations stands firm in its support of the efforts by Egypt in this regard, and I call upon all Palestinian factions to make serious efforts to ensure the reunification of Gaza and the West Bank under a single, democratic, national government. Only then can the international community hope to sustainably resolve the humanitarian crisis and begin the important task of development. Gaza is, and must remain, an integral part of a future Palestinian State as part of a two-State solution.

62. Despite the agreement reached between Israel and the Palestinian Authority on 3 October on clearance revenues, underlying disagreements between the two parties remain, including over the deductions by Israel. This leaves the Palestinian economy vulnerable to sudden deterioration. It remains critical that both sides engage in a constructive manner with the goal of restoring the revenue transfers in full, in line with the Paris Protocol on Economic Relations between the Government of the State of Israel and the Palestine Liberation Organization. They must do their utmost to prevent a further deterioration and to recommit, with the support of the international community, to the basic tenets enshrined in long-standing bilateral agreements.

63. I note the criticality of providing continued support for UNRWA, as its financial situation has continued to worsen. Urgent disbursement of donor funds is essential to ensure that operations continue until the end of 2019.

64. December marks three years since the adoption by the Security Council of resolution [2334 \(2016\)](#). The situation on the ground since then has only deteriorated. Settlements have expanded significantly, demolitions have accelerated, violence and incitement have continued, achieving intra-Palestinian unity remains elusive and credible negotiations have yet to be launched. I remain greatly concerned by the challenges to the international consensus to achieve an end to the occupation and the realization of a negotiated two-State solution of the Israeli-Palestinian conflict, based on the 1967 lines and on the basis of relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet road map. I call for the renewal of collective efforts to this end.

65. I reiterate the call for the status quo at the holy sites in Jerusalem to be upheld in line with the special and historical role of Jordan as custodian of the Muslim and Christian holy sites in Jerusalem.

66. In the absence of a renewed commitment of the parties and the international community to pursue concrete measures that will lead to genuine political progress, the situation is destined to steadily worsen. The Israeli-Palestinian conflict is currently in an incredibly fragile phase, with the occupation deepening, political uncertainty prevailing and the volatile regional dynamics threatening to further destabilize the situation. I once again urge leaders on all sides to summon the necessary political will to take concrete steps in support of ending the occupation and realizing a lasting peace – a peace that will allow Palestinians to achieve their right to self-determination and independent statehood and result in two democratic States, Israel and Palestine, living side by side in peace with secure and recognized borders, with Jerusalem as the capital of both States.

67. I express my deep appreciation to my Special Coordinator, Nickolay Mladenov, for his outstanding service in what remains a challenging context. I also pay tribute to all staff working under difficult circumstances in the service of the United Nations.



Security Council

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Letter dated 31 March 2020 from the President of the Security Council addressed to the Secretary-General and the Permanent Representatives of the members of the Security Council

I have the honour to enclose herewith a copy of the briefing dated 30 March 2020 by the Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, Nickolay Mladenov, and of the statements delivered by the representatives of Belgium, China, the Dominican Republic, Estonia, France, Germany, Indonesia, the Russian Federation, Saint Vincent and the Grenadines, South Africa, Tunisia, Viet Nam and the United States of America, in connection with the videoconference convened on 30 March 2020 (see annexes).

In accordance with the procedure set out in the letter dated 27 March 2020 from the President of the Security Council addressed to the Permanent Representatives of the members of the Security Council ([S/2020/253](#)), which was agreed in the light of the extraordinary circumstances caused by the COVID-19 pandemic, the briefing and statements will be issued as a document of the Security Council.

(Signed) **Zhang Jun**
President of the Security Council



Annex I**Briefing dated 30 March by the Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, Nickolay Mladenov**

On behalf of the Secretary-General, I will devote this briefing to presenting the thirteenth report on the implementation of Security Council resolution [2334 \(2016\)](#), covering the period from 18 December 2019 to 20 March of this year.

Let me begin, however, by praising the far-reaching measures that both Israel and the Palestinian Authority have taken to try and contain the spread of the COVID-19 virus. The coordination that has been put in place and the joint commitment to tackle the threat to both populations is exemplary. Their efforts have been supported by the United Nations. The United Nations country team, led by the Deputy Special Coordinator and the World Health Organization, is working closely with all partners and the authorities to ensure coordinated assistance to the health networks dealing with the spread of the virus in the West Bank and to support preparedness in Gaza.

I am grateful to all those who have pledged assistance to our efforts as well.

Returning to the report, let me reiterate that developments during this reporting period cannot be divorced from the broader context: Israel's continued military occupation of Palestinian territory, illegal settlement activity and the threat of annexation; Hamas' continuing hold over Gaza and its militant activity; Israeli closures on Gaza; unilateral actions that undermine peace efforts; severe challenges to the fiscal viability of the Palestinian Authority; and the persistent risk of military escalation. All of these developments collectively erode the prospects of achieving a viable two-State solution.

In today's briefing, I will focus on developments on the ground in accordance with the provisions of the resolution, including on regional and international efforts to advance peace.

Security Council resolution [2334 \(2016\)](#) calls on Israel to "immediately and completely cease all settlement activity in the occupied Palestinian territory, including East Jerusalem" and to "fully respect all of its legal obligations in this regard". No steps have been taken to this effect during the reporting period.

Israeli authorities advanced or approved plans for some 3,800 housing units in West Bank settlements, including about 100 in East Jerusalem. Tenders for a total of some 3,200 housing units were announced, including 1,077 in Givat Hamatos, an area strategically located between the East Jerusalem Palestinian neighbourhood of Beit Safafa and Bethlehem. About 30 per cent of the units advanced, approved or tendered are to be built in outlying locations, deep inside the occupied West Bank.

On 25 February, the Israeli government announced it would advance two plans for a total of 3,500 units in the E1 area in the West Bank. If constructed, these units would expand the settlement of Ma'ale Adumim towards Jerusalem, severing the connection between the northern and southern West Bank, thereby further undermining the possibility of a viable and contiguous Palestinian state.

On 9 March, Israel's Defense Minister advanced a plan for a so-called "sovereignty road" between the southern and northern West Bank, bypassing the Ma'ale Adumim settlement and areas around it, and stated that its construction would enable settlement construction in E1. Settlement expansion in E1 has long been

considered controversial due to the area's importance for the territorial contiguity of a future Palestinian state.

On 15 January, following a ruling by Israel's High Court of Justice, Israeli authorities demolished two houses in the outpost of Kumi Ori, in Area B of the West Bank. Structures were reportedly also demolished during the reporting period in the outposts of Ma'ale Shlomo and Ma'ale Pinhas. In all of these cases, clashes were reported between settlers and security forces.

Demolitions and seizures of Palestinian-owned structures by Israeli authorities continued across the occupied West Bank, including East Jerusalem.

Citing the absence of Israeli-issued building permits, which remain very difficult for Palestinians to obtain, the Israeli authorities demolished or seized 96 Palestinian-owned structures, including 50 in East Jerusalem, in addition to 29 structures self-demolished by their owners, resulting in the displacement of 227 people, including 53 women and 122 children.

During the reporting period, the Jerusalem Magistrate's Court ordered the eviction of several Palestinian families from their homes in the Silwan neighbourhood of East Jerusalem, pursuant to lawsuits brought by an Israeli settler-related organization citing pre-1948 ownership of the properties. The families intend to appeal the cases. However, if upheld, the rulings could put hundreds of Palestinians living in the area at risk of forced eviction.

Security Council resolution [2334 \(2016\)](#) calls for "immediate steps to prevent all acts of violence against civilians, including all acts of terror, as well as all acts of provocation and destruction." Unfortunately, sporadic violence continued during the reporting period.

Between 18 December and 20 March, in the occupied West Bank, including East Jerusalem, 9 Palestinians, including 2 children were killed and some 30 injured, while some 30 Israelis, including 4 children and 19 security personnel, were injured in various incidents.

On 5 February, during clashes in Hebron, Israeli security forces shot and killed a 17-year-old Palestinian boy, as he was allegedly throwing Molotov cocktails.

On 6 February, a Palestinian man was shot and killed during clashes in Jenin, while in a separate incident, a Palestinian Authority policeman was killed after being hit by a live bullet shot by Israeli security forces while he was inside a police station. Israeli security forces have opened an investigation into the second incident.

On the same day, a Palestinian man shot and wounded a soldier near the entrance of Jerusalem's Old City. He was killed by Israeli security forces. Twelve Israeli soldiers were injured in a car ramming attack in Jerusalem, carried out by a Palestinian, who was later arrested.

On 6 January, an Israeli girl and a man were reportedly injured, and at least eight vehicles owned by Israelis were damaged, following throwing of stones, and in one case a Molotov cocktail, by Palestinians on West Bank roads.

On 18 January, an Israeli man was wounded in a stabbing attack carried out by a Palestinian youth in Hebron. The perpetrator was arrested.

On 7 February, another Palestinian succumbed to his wounds after having been shot during clashes in the village of Qaffin in the northern West Bank.

On 18 February, during clashes between police and local residents, a Palestinian security forces shot and killed a 15-year old Palestinian boy in Qabatia, Jenin.

On 22 February, Israeli forces shot and killed a Palestinian man near Lions Gate at the entrance to the Old City of Jerusalem, reportedly as he attempted to stab them. On 11 March, during clashes with local residents trying to block Israelis from entering a historical site, the Israeli security forces shot and killed a 15-year-old Palestinian boy in Jabal al-ʿArma in Beita, Nablus.

In March, there were a number of incursions by settlers in Palestinian towns particularly in Ramallah and Nablus Governorates.

In Gaza, despite several days of renewed hostilities in late February, the understandings brokered by Egypt and the United Nations continue to be largely upheld and a fragile calm currently prevails.

On 26 December, the organizers of the protests along the Gaza perimeter fence announced that they would be put on hold until 30 March, leading to a period of relative calm along the fence, despite occasional violent incidents.

On 21 January, three Palestinians, including a 17-year-old boy, crossed the fence into Israel from Gaza and were shot by Israeli security forces after they threw explosive devices towards them.

On 31 January, a 14-year-old Palestinian boy was pronounced dead from tear gas canister wounds he sustained during demonstrations held on 11 October 2019.

Rocket fire from Gaza towards Israel, the launching of balloons carrying explosive devices and Israeli retaliatory strikes have also continued. On 23 February, two Palestinian Islamic Jihad militants attempted to place an explosive device along the fence. One was killed by the Israel Defense Forces, who retrieved his body using a bulldozer inside Gaza in an incident that caused outrage and a serious escalation.

In the following two days, Palestinian Islamic Jihad launched over 100 rockets and mortar shells towards Israel, including one that landed in a playground. Israel responded by firing at Palestinian Islamic Jihad targets in the Gaza Strip. Overall, 18 Palestinians and 16 Israelis were injured in the exchanges before the United Nations and Egyptian-led efforts succeeded in restoring calm on 24 February.

Despite the call in Security Council resolution [2334 \(2016\)](#) for the parties to refrain from acts of provocation, incitement, and inflammatory rhetoric, such statements continued.

Palestinian leaders continued to make inciteful and provocative statements. Fatah's official social media pages glorified perpetrators of previous terror attacks against Israelis, and displayed content encouraging children to carry out violence against Jews. Palestinian Authority officials also delivered speeches praising perpetrators of attacks, denying Israel's existence and denying the Jewish historic connection to Jerusalem. Hamas officials encouraged attacks against Israelis in the West Bank and the launching of explosive devices using balloons from Gaza.

Israeli officials continued to make dangerous and discriminatory statements. Senior officials have repeatedly called for annexation of Israeli settlements and other parts of the occupied West Bank. An Israeli minister called for the toppling of the Palestinian Authority if it did not withdraw its claims against Israel at the International Criminal Court. Some Israeli politicians also made a series of discriminatory statements against Israeli Arabs.

Resolution [2334 \(2016\)](#) reiterated calls by the Middle East Quartet for "affirmative steps to be taken immediately to reverse negative trends on the ground that are imperilling the two-State solution."

Over the past months, Israel has removed restrictions and monitoring requirements on a number of materials entering Gaza, including some that previously

entered through the Gaza Reconstruction Mechanism. These materials included equipment needed for the construction of critical water and sanitation infrastructure as well as tires, and certain types of cement.

During January 2020, the number of people exiting Gaza via the Erez Crossing was around 27,000, of whom 78 per cent were businesspeople and merchants. This is the highest number of exits recorded since 2007. In a related development, in mid-February, Israel raised the number of business permits for entry from Gaza into Israel to 7,000, the highest it has been since 2007.

Progress has also continued on the reconstruction of damage incurred during the 2014 escalation. To date, 9,000 out of 11,000 totally destroyed houses have been rebuilt, and work on another 800 houses is under way. There remains a funding gap of some \$35 million needed to complete the reconstruction of 1,000 destroyed homes and \$75 million for the repair of just over 56,000 partially damaged homes. Over 1,000 families remain internally displaced.

Despite continued progress on the implementation of critical interventions in support of the economy, and Gaza's water, energy and health sectors, the humanitarian and socioeconomic situations remain dire. Gaza's health system continues to be on the brink of collapse, overstretched and burdened by chronic shortages of drugs and supplies. In January and February 2020, the percentage of medical-related exit permit requests that were delayed or denied by Israeli authorities was 30 and 31 per cent, respectively. As of February 2020, stock levels for 39 per cent of essential medicines have been completely depleted.

Gaza's failing health-care system is particularly worrying in the context of the spread of the COVID-19 virus in the region. Gaza is one of the most densely populated areas in the world – this coupled with its already fragile health-care system makes it a particularly high-risk case for the COVID-19 outbreak. In early March, the phased introduction of measures to stem COVID-19 led the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to close down schools throughout the occupied Palestinian territory indefinitely, though essential medical and other operations continue.

We were informed today by UNRWA that in Gaza they will provide primary health services also to Palestinians who do not have a refugee status in order to assist with the efforts to prevent a COVID-19 outbreak in Gaza.

The United Nations is working to increase its support for Gaza's health system, including in the context of the COVID-19 response.

On the positive side, according to data compiled by the Office for the Coordination of Humanitarian Affairs in January, the increased energy supply since October 2018 has contributed to significantly reduced amounts of pollution into the sea alongside increased availability of piped and desalinated water for Gaza's population. It is imperative that sustainable solutions are found to Gaza's energy deficit.

There has been no progress during the reporting period towards intra-Palestinian reconciliation or Palestinian presidential and legislative elections, which have not taken place since 2006. Between 27 February and 17 March, the Russian Federation hosted a series of bilateral discussions with representatives of various Palestinian factions. Discussions focused on the need to advance intra-Palestinian unity and convene an inclusive dialogue to further prospects of reconciliation.

Security Council resolution [2334 \(2016\)](#) called on Member States “to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied in 1967.”

On 12 February, the United Nations Human Rights Office issued its report on businesses involved in activities related to settlements in the occupied Palestinian territory, as requested by the Human Rights Council in its resolution 31/36, adopted on 24 March 2016. As noted in paragraph 19 of the report, it “does not purport to constitute a judicial or quasi-judicial process of any kind or legal characterization of the listed activities or business enterprises involvement therein”.

Resolution 2334 (2016) also called upon “all parties to continue, inter alia, to exert collective efforts to launch credible negotiations”.

On 28 January, the United States released its “Peace to Prosperity” vision for peace between Israelis and Palestinians. As stated by the Secretary-General in his 11 February briefing to this Council, the position of the United Nations in this regard has been defined, throughout the years, by resolutions of the Security Council and General Assembly, by which the Secretariat is bound. The United Nations remains committed to supporting Palestinians and Israelis to resolve the conflict on the basis of relevant United Nations resolutions, international law and bilateral agreements and realizing the vision of two States – Israel and Palestine – living side by side in peace and security within recognized borders, on the basis of the pre-1967 lines.

In closing, I would like to share some broad observations concerning the implementation of the provisions of resolution 2334 (2016) during the reporting period.

(a) The expansion of Israeli settlements continues to pose a significant obstacle to achieving a viable two-State solution. Their establishment has no legal validity and constitutes a flagrant violation of international law, as stated in Security Council resolution 2334 (2016). They should stop immediately and completely. Potential settlement advancement in the E1 area of the occupied West Bank, or in East Jerusalem neighbourhoods that are crucial to the contiguity of a future Palestinian state, are particularly concerning. The existence and expansion of settlements further entrench the occupation and systematically erode the possibility of establishing a contiguous and viable Palestinian state, and fuel anger and resentment among the Palestinian population.

(b) Unilateral steps are detrimental to peace. In recent months, Israeli officials have repeatedly stated their intention to annex Israeli settlements and other parts of the occupied West Bank. If implemented, such steps would not only constitute a serious violation of international law, but they would also effectively end the prospect of the two-State solution and close the door to negotiations between Israelis and Palestinians.

(c) The demolition and seizure of Palestinian structures, including internationally funded humanitarian projects, must stop. This practice violates international humanitarian law and must cease. Affected populations must be duly compensated for damages.

(d) There is no justification for violence against civilians, including children, and I call upon all members of the international community to join the United Nations in condemning it unequivocally and calling for all perpetrators to be held accountable.

(e) The indiscriminate launching of rockets and mortars towards civilian population centres is prohibited by international humanitarian law and Palestinian militants must cease this practice immediately. Israeli security forces must exercise maximum restraint and only intentionally use lethal force when strictly unavoidable in order to protect life, in accordance with international law. All incidents must be thoroughly investigated.

(f) Incitement to violence and provocative rhetoric continue to sow fear and deepen mistrust between both sides, eroding hopes for a peaceful solution. All sides must unequivocally condemn attacks when they occur. All perpetrators must be held accountable. Settler-related violence in the West Bank, including East Jerusalem also remains a serious concern.

(g) Despite the fragile calm in Gaza, and the limited improvements the situation remains a major concern. I reiterate that the only sustainable solution to Gaza's challenges is political and requires concrete steps to ensure that Gaza and the occupied West Bank are reunited under a single legitimate Palestinian national authority, in accordance with the recommendations of the 2016 Middle East Quartet Report. It is critical to end the militant build-up of Hamas and Palestinian Islamic Jihad in Gaza and the constant threat of rocket fire from the Gaza Strip. At the same time, while taking into consideration its legitimate security concerns, Israel must continue to implement additional measures to significantly improve the movement and access of goods and people to and from Gaza, with the goal of ultimately lifting the closures, in line with Security Council resolution 1860 (2009).

(h) The reconstruction effort in Gaza continues to make important progress and it is important that the remaining projects receive funding and are completed. The United Nations and its partners continue to support this effort as well as other projects aimed at the revival and strengthening of Gaza's industrial and agricultural sectors. At the same time, the Palestinian Authority must do much more to support Gaza's health system, particularly in relation to COVID-19 preparedness, but also in the light of systemic difficulties and chronic drug shortages. I encourage the Palestinian Government and donors to work with the United Nations to this end.

(i) Efforts to improve the situation in Gaza are vital to bolstering the ongoing conflict prevention efforts of Egypt and the United Nations.

(j) It is highly regrettable that there has been no progress made towards the holding of long overdue Palestinian presidential and legislative elections. The Palestinian people must be allowed to exercise their democratic right to vote and elect their leaders and representatives. It is critical that the important Egyptian-led intra-Palestinian reconciliation efforts also continue. Palestinian leaders must engage positively with Egypt, reverse the negative trajectory, take concrete steps to end division and schedule elections.

(k) On 8 March, the United Nations country team celebrated International Women's Day and took the opportunity to acknowledge and celebrate the contributions of Palestinian women to the development of their communities. This is happening alongside tremendous efforts by United Nations agencies and partners to support civil society actors and the Government to promote gender equality and women's empowerment in line with the Sustainable Development Goals. Notwithstanding the continued challenges posed by Israel's military occupation, Palestinian women remain concerned about safety and security, livelihoods, employment opportunities, lack of political participation, access to education, health care and other services. I will report in greater detail over the coming months on United Nations efforts to support more gender focused programming as well as to promote greater engagement of women.

(l) The Security Council's 24 February press elements reiterating support for a negotiated two-State solution in accordance with United Nations resolutions and international law was an encouraging sign. Thank you for that. Now is the time to find a way to move the process forward, and to advance proposals to bring the parties back into a mutually agreed framework that allows for meaningful negotiations to commence. The United Nations remains committed to supporting Palestinians and Israelis to resolve the conflict on the basis of relevant United Nations resolutions,

multilateral agreements and international law, and realizing the vision of two states – Israel and Palestine – with Jerusalem as the shared capital -living side by side in peace and security within recognized borders, on the basis of the pre-1967 lines.

As the region continues to confront the enormity of the challenges posed by the COVID-19 pandemic and the broader geopolitical tensions, the situation on the ground remains fragile. Credible negotiations have yet to be launched that will end the occupation and realize a negotiated two-State solution. In the absence of a renewed commitment of the parties to pursue concrete measures that will lead to genuine political progress, the situation I'm afraid will continue to deteriorate.

Annex II

Statements delivered by Permanent Representatives of the members of the Security Council on the implementation of Security Council resolution 2334 (2016)

A. Belgium

We regret that once again we have to come to the conclusion that no significant steps have been taken to implement resolution 2334 (2016).

Resolution 2334 (2016) is clear: Israeli settlement policy constitutes a flagrant violation of international law. Israel must therefore immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem. We remain deeply concerned about new settlement announcements, especially with regards to Jerusalem. If put into practice, these would cut the territorial and geographic contiguity of a future Palestinian state and would undermine the status of Jerusalem as the shared capital.

Furthermore, we remain deeply concerned about announcements regarding the annexation of the West Bank or parts thereof and moves in that direction. Let me reiterate that Belgium will not recognize any changes to the 1967 borders, including with regards to Jerusalem, other than those agreed by the parties.

According to the latest figures of the Office for the Coordination of Humanitarian Affairs, 21 donor-funded structures have been demolished or seized in 2020. We once again call on Israel to cease these activities and to compensate for the damages.

The publication of the database of the Office of the United Nations High Commissioner for Human Rights on businesses with a connection to the settlements in the Occupied Palestinian Territories will hopefully create more transparency.

The past reporting period has seen flares of violence. We condemn all acts of violence against civilians and reiterate the importance of respecting international humanitarian law, including its principles of distinction and proportionality.

Unilateral actions and declarations need to make room for a renewed commitment to the two-state solution and the internationally agreed parameters. It is important that the international community helps create the conditions for a resumption of meaningful and direct negotiations leading to a durable solution, in line with international law, guaranteeing equal rights, both for Palestinians and Israelis alike. Belgium, as a member of the European Union, will spare no efforts in this regard.

Let me, in conclusion, briefly turn to the most recent developments regarding the recent COVID-19 outbreak which risks further exacerbating an already dire situation, both in the West Bank and in Gaza, where the health sector already faces an enormous pressure. We welcome the coordination and cooperation between both sides in order to tackle this pandemic as well as the efforts deployed by the United Nations. Humanitarian access remains crucial and steps have been taken in order to facilitate the entry of critical supplies and equipment into Gaza, as well as to allow for the access and movement for medical personnel. We hope further efforts can be made in this regard.

We remain deeply concerned about the financial implications: Belgium for its part contributes to the local response through its financial contributions to the Office for the Coordination of Humanitarian Affairs country-based pooled fund, the

International Committee of the Red Cross and the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

B. China

It's the fourth meeting we have had on the Palestinian Question since beginning of the year. In recent days, we have witnessed some positive development, including the cooperation between Israel and Palestine in fighting the COVID-19 pandemic. Meanwhile, we share the concerns of the international community regarding the plans of settlements projects and the inflammatory rhetoric of annexation. I would like to highlight the following:

First, all acts and unilateral initiatives aiming at legalizing settlements should be stopped immediately. Security Council resolution [2334 \(2016\)](#) should be effectively implemented. Parties concerned should immediately cease all settlement activities in the Occupied Palestinian Territory, and stop developing and implementing new settlement plans. The call of the Secretary-General one week ago should be heard and followed by parties on the ground, namely, to pull back from hostilities, put aside mistrust and animosity, and bring hope to the most vulnerable to COVID-19.

Secondly, further attention should be given, and urgent steps taken, in improving the Palestinian economic and humanitarian conditions. The international community should step up its efforts in supporting the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), including through increased and expedited financial support to UNRWA. We welcome the launch of the Global Humanitarian Response Plan for COVID-19 so that the world's poorest and most vulnerable countries including Palestine may benefit from it. China also welcomes the appointment of Mr. Philippe Lazzarini as Commissioner-General of UNRWA.

Thirdly, more efforts should be made to promote dialogue, negotiation and political consultation on the basis of the "two-state solution", the relevant United Nations resolutions, the principle of "Land for Peace" and the Arab Initiative, among others. We take note of the recent Quartet meeting which discussed how to revive meaningful peace negotiations towards the goal of two states. We welcome the efforts of Israel and Palestine in fighting the COVID-19 as demonstrated by the phone call between Israeli President and President of Palestine. We support the two sides to strengthen coordination and enhance mutual trust.

China remains committed to firmly supporting the just cause of the Palestinian people for restoring their legitimate national rights. We would work together with Council members to seek a comprehensive, fair, and lasting solution to the question of Palestine at an early date.

C. Dominican Republic

At the outset, I would like to reiterate that any contribution of this Council, in relation to the Israel-Palestine situation, must be within the framework of the recognition and respect of mutual rights, including self-determination and independence. These are the basic principles.

With that in mind, we must ensure respect for previous international agreements.

In this regard, we continue to believe that the Israeli settlements in the Occupied Palestinian Territory, particularly Gaza, including East Jerusalem, and the dire

consequences that they cause for the Palestinian people, induce an atmosphere of tension and insecurity and undermine any possibility of reaching a point from where they can continue the process of reconciliation and peace between the parties.

We reiterate that the only way forward is through a political dialogue and positive leadership that ultimately lead parties back to the negotiating table.

Colleagues, as others have already mentioned, the situation in Gaza continues to be of high concern for the Dominican Republic.

We all know the long-standing dire situation of the health system, particularly in the Gaza Strip. And now, with the global COVID-19 pandemic, it is even more threatened. With already confirmed cases, more sooner than later we may be dealing with the consequences of years of neglect and inaction that has made this one of the most serious protracted humanitarian situations in the world.

The World Health Organization (WHO) has already warned that the health system in Gaza could not cope with an outbreak, since the hospitals in the strip are overloaded and without resources. Facing this pandemic will be extremely challenging.

I just have a few more comments:

We echo the Secretary-General's call for a worldwide ceasefire to allow full response to COVID-19. We continue to see killings and injuries of people during clashes across the West Bank and other areas. This is a source of concern.

But we have also seen on various reports that there has been close coordination between Israeli and Palestinian health authorities, which is unprecedented. And it must be commended.

We are very pleased to learn that these are meeting several times a week to join efforts to stop the spread of the virus. This is another wake-up call and a reminder of how close and Inter-connected these two countries are. And that only through these types of coordination will there ever be an understanding between them.

So, we believe that this juncture could be an entry point for further talks. Linking the cease fire and end of hostilities-including demolitions- to an effective response to a global pandemic, poses a unique opportunity in our view.

We understand and as it has been stated before, that no amount of humanitarian or economic support on its own, will resolve the difference between the parties, but in this context, we are hopeful that together Israelis and Palestinians, with the support of the United Nations, are able to build the bridges in the vast spaces between them, while fighting a global pandemic.

D. Estonia

Security Council must do its utmost to be able to follow and discuss the ongoing developments in the world despite the current situation.

Among others, it is essential to continue with the regular meetings on the Middle East, as the developments unrelated to the COVID-19 are ongoing in parallel.

The most important goal should be keeping the momentum alive for moving towards peace and to refrain from actions that undermine it, in the spirit of the Security Council resolution [2334 \(2016\)](#).

We urge the parties to start negotiations and we welcome continued efforts in this regard. It is essential to stress that starting the negotiations would not mean

ignoring the internationally agreed parameters and that the outcome should be a negotiated solution agreed by both parties.

The advancement of settlement development by Israel in several areas in East Jerusalem and around it is worrying, especially in the E1 area. Our position on settlement activity remains the same, it is illegal under international law and undermines the prospects for peace process.

The biggest immediate worry is, of course, the risk of COVID-19 spreading in Gaza. It is important that Israel and Palestine continue their cooperation regarding preparedness to crisis.

It is positive that the overall security situation in Gaza has remained calm since February, although the latest rocket attack last Friday indicates continued instability. We urge the parties to refrain from further violence and focus on the common fight against the virus.

E. France

First, I thank Mr. Mladenov for his briefing and the presidency for organizing the monthly meeting on the Israeli-Palestinian conflict. It is important that the Council continue to meet on the main hotspots.

The Special Coordinator's briefing underlined the threat that COVID-19 represents for the Palestinian territories.

In Gaza, the health system was already on the verge of collapsing before the pandemic. There was only half of the essential medicine available for only a month. Basic equipment to respond to COVID is obviously lacking. The spread of the virus could also lead to a wider social and political destabilization, with regional consequences.

We took note of the efforts made. We urge Israel to allow the delivery of medical equipment and humanitarian emergency evacuations. The Palestinian authority should also lift restrictions that prevent the delivery of medical equipment and medicine to Gaza.

In echo to the Secretary-General's call for humanitarian truce, all actors must refrain of act of hostilities, maintain the ceasefire and ensure humanitarian access to all the people in need. We condemn the launch of rockets against civilian areas in Israel, including those over the weekend.

Nevertheless, there will be no sustainable stability in Gaza without a lift of the blockade with credible security guarantees for Israel and the return of the Palestinian authority to the enclave thanks to Palestinian reconciliation. I urge for progress on those two fronts.

Regarding the West Bank, we are very concerned about the situation of Palestinian detainees, including in Israel, and civilians living in the Area C and East Jerusalem. Let me recall the responsibilities of Israel as an occupying power according to the Geneva Conventions. We urge the Israeli authorities to facilitate the delivery of humanitarian supplies.

More cooperation is needed between Israel and the Palestinian Authority. I welcome the decision of Israel to transfer 120 million shekels of fiscal revenues to the Palestinian authority; the parties nevertheless need to agree on a more comprehensive agreement.

The international community needs to step up its support to Gaza and the West Bank. I welcome the global humanitarian response plan of the United Nations to

respond to the COVID crisis as well as the efforts of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) which remain all the more essential today. And I commend the appointment of Mr. Lazzarini as Commissioner-General of UNRWA.

Finally, we reiterate our condemnation of the recent announcements by the Israeli government to advance settlements in Jerusalem and the West Bank. They clearly threaten the viability of a future Palestinian state.

Along with our European partners, we have called upon the Israeli government to reconsider its decisions and to put an end to all settlement activity, in line with its obligations as an occupying power under the Geneva Convention and relevant Security Council resolutions, including resolution [2334 \(2016\)](#). We also call on all parties to fully meet their obligations under International Law.

We have warned against any unilateral steps, including annexation of parts of the West Bank, that would undermine the two-state solution and the prospects for peace. Such steps if implemented would not pass unchallenged.

In conclusion, let me hope that COVID-19 will also be an opportunity to foster reconciliation and peace. Unilateral steps to respond to common challenges simply do not work. I therefore hope we can collectively prepare the ground for the resumption of the peace talks in the framework of the internationally agreed parameters and the two-state solution.

F. Germany

First, I would like to express my concern at the impact of the COVID-19 pandemic in Israel and the occupied Palestinian territories. We welcome the Israeli-Palestinian cooperation against this common threat which knows no boundaries and endangers Israelis and Palestinians alike.

We commend the United Nations and its efforts to support Israeli-Palestinian cooperation against COVID-19 and the enhancement of medical capacities where they lack most. We echo the call of the Secretary-General to put aside mistrust and animosity and to focus on dialogue and cooperation in order to enable joint responses to COVID-19.

We need to support the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in this situation. UNRWA plays a critical role in the current pandemic, but lacks funding to handle the realistic scenario of a deterioration of the humanitarian situation caused by a massive outbreak of the COVID-19 pandemic in Palestinian refugee camps and Gaza.

With regard to the implementation of resolution [2334 \(2016\)](#), we remain greatly concerned by the situation on the ground and the general state of play in the Israeli-Palestinian conflict.

Germany remains convinced that a negotiated two-state solution based on international law and on the internationally agreed parameters is the only viable solution to the Israeli-Palestinian conflict that meets Israeli and Palestinian security needs, fulfils Palestinian aspirations for statehood and sovereignty, ends the occupation that began in 1967, resolves all permanent status issues, and guarantees equal rights for all inhabitants.

To build a just and lasting solution, the final status issues, including the issues related to borders, the status of Jerusalem, security and refugees, must be resolved through direct negotiations between both parties.

Unilateral actions creating facts on the ground neither help reaching a just and lasting solution nor do they lead to sustainable peace and security.

We therefore call on the parties to the conflict, and on all international stakeholders, to refrain from taking any measures which risk undermining the viability of a negotiated two-state solution to the Israeli-Palestinian conflict on the basis of international law and the internationally agreed parameters.

The ongoing Israeli occupation and the continued settlement activities in the Palestinian territories occupied since 1967 remains one of the main obstacles to a political settlement of the Israeli-Palestinian conflict.

We reiterate our position that Israeli settlement activities in the occupied Palestinian territories are illegal under international law and undermine the prospects for ending the occupation and achieving a negotiated two-state solution.

We reiterate our call on the Israeli government to halt the settlement construction plans for Har Homa and Givat Hamatos as well as for the area E1 and abide by resolution [2334 \(2016\)](#). It bears recalling: severing East Jerusalem from the West Bank would severely undermine the prospects for a viable and contiguous Palestinian state within the framework of a negotiated two-state solution.

We call upon Israel to end the expansion of settlements, the legalization of settlement outposts, the confiscation of Palestinian land and the demolition and seizure of Palestinian-owned structures.

We remain extremely concerned about repeated statements, plans and steps on the ground towards the annexation of parts of the occupied Palestinian territories.

We strongly advise the Israeli government against the annexation of or the “extension of Israeli sovereignty” to occupied Palestinian territories as this would constitute a clear violation of international law and have serious, negative repercussions on the viability of the two-state solution and the entire peace process.

We reiterate that Germany will continue to distinguish between the territory of the State of Israel and the territories occupied since 1967 and that we will not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, unless agreed to by both parties.

Resolution [2334 \(2016\)](#) needs to be fully implemented, not only with regard to settlement activities but also with regard to acts of terror, violence against civilians, incitement, provocative actions and inflammatory rhetoric which also constitute obstacles to achieving peace.

Germany condemns all attacks on Israel in the strongest possible terms, including the firing of rockets from Gaza into Israel as recently as last Friday (27 March).

Hamas and the Palestinian Islamic Jihad must stop firing rockets into Israel. There is no justification for the firing of rockets into Israel or any other form of terrorism – not at any time, and certainly not at a moment of global crisis.

If we want to prevent a further deterioration of the situation on the ground, we have to find ways to revive the political process.

We reaffirm our belief that any viable proposal for direct negotiations must be accepted by both parties. The previous resolutions of this Council reflect both international law as well as parameters for negotiations that both parties have previously accepted in negotiations.

We think that establishing or reviving a multilateral format, such as the Quartet, would enable us to discuss the recent United States proposals and any other proposals, in particular further concrete proposals from the Palestinian side.

Such discussions could be helpful towards the shared objective of creating an environment conducive to the resumption of meaningful and genuine negotiations between the parties to resolve all permanent status issues and to achieve a negotiated, just and viable solution which is acceptable for both sides, Israelis and Palestinians.

G. Indonesia

I wish to begin by thanking your delegation for convening this meeting during a very difficult period.

Our appreciation also goes to Mr. Mladenov for delivering the Secretary-General's quarterly report on resolution [2334 \(2016\)](#), and his update of the Council on the latest developments on the ground.

With that background, I would like to make the following pertinent points:

First, the creeping annexation of Israel in the Occupied Palestinian Territories must be stopped.

Indonesia deplores this reprehensible practice, particularly in recent weeks following the outbreak of COVID-19 in the Occupied Palestinian Territory.

Based on data of the Office for the Coordination of Humanitarian Affairs, since 5 March 2020 when the first seven cases of the disease were discovered in Bethlehem, the Government of Israel has demolished 30 structures in the West Bank belonging to the Palestinians.

This is against the background of Israel also announcing plans last month to construct over 17,500 settlement units in the Occupied Palestinian Territories, including in and around East Jerusalem; and on February 27, approving plans for an additional 1,739 units.

These brazen efforts clearly violate international law and Security Council resolutions, including resolution [2334 \(2016\)](#).

Moreover, they take advantage of, and jeopardize, the international concern over, and efforts to tackle, the spread of COVID-19.

We therefore urge the Security Council not to entertain this slight by Israel, or let these unjustifiable measures go unchecked.

Second, urgency to assist Palestinians to address the outbreak of COVID-19 in the Occupied Palestinian Territories.

While we continue to maintain pressure on Israel in this Council concerning the illegality of its actions in the Occupied Territory, it is also imperative that we find ways to help the most vulnerable Palestinian population in the area to respond to COVID-19.

In that regard, Indonesia urges the Council to call on Israel to halt all illegal settlement activities, including the destruction of Palestinian properties, that are causing displacements and enhancing the humanitarian crisis of the civilians.

We must also urge the Occupying Power to assume its legal obligations to help address the COVID-19 situation in the West Bank and Gaza, among others by ensuring unhindered access to essential health supplies as well as lifting the movement restrictions on patients and health workers.

We must also appeal to the international community to extend urgent humanitarian support and resources to the Palestinian population, including through the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

We also would like to welcome the appointment of Philippe Lazzarini as the Commissioner-General of UNRWA.

Third, the need to prepare Gaza to cope with the pandemic.

I am particularly worried about the potential impact of COVID-19 on Gaza, as its health-care system was collapsing even before the outbreak.

It is common knowledge that its stocks of essential drugs are extremely low, its natural sources of drinkable water largely contaminated, and that its electrical system supplies limited power.

As a result, if the situation in Gaza is not addressed, we could witness a large-scale COVID-19 outbreak capable of leading to a devastating humanitarian catastrophe.

Before I close, I wish to express my delegation's denunciation of Israel's recent airstrikes in the Gaza Strip. We reject this and all forms of violence, particularly those that are disproportionate and aimed at extending the pain and suffering of helpless Palestinians.

Finally, I would like to once again reaffirm Indonesia's long-standing position that the two-state vision, based on various United Nations resolutions, is the only viable solution to the prolonged Palestine-Israeli conflict.

While we continue our concerted efforts to fight the spread of the COVID-19 pandemic, Indonesia reiterates its call for the early resumption of credible multilateral negotiations on the Question of Palestine guided by the internationally agreed parameters.

In closing, I would also like to request the Secretariat to distribute the statement by Mr. Mladenov today to all Council Members as official document of the Council.

H. Russian Federation

We were pleased to learn that contacts between Palestinians and Israelis in the context of confronting COVID-19 have resumed. Israeli President Rivlin's phone call to his Palestinian counterpart Mr. Abbas was an important step. While the focus of the ongoing cooperation is on the health crisis, there are many other areas that overlap and are under discussion now. We hope that this dialogue becomes part of the confidence building measures.

As Mr. Mladenov underscored, potential consequences of the spread of the disease in the Gaza Strip are of particular concern. As we understand, Palestinians, Israelis and Egyptians are contacting on the issue with the help of the United Nations. The work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and its support by the international community becomes even more important than ever. Of course, the safety of UNRWA staff is a priority.

Due to the current state of affairs, many questions arise regarding the Palestinian elections. Israelis themselves have problems related to the formation of the Government.

We are going through a difficult period of time in the Middle Eastern peace process that is even more aggravated by the COVID-19. Still, our principal approach

remains unchanged. Russia supports a fair solution of the Palestinian question on the basis of relevant United Nations resolutions, the Madrid Principles and the Arab Peace Initiative, which provide basis for creation of an independent, sovereign, territorially contiguous Palestinian state within 1967 borders with East Jerusalem as its capital.

On March 26, Russia took part in a teleconference of special envoys to the Middle East Quartet of International Mediators. The participants held an in-depth discussion on the current lack of progress with the Palestinian-Israeli settlement and on the tasks of containing the spread of the COVID-19 pandemic. They agreed that it was important to revitalize the work of the Quartet and to hold next teleconference soon.

At the last meetings of the Security Council we heard both from Palestinians and Israelis that they were prepared to engage in negotiations. We should hear from the parties how they see parameters of such negotiations. We reiterate the importance of restoring Palestinian national unity. As Mr. Mladenov mentioned, we held a series of consultations with Palestinian factions on that issue.

Unfortunately, reports from the ground indicate that even the Coronavirus does not change plans for the continuation of settlement activity, and demolition of Palestinian real estate. Clashes that lead to casualties do not stop. We believe it is important that the parties do not engage in provocative actions and unilateral steps, in particular at this time.

I. Saint Vincent and the Grenadines

We convene this meeting today amid a tsunami of global challenges. The worst global pandemic in over a century continues to ravage us all, while the slow onset of the climate crisis leaves each of our countries with a cloud of uncertainty looming overhead. Saint Vincent and the Grenadines echoes the Secretary-General's appeal for an immediate global ceasefire in all corners of the world. Now, more than ever, we must come together to fight these unseen enemies that lurk at each of our gates.

We note with concern the growing number of detected COVID-19 cases in the occupied Palestinian territory. At the same time, we welcome the recent discussion between the Israeli and Palestinian leadership to coordinate efforts to combat the virus. Similarly, we welcome the recent meeting between the United Nations Special Envoy, Nickolay Mladenov, and the Middle East Quartet to discuss the prospects for peace negotiations and the current situation surrounding COVID-19.

Saint Vincent and the Grenadines encourages the international community to support the efforts of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to deal with COVID-19 in the Palestinian refugee community, including by contributing to the Flash Appeal.

In the midst of this global pandemic, we are concerned about the ongoing Israeli settlement throughout the Occupied Palestinian territory. We once again reiterate that the annexation of Palestinian land undermines the feasibility of a two-state solution and constitutes a flagrant violation of international law.

Article 56 of the Fourth Geneva Convention states that, "the Occupying Power has the duty of ensuring and maintaining, with the cooperation of national and local authorities, the medical and hospital establishments and services, public health and hygiene in the occupied territory". In this context, we call on Israel, the occupying power to ensure that all the necessary preventive means available to it are utilized to combat the spread of COVID-19.

Indeed, fighting this virus is one of the most urgent challenges facing us all today. We should be united in rising to the challenge. Saint Vincent and the Grenadines reaffirms its commitment to this international coalition.

J. South Africa

I would like to thank Special Coordinator Nickolay Mladenov for his informative, yet disturbing briefing on the situation in Palestine, particularly with regard to continuing settlement activity in the occupied Palestinian territory.

South Africa's position on Palestine is well known so I will not repeat it here today, but will focus my remarks on the reason we have all met today; the continuing illegal settlement activity in the occupied Palestinian territory.

Settlements/annexation

South Africa is particularly concerned at the continuous settlement and annexation rhetoric by the Israeli government. These negative gestures and Israel's pronouncements about the annexation of a large part of the West Bank and Jordan Valley do nothing to move the peace process forward but only moves positions and people further apart

My delegation, must once again, reiterate that the continued expansion of settlements violates international law, contravenes decisions of this Council and undermines the prospects for peace. South Africa is particularly concerned at the announcement for plans for the construction of 3,500 units in the E1 area (between the Ma'ale Adumim colony and Jerusalem), which would severely compromise the possibility of a two-State solution. These announcements and all settlement must stop.

We call on all Council members and States Members of the United Nations to fully implement all provisions of resolution [2334 \(2016\)](#), in line with their obligations under the Charter of the United Nations and decisions of the Security Council. This includes written reports from the Secretary-General on the implementation of resolution [2334 \(2016\)](#). We look forward to receiving a written report, on which the Special Coordinator based his briefing today in keeping with recent Council practice.

All resolutions adopted by the Council, be they unanimous or not, must be uniformly implemented. We cannot pick and choose which Security Council resolutions should be implemented. In a similar vein, overt violations of Council resolutions, as is the case with the continued settlement activity in the occupied Palestinian territory, usually evoke stricter measures on the party responsible for the infringement.

South Africa continues to be concerned at the continued human rights violations in the Occupied Territory, and emphasize that such violations only contribute to the festering hatred between Palestine and Israel, causing further divisions. The killing and injuring of Palestinians, who are protesting illegal Israeli action must be condemned. We are appalled at the death once again of a Palestinian youth earlier this month, whose only crime was to demonstrate against the unjust occupation.

COVID-19

During this time of the COVID-19 pandemic and with many nations under lock down, self-isolation or quarantine, we must pay particular attention to how this health crises affects the Palestine people. During this time, when millions of people are being told to stay at home, some Palestinians are having their homes demolished. This is unacceptable and must be condemned.

We have seen reports of the first positive cases of COVID-19 in Gaza. In an area where the health-care system is poor, there are restrictions on the movement of goods, including medical supplies and equipment and people living in close proximity to each other, it can only be anticipated that the number of positive cases may increase. We call on the relevant parties to ensure that the necessary equipment to battle and contain this pandemic is made available to all those who require it. The international donor community should try its best to also assist the Palestinians in dealing with the pandemic.

In this regard, we call on the Government of Israel to fulfil its responsibilities, as the occupying power to lift the blockades instituted against the movement of goods and persons into Gaza.

Additionally, South Africa calls on Member States and the international community to support the efforts of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to provide humanitarian assistance to Palestinian refugees, especially in these uncertain times. We also would like to take this opportunity to congratulate Mr. Lazzarini on his appointment as the Commissioner-General of UNRWA and wish him well in leading the organization.

K. Tunisia

At the outset, I would like to express our appreciation to Mr. Mladenov, for his tireless efforts, especially in these difficult circumstances, and thank him for his comprehensive briefing.

The situation on the ground regrettably continues to deteriorate, and as mentioned in Mr. Mladenov's briefing, settlements have expanded significantly and demolition of homes have accelerated, in violation of international humanitarian law and relevant United Nations resolutions. These unlawful policies and illegal activities are dangerously imperilling the viability of the two-State solution and have led to increased tensions in the occupied Palestinian territory and beyond.

Moreover, the international community should urge Israel to abide by its obligations under the international law and to refrain from any attempts to implement its long-planned de facto annexation of the Palestinian land, in grave breach of international law and further shredding the contiguity of the Palestinian territory. The Secretary-General warned that "such steps, if implemented, would be devastating to the possibility of reviving negotiations and regional peace, while severely undermining the viability of the two-State solution".

Tunisia is deeply concerned with the deteriorating humanitarian situation especially in Gaza and the lack of significant steps aimed at putting an end to the hardships of the people living there. The situation of the public health is precarious as a result of the destruction of hospitals and lack of drugs and medical equipment. It's hence fundamental that the international community continue its vital humanitarian assistance to the Palestinian people, especially at this critical juncture to strengthen the Palestinian capacity in response to COVID-19 pandemic. It is likewise crucial to allow and facilitate rapid and unimpeded passage of humanitarian relief for civilians in need. We also insist on the necessity of providing continued support for the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as it is still facing huge financial difficulties, including to fund immediate response to the COVID-19.

In closing, Tunisia renews its commitment to maintaining its steadfast and principled support for the Palestinian question and the indivisible and inalienable rights of the Palestinian people, which are not time-bound. We stress our attachment

to peace as a strategic choice and reaffirm our support for any constructive efforts to revive the peace process based on international resolutions, the Madrid terms of reference, the Arab Peace Initiative and the two-State solution as the only path to achieving a lasting, comprehensive and just peace. A peace that puts an end to occupation and leads to the establishment of the independent sovereign Palestinian state based on the pre-1967 borders, with East Jerusalem as its capital.

L. Viet Nam

I would like to thank Mr. Mladenov, United Nations Special Coordinator for the Middle East Peace Process, for his valuable briefing. I would like to make the following points:

First, we are deeply concerned of the dire and fragile situation in Gaza. Suffering people in Gaza and other occupied Palestinian territories are at risk of a potential outbreak of the coronavirus pandemic. We hope there will be no outbreak but it is good to prepare for the worst, especially we all know that the health service system is collapsing in Gaza under many years of blockade. Under the current circumstance, the concerned parties need to refrain from all acts of provocation or violence and immediately carry out necessary measures to protect civilians. We commend and fully support the works of the United Nations Relief and Works Agency for Palestine Refugees in the Near East on the ground.

Second, we noted with much worries that the Israeli government is advancing plans of settlement construction in the West Bank and East Jerusalem. These unilateral steps on the ground continue to undermine prospects for a two-state solution. Meanwhile, the possible annexation of territory in the West Bank remains a matter of big concern and would close the door to negotiations.

Third, it is urgent to resume dialogues and negotiations towards a peaceful solution to the conflict. We urge the concerned parties to step up efforts and we call for the intensification of international and regional diplomatic efforts and support aimed at achieving a comprehensive, just and lasting peace in the Middle East on the basis of the internationally agreed parameters, including the relevant United Nations resolutions. We also wish to see progress in other peace initiatives towards this goal. I would like to take this opportunity to express my appreciation to mediation efforts of the Secretary-General of the United Nations, his Special Coordinator and regional countries.

Lastly Viet Nam reaffirms its position that a lasting and just peace in the region can only be achieved through realizing the vision of two states, Israel and Palestine, living side by side in peace and security on the basis of the pre-1967 lines, with Jerusalem as the capital of both states.

M. United States of America

Thank you, Mr. President and thank you, Mr. Mladenov, for your briefing. As always, and especially under these difficult circumstances, we are grateful for the continued efforts of your team to fairly address the longstanding conflict.

I understand that in the current environment, much of our attention rightly remains focused on minimizing the impact of COVID-19 on communities around the world. We also recognize that this is not the time for a complex discussion of the granular details of the Trump administration's Vision for Peace. There will be another day to address these important matters, as well as how we can secure a future of dignity and prosperity for all Israelis and Palestinians.

But today, while my comments will be brief, I do want to shine a light on recent engagement between the Israelis and Palestinians that is encouraging, constructive, and that, in a small way, speaks to the power of dialogue – the kind of dialogue we have all been urging the parties to engage in for many months now.

In recent days, we have seen close coordination between Israeli and Palestinian authorities as they seek to prevent widespread harm from the presence of COVID-19 among their peoples. According to the Office for the Coordination of Humanitarian Affairs, representatives from both the Israeli and Palestinian ministries of health have been coordinating regularly to mitigate the spread and impact of the coronavirus. They have been meeting regularly for conversations about recent developments. And they have been sharing best practices with one another to help those in their care stay safe and healthy.

This kind of dialogue, though just one example, is a model of collaboration and cooperation. It is a tangible demonstration of the good that comes – and the human lives that can literally be saved – when leaders come to the table just to talk with one another – to recognize one another’s dignity, and to do the hard work of laying out a path to a safer, healthier, more prosperous future.

So when this disease passes, when we have escaped its grip – which I know we will – each member of this Council will be able to point to the cooperation we’re seeing now and say that dialogue between the Israelis and Palestinians is possible. We will be able to say that achieving mutually beneficial solutions is possible.

I want everyone to take note of what we’ve seen in recent days, and to remember it. Because when COVID-19 has passed, the need for dialogue between Israelis and Palestinians will be just as great as it was before. And the Council will have an important role to play in reminding both sides that in a time of trial, it was dialogue that saw them through to the other side.

We continue to believe that a comprehensive and lasting peace between Israelis and Palestinians is in reach, and we are committed to increasing our efforts until that future is safely in their hands.



Security Council

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Implementation of Security Council resolution 2334 (2016)

Report of the Secretary-General

I. Introduction

1. The present report is the fourteenth quarterly report on the implementation of Security Council resolution 2334 (2016).¹ The reporting period is from 21 March to 4 June 2020.

II. Settlement activities

2. In resolution 2334 (2016), the Security Council reaffirmed that the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, had no legal validity and constituted a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace. In the same resolution, the Council reiterated its demand that Israel immediately and completely cease all settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and that it fully respect all of its legal obligations in that regard. No such steps were taken during the reporting period.

3. On 26 May, the Jerusalem District Planning Committee approved a master plan for the expansion of the Har Homa settlement in occupied East Jerusalem by up to 2,200 housing units. If implemented, this expansion and the planned construction of 3,000 housing units in the Givat Hamatos settlement – tenders for 1,000 of which were announced in February – would further consolidate the ring of settlements along the southern perimeter of Jerusalem, separating the Palestinian areas of the city from Bethlehem and the southern West Bank. No other plans were advanced and no tenders were announced in Area C during the reporting period.

4. Earlier in May, the Israeli authorities approved the seizure of municipal planning authority at the Ibrahimi Mosque/Tomb of the Patriarchs from the Palestinian Municipality in Hebron. The Israeli authorities justified the decision as necessary in order to make the site accessible to those with disabilities, while stating that the project “will not change prayer arrangements or the status quo.” The expropriation order was issued on 12 May, allowing 60 days for objections. The Palestinian

¹ The thirteenth quarterly report of the Secretary-General was delivered on 30 March 2020 and circulated to Council Members in document [S/2020/263](#).



leadership, the Hebron Municipality, the Waqf and the Islamic authorities, among others, have condemned this move, arguing that it violates the 1997 Protocol concerning the Redeployment in Hebron.

5. During the reporting period, demolitions and seizures of Palestinian-owned structures continued across the occupied West Bank, including East Jerusalem, despite the coronavirus disease (COVID-19) outbreak and some indications from the Israeli authorities of a temporary freeze on the demolition of inhabited buildings due to the pandemic. Citing the absence of Israeli-issued building permits, which remain almost impossible for Palestinians to obtain, the Israeli authorities demolished or seized 132 structures, resulting in the displacement of 86 Palestinians, including 47 children and 42 women, with 700 others also adversely affected. A total of 16 of the structures were demolished or seized on the basis of military order No. 1797, which authorizes an expedited process for structures deemed to be new and gives owners only 96 hours to demonstrate that they possess a valid building permit. A total of 27 structures demolished or seized were donor-funded, and 7 of the demolished structures were water-related (cisterns, water tanks, wells). Another 10 structures, primarily in occupied East Jerusalem, were demolished by their respective owners following receipt of demolition orders.

6. On 22 April, Israeli security forces demolished six structures, three of them inhabited, in illegal outposts near the Yitzhar settlement, which were reportedly linked to frequent incidents of settler violence in the area and clashes between settler extremists and Israeli security forces, including the throwing of three Molotov cocktails at a military vehicle on 26 March.

7. On 11 May, in Kubar village, close to Ramallah, Israeli forces demolished the home of a Palestinian family as a punitive measure. The house belonged to the family of a Palestinian man charged with participating in the killing of an Israeli girl in August 2019.

8. A total of 42 structures were demolished during the Muslim holy month of Ramadan (24 April to 24 May). This is a significant increase as compared with previous years (13 in 2019; 1 in 2018; 0 in 2017).

III. Violence against civilians, including acts of terror

9. In resolution [2334 \(2016\)](#), the Security Council called for immediate steps to prevent all acts of violence against civilians, including acts of terror, as well as all acts of provocation and destruction, and called for accountability in that regard and for compliance with obligations under international law for the strengthening of ongoing efforts to combat terrorism, including through existing security coordination, and to clearly condemn all acts of terrorism.

10. The reporting period, however, was characterized by acts of violence throughout the Occupied Palestinian Territory, including violent clashes between Palestinians and Israeli security forces, settler-related violence, stabbing and ramming attacks, the firing of rockets by Palestinian militants from Gaza towards Israel, retaliatory Israeli airstrikes against militant targets in Gaza and the use of lethal force by Israeli security forces against Palestinian civilians.

11. Overall, seven Palestinians, including one child, were killed by Israeli security forces during demonstrations, clashes, security operations and other incidents across the Occupied Palestinian Territory, and 217 Palestinians were injured, including 37 by live ammunition. One Israeli soldier was killed and three members of the Israeli security forces and two Israeli civilians, including one child, were injured in stabbings, clashes and other incidents.

12. In Gaza, while a relative calm mostly prevailed, on 27 March and 6 May, Palestinian militants launched one and two rockets, respectively, which landed in open areas of Israel. In response, the Israel Defense Forces fired nine tank shells, reportedly targeting an alleged military observation post in Gaza. Israeli drones furthermore fired three missiles reportedly targeting Hamas military sites in Gaza. No injuries were reported.
13. On 15 May, Palestinian militants in Gaza resumed the launching of incendiary devices into Israel. No injuries or damage were caused during the reporting period.
14. On at least 164 occasions, Israeli forces opened fire toward Gaza in the areas adjacent to the perimeter fence, no injuries were reported. On 76 occasions Israeli forces opened fire at Palestinians fishing off the coast of Gaza, injuring nine.
15. In early April, Hamas detained eight civil society activists, including one woman, who had participated in a video conference with Israeli and international peace activists, on the grounds of “establishing a normalization activity with the Israeli occupation.” Five have been released. The Office of the United Nations High Commissioner for Human Rights has raised serious concerns over the legality of the detentions, fair trial standards and the risk of ill-treatment in and outside detention.
16. Meanwhile, in the occupied West Bank, Israeli security forces shot and killed a 32-year-old Palestinian man and injured a relative of his in Ni’lin village on 22 March. The Israeli security forces reported that the two were throwing stones at vehicles, an account disputed by family members of the victim. Israeli authorities are withholding the body of the deceased man from the family.
17. On 1 April, a Palestinian man died from injuries sustained in an incident on 11 March in Jabal al-Urmah, Bayta village, in Nablus Governorate. During the incident, Israeli security forces had used live ammunition and rubber-coated bullets to disperse Palestinian residents demonstrating against Israeli settlers’ attempts to enter a historical religious site near the village.
18. On 22 April, a Palestinian man reportedly carried out a car ramming and stabbing attack against an Israeli border police officer at a checkpoint in occupied East Jerusalem and was subsequently shot and killed by security forces.
19. On 28 April, a 19-year-old Palestinian man stabbed a 62-year-old Israeli woman in the Israeli city of Kfar Saba, causing her moderate wounds. An Israeli civilian shot and seriously injured the Palestinian. The latter was subsequently arrested.
20. On 12 May, Israeli security forces shot, injured and arrested a Palestinian man at the Qalandiya checkpoint in the occupied West Bank, allegedly for attempting to stab a member of the Israeli security forces in the area.
21. On 12 May, an Israeli soldier was killed by a stone thrown at his head during an Israeli security forces arrest operation in the village of Ya’bad, near Janin. Israeli security forces have been conducting nightly arrest operations in the village in pursuit of those responsible. At least 53 Palestinians, including 5 women and 5 children, have been arrested, 20 of whom remain in detention. One of the detainees, a 19-year old Palestinian man, was found unconscious in an isolated area after he was arrested by Israeli security forces. The village was placed under military closure for approximately one week. A suspect was subsequently apprehended.
22. On 13 May, Israeli security forces shot a 17-year-old Palestinian boy in the head with live ammunition, killing him, during a search operation and subsequent clashes in the Fawwar refugee camp near Hebron. Witnesses identified him as a bystander. Four other Palestinians, including a child, were also injured by live fire.

23. On 14 May, a 19-year old Palestinian man was shot and killed by Israel security forces during an alleged ramming attack against Israeli soldiers at Bayt Awwa checkpoint, west of Hebron. The circumstances of the incident remain unclear. An Israeli soldier also sustained serious injuries in the incident.
24. On 15 May, Palestinians threw a pipe bomb and Molotov cocktails at an Israeli security forces observation post in Abu Dis town near East Jerusalem. Israeli security forces responded with gunfire, injuring three Palestinians.
25. On 29 May, Israeli security forces shot and killed a Palestinian man for allegedly carrying out a car ramming attack in Nabi Salih village near Ramallah. In ensuing clashes with residents, Israeli security forces shot and injured with live ammunition a 22-year old Palestinian man with Downs Syndrome.
26. On 30 May, Israeli security forces shot and killed an unarmed, autistic, 31-year-old Palestinian man in the Old City of Jerusalem. Israeli police are investigating the incident. The Prime Minister, Benjamin Netanyahu, referred to the incident as “a tragedy” and the Alternate Prime Minister and Minister of Defense, Benjamin Gantz, apologized publicly.
27. Tensions in the Isawiyah neighbourhood of occupied East Jerusalem continued as a result of Israeli security forces operations, including house raids and arrests, and recurring clashes between Israeli security forces and Palestinians. Overall, Israeli forces conducted at least 60 search and arrest operations, arresting some 100 people, including at least 16 children, and injuring one.
28. Settler-related violence in the occupied West Bank increased during the reporting period, despite strict movement restrictions imposed by the Palestinian and Israeli authorities in relation to the coronavirus disease (COVID-19) pandemic. The Office for the Coordination of Humanitarian Affairs recorded 80 attacks by Israeli settlers and others against Palestinians, resulting in 38 injuries and damage to Palestinian-owned properties.
29. A large number of incidents were also recorded in relation to the wheat harvesting season, including physical assault and harassment of Palestinian farmers by Israeli settlers, as well as damage to over 2,000 olive trees, saplings and dozens of dunums of agricultural land. These confrontations were often violent, spiralling into clashes between Palestinians and Israeli security forces. Most affected were the communities of Khidr (Bethlehem), Turmus‘ayya, Mughayyir, Ras Karkar (Ramallah), As Sawiya (Nablus), Fuqayqis, the H2 zone of Hebron and Tuwani (south Hebron hills).
30. On 6 April, a group of settlers attacked Palestinian farmers with dogs, electric batons and pepper spray in Shuyukh village, east of Hebron. The settlers were reportedly trying to install a fence on Palestinian-owned land. A 53-year old farmer was injured in the attack.
31. On 7 April, 10 settlers from the Halamish settlement assaulted a Palestinian farmer while, with his sons, aged 28 and 32, he was ploughing his land near Kobar village. The three were beaten with rifles and the sons taken to the settlement. The brothers were later released.
32. On 6 May, 11 settlers attacked a 52-year old Palestinian man and his nephew who were herding sheep near Burqah village, south of Janin. Twenty of his sheep were still missing at the end of the reporting period.
33. On 18 May, Israel’s District Court in Lod convicted an Israeli settler of the murder in 2015 of three members of the Palestinian Dawabsheh family, including a toddler, when their home in the occupied West Bank village of Duma was burned down while they were asleep. In its verdict, the Court concurred with the State

prosecution that the murder was an act of terror; however the settler was acquitted of the charge of membership in a terror organization. The defendant reportedly intends to appeal the case to the Supreme Court.

IV. Incitement, provocations and inflammatory rhetoric

34. In its resolution [2334 \(2016\)](#), the Security Council called upon both parties to act on the basis of international law, including international humanitarian law, and their previous agreements and obligations, to observe calm and restraint and to refrain from provocative actions, incitement and inflammatory rhetoric, with the aim, inter alia, of de-escalating the situation on the ground, rebuilding trust and confidence, demonstrating through policies and actions a genuine commitment to the two-State solution and creating the conditions necessary for promoting peace. Provocation, incitement and inflammatory rhetoric continued during the reporting period.

35. On its social media pages, Fatah continued to glorify perpetrators of previous terrorist attacks against Israelis. On multiple occasions, senior Palestinian officials accused Israeli authorities of seeking to intentionally spread COVID-19 among Palestinians. Members of militant factions continued to praise acts of violence against Israelis, including the ramming and stabbing attack on 22 April at a checkpoint in occupied East Jerusalem.

36. At the same time, Senior Israeli government officials continued to make inflammatory statements in support of the illegal annexation of parts of the occupied West Bank, with some calling it a “historic opportunity.” One Israeli minister stated that “under no circumstances will we allow for the establishment of a Palestinian state.” Also in the context of annexation discussions, some Israeli political leaders made demeaning comments with regard to Palestinians, outlining their goal as gaining “maximum territory with minimum Arabs”.

37. On 3 April, Israeli police detained the Palestinian Authority Minister of Jerusalem Affairs for several hours and interrogated him over allegations of violating an Israeli law prohibiting Palestinian Authority activities in Jerusalem without coordination. The Minister was released on the condition that he abstain from such activities and was banned from movement within East Jerusalem for 14 days. On 5 April, the Authority’s Governor of Jerusalem was arrested over similar allegations and released the following day. On 14 April, Israeli security forces raided and shut down a COVID-19 testing centre opened by the Palestinian Ministry of Health in Silwan and arrested a volunteer. On 5 May Israeli security forces arrested 15 Palestinians, including the Palestinian Authority Secretary-General of the National People’s Congress of Jerusalem, and the Mayor of Kafr Aqab, in occupied East Jerusalem and the Old City.

V. Affirmative steps to reverse negative trends

38. In its resolution [2334 \(2016\)](#), the Security Council called for affirmative steps to be taken immediately to reverse the negative trends on the ground that were imperilling the two-State solution. Negative trends on the ground continued during the reporting period.

39. On 17 May, a new emergency coalition Government was sworn into office in Israel, following a year of political uncertainty that ended with the 20 April signing of a coalition agreement. The agreement stipulates that, as of 1 July, and following consultation with the Alternate Prime Minister, the Prime Minister of Israel can

present “the agreement to be reached with the United States on the application of sovereignty” over parts of the occupied West Bank for approval in the Government or Knesset. The agreement also calls for the promotion of peace agreements with the country’s neighbours and regional cooperation.

40. On 19 May, in response to the stated plans of Israel to annex parts of the occupied West Bank, the Palestinian Authority announced that it was absolved “of all the agreements and understandings with the American and Israeli governments and of all the obligations based on these understandings and agreements, including the security ones”, further calling on Israel to assume its obligations as the occupying Power. The statement by the President of the State of Palestine, Mahmoud Abbas, also reaffirms the Palestinian “commitment to a solution to the Palestinian-Israeli conflict based on the two-State solution ... on the condition that negotiations will be held to achieve that under international auspices (the Quartet plus) and through an international peace conference based on international legitimacy.” It reaffirms the Palestinian leadership’s willingness to “achieve a just and comprehensive peace,” based on the Arab Peace Initiative and United Nations resolutions, including Security Council resolution [2334 \(2016\)](#).

41. On 20 May, the Palestinian Prime Minister instructed Cabinet members to immediately commence implementation of the Palestinian leadership’s announcement, while assuring the international community that the Palestinian Authority would not allow security to deteriorate. On the same day, Palestinian officials formally notified Israeli counterparts of the termination of security coordination. On 3 June, the Authority announced that it would refuse to receive the clearance funds that Israel collects on its behalf under the Paris Protocol on Economic Relations between the Government of the State of Israel and the Palestine Liberation Organization. The practical implications of these steps are still unfolding.

42. Palestinians continue to face the immense socioeconomic impacts of COVID-19. Tens of thousands of Palestinians have lost their jobs, small and medium enterprises are unable to operate and non-conflict-related violence against women and children has increased. The World Bank estimates that the Palestinian economy will likely decline by 7.6 per cent to 11 per cent in 2020. As a result of sharp declines in Palestinian Authority revenues, the Authority’s fiscal deficit could reach \$1 billion–\$1.5 billion in 2020. Without recourse to international borrowing or additional budget support from donors, the Palestinian Government will be forced to adopt severe austerity measures. As a stop-gap measure, on 11 May, Israel and the Authority concluded a \$233 million loan agreement, secured against future Palestinian clearance revenues collected by Israel. This arrangement is intended to ensure that the Authority can maintain a minimum level of cash flow for the coming four months. The Authority has decided not to avail itself of this facility, further to its decision of 19 May.

43. On 9 May, an Israeli military order, amended in February 2020, came into effect, which could hold Palestinian commercial banks liable for processing the Palestinian Authority’s payments to Palestinian security prisoners, their families or families of those killed while involved in attacks against Israelis. According to media reports, the implementation of the amendment was frozen on 4 June pending further review.

44. On 24 April, the Jerusalem District Court issued a decision ordering the temporary withholding of some \$128 million from the Palestinian Authority as compensation to families of victims of attacks against Israelis during the second intifada. The Court ruled that the sum, at least in part, would be collected from the Authority’s clearance revenues withheld by Israel since March 2019.

45. Humanitarian interventions continue in close coordination with all relevant authorities to help address the ramifications of the COVID-19 outbreak across the

Occupied Palestinian Territory. The revised COVID-19 inter-agency response plan, put forward by the United Nations and partners, which requested \$42.4 million to contain the pandemic and mitigate its impact up to the end of June 2020, is 58 per cent funded, with an additional \$17.3 million in funding outside the appeal. Including resources outside the response plan, \$39.5 million have been mobilized to support COVID-19-related response activities in the Occupied Palestinian Territory.

46. The COVID-19 pandemic has compounded the already dire humanitarian, economic and political situation in Gaza. According to recent surveys, approximately 35 per cent of industrial firms in Gaza have ceased operation completely owing to COVID-19, while the rest have reduced their operating capacity. As a result, approximately 13,000 industrial workers have lost their jobs. Virtually all restaurants and hotels have ceased operations, leading to the release of over 10,000 workers. Recent job losses come on top of an already high unemployment rate in Gaza of 45 per cent at the end of 2019.

47. Reconstruction and repair of damages incurred during the 2014 conflict in Gaza slowed owing to the COVID-19 pandemic and lack of funding. The reconstruction of 65 destroyed houses and the repair of 13 partially damaged homes were completed. The reconstruction of an additional 410 destroyed houses is in progress. There remains a funding gap of \$34 million to complete the reconstruction of 849 destroyed homes and \$75 million for the repair of 56,037 partially damaged homes.

48. In March, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) launched comprehensive measures to prevent and contain the spread of COVID-19 across the Occupied Palestinian Territory. The Agency closed all its schools in the Territory simultaneously with Palestinian Authority schools, while its medical clinics successfully introduced strict protocols to reduce non-urgent and chronic patient volume, including through telemedicine. In Gaza, among other measures, the Agency closed food distribution centres serving over 1 million beneficiaries per quarter, as these represented an enormous transmission risk, and resorted to a challenging logistical effort to conduct home deliveries of food parcels. The Agency also began meeting humanitarian needs arising from the situation, including cash assistance for Palestinians, in particular the elderly, unable to access necessary medical services for financial reasons. Coordinating with Palestinian authorities and with support from other partners, UNRWA supported preventive efforts to avoid a major COVID-19 outbreak.

49. UNRWA continued to face enormous financial challenges with more than half the Agency's core operating budget unfunded at the end of the reporting period. In consultation with UNRWA, Jordan and Sweden announced that they would co-chair a ministerial-level pledging conference on 23 June to raise funds for the Agency's 2020 needs, secure commitments for a further two years and identify additional, innovative sources of financing.

50. On 2 June, Norway and the European Union co-chaired a virtual Ministerial meeting of the Ad Hoc Liaison Committee. The Palestinian Prime Minister and Minister of Finance, the Director General of the Ministry of Foreign Affairs of Israel, and foreign ministers of key donors and regional countries took part in the meeting alongside representatives of the United Nations, the World Bank and the International Monetary Fund. Donors underscored their commitment to the Palestinian Government and people, as well as the United Nations, in particular UNRWA, and their continued support for a negotiated two-State solution and Palestinian economic development. They noted the parties' cooperation on the COVID-19 response in the Occupied Palestinian Territory and called for their economic relationship to be updated and modernized, highlighting the large financing gap likely to face the Palestinian Government owing to the crisis. Donors expressed concern over the

negative implications of unilateral actions on the ground, in particular the stated intention of Israel to annex parts of the occupied West Bank. As noted in the Committee's Chair's summary, "any such move, if implemented, would run counter to the efforts to realize a viable two-State solution and be detrimental to peace and security, and would constitute a violation of international law."

VI. Efforts by the parties and the international community to advance the peace process and other relevant developments

51. In its resolution [2334 \(2016\)](#), the Security Council called upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967. No such steps were taken during the reporting period.

52. In the same resolution, the Security Council called upon all parties to continue, in the interest of the promotion of peace and security, to exert collective efforts to launch credible negotiations on all final status issues in the Middle East peace process and urged in that regard the intensification and acceleration of international and regional diplomatic efforts and support aimed at achieving, without delay, a comprehensive, just and lasting peace in the Middle East on the basis of the relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet road map, and an end to the Israeli occupation that began in 1967. The Security Council underlines that it will not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations.

53. On 22 May, the Envoys of the Middle East Quartet from the Russian Federation, the United States of America, the European Union and the United Nations held a conference call to discuss the prospect of Israeli-Palestinian peace and the latest developments on the ground. The United Nations reaffirmed its commitment to achieving a negotiated two-State solution, in line with relevant United Nations resolutions, international law and bilateral agreements, and reiterated its call to all stakeholders to refrain from any unilateral action that harms the prospects of meaningful negotiations and peace. Discussions are ongoing, notwithstanding substantial differences among Quartet members on the way forward.

VII. Observations

54. I am gravely concerned by the stated intention of the Government of Israel to annex parts of the occupied West Bank. If implemented, this would constitute a most serious violation of international law, including the Charter of the United Nations. It would be devastating to the two-State solution and threaten efforts to advance regional peace and our broader efforts to maintain international peace and security. Concern and opposition to annexation is widespread and shared throughout the region and the international community. Many countries, regional intergovernmental organizations, prominent civil society groups and eminent Israelis and Palestinians are warning about the legal, political and security consequences of such unilateral action. I call upon Israel to abandon its annexation plans.

55. For over 25 years, Palestinians have believed that the peaceful pursuit of their right to self-determination, through meaningful negotiations, would result in an independent, contiguous and sovereign state of their own – Palestine, living side-by-side with Israel, in peace, with secure and recognized borders, and with Jerusalem as the capital of both States. I have always shared this belief. However, unilateral Israeli

annexation of any part of the occupied West Bank would effectively close the door for a renewal of negotiations and destroy the prospect of a viable Palestinian State and the two-State solution. This would be calamitous for Palestinians, Israelis and the region. I cannot overemphasize the urgency of reversing this dangerous trajectory.

56. I remain deeply troubled by the continued settlement activities in the occupied West Bank, including East Jerusalem. The approval of expansion plans for the Har Homa settlement in East Jerusalem is very alarming because it is yet another clear signal that the Government of Israel intends to solidify the continuum of illegal settlements in the area and disconnect East Jerusalem from the other Palestinian communities of the occupied West Bank, such as Bethlehem, to its south.

57. I reiterate that Israeli settlements in the occupied West Bank, including East Jerusalem, have no legal validity and constitute a flagrant violation under international law. The establishment and expansion of settlements fuel resentment, hopelessness and disillusionment among Palestinians, are key drivers of human rights violations and significantly heighten Israeli-Palestinian tensions. They entrench the military occupation of Israel and undermine the prospect of achieving a viable two-State solution by systematically eroding the possibility of establishing a contiguous, independent and sovereign Palestinian State. I urge the Government of Israel to stop the advancement of all settlement plans immediately.

58. The dispute over planned construction work by the Israeli authorities in the Ibrahimi Mosque/Tomb of the Patriarchs risks fuelling tensions in a highly sensitive part of the occupied West Bank. Any changes to the delicate balance at holy sites not agreed to by all stakeholders threaten stability and must not be taken unilaterally. I urge both parties to resolve this issue through dialogue and in a coordinated and respectful manner.

59. I am deeply concerned at the continued demolitions and seizures of Palestinian structures in the occupied West Bank, including East Jerusalem, which continue even amid the COVID-19 outbreak. In this context, the significant increase in the total number of demolitions during the Muslim holy month of Ramadan, relative to previous years, is particularly worrisome. I urge Israel to cease demolitions and seizures of Palestinian property and to allow Palestinians in the occupied West Bank, including East Jerusalem, to develop their communities, in line with its obligations under international humanitarian law.

60. I remain gravely concerned about the continuing violence, terrorist attacks against civilians, and incitement to violence that exacerbate mistrust between Israelis and Palestinians and drive us further away from a peaceful resolution of the conflict. I am appalled that yet another Palestinian child was killed, shot in the head with live ammunition by the Israeli security forces, in Fawwar refugee camp. Children should never be the target of violence. The killing by the Israeli security forces of an unarmed, autistic Palestinian man in the Old City of Jerusalem is equally appalling. I reiterate that Israeli security forces must exercise maximum restraint and may use lethal force only when strictly unavoidable in order to protect life. All incidents must be swiftly, thoroughly and independently investigated.

61. I am deeply concerned at the continued settler-related violence in the occupied West Bank, including East Jerusalem, in particular given the recorded increase during the reporting period. I urge Israel, as the occupying Power, to ensure the safety and security of the Palestinian population and to investigate and hold the perpetrators of the attacks accountable.

62. I would like to reiterate that the fate of two Israeli civilians and the bodies of two Israel Defense Forces soldiers held by Hamas in Gaza remains an important

humanitarian concern. I call upon Hamas to provide full information on them, as required by international humanitarian law.

63. I also remain deeply concerned at the continued Israeli practice of holding the bodies of killed Palestinians and call on Israel to return withheld bodies to their families, in line with its obligations under international humanitarian law.

64. The United Nations response to COVID-19 in the Occupied Palestinian Territory has been swift and effective and has directly supported the Palestinian Government's own efforts. The humanitarian country team's inter-agency response plan, the soon-to-be-released United Nations country team development system response plan, as well as the Palestinian Government's own response plans urgently need donor support. I commend Israeli-Palestinian cooperation to respond to and mitigate the impact of the COVID-19 crisis in Gaza and the West Bank. This was largely focused on facilitating the delivery of medical assistance, but also extended to other areas, including specific steps to arrest the economic impact of the crisis.

65. I welcome the \$233 million soft-loan agreement between the parties, as secured by future Palestinian clearance revenues, which Israel collects. This was intended to provide a critical fiscal lifeline for the Palestinian Authority, particularly with respect to addressing the socioeconomic consequences of the COVID-19 pandemic. However, this lifeline has to be combined with a long-term response, a strategic shift by Israel in its economic relations with the Authority and a meaningful reform effort by the Palestinians. Working with its international partners, the Authority must also adopt emergency budget measures to address the pandemic, along the lines outlined by the World Bank.

66. The Palestinian leadership announced that it considers itself absolved of all agreements and understandings with Israel and the United States. I am concerned that the enforcement of the Palestinian leadership's announcement could alter local dynamics and trigger instability across the Occupied Palestinian Territory and beyond. Particularly worrying is the decision to stop accepting clearance revenues that Israel collects on behalf of the Palestinian Authority. Given the economic uncertainty caused by the COVID-19 pandemic and the reduced donor support, this decision only contributes to the hardship of the Palestinian people. It is critical that humanitarian and other assistance not be delayed or stopped as a result of such policies. The Israeli-Palestinian conflict has been marked by periods of extreme violence, but never before has the risk of escalation been accompanied by a political horizon so distant, an economic situation so fragile and a region so volatile.

67. I remain seriously concerned about the fragile situation in Gaza and the immense suffering of its people. The risk of a major escalation remains. I take this opportunity to reiterate that no amount of humanitarian or economic support on its own will address the challenges in Gaza. These ultimately require political solutions and the political will to pursue them. Taking into consideration its legitimate security concerns, I urge Israel to ease the restrictions on the movement of goods and people to and from Gaza, with the goal of ultimately lifting them. Only by fully lifting the debilitating closures, in line with Security Council resolution 1860 (2009), can we hope to sustainably resolve the humanitarian crisis. The indiscriminate launching of rockets and mortars towards Israeli civilian population centres is prohibited by international humanitarian law, and Palestinian militants must cease this practice immediately.

68. Discussions on holding Palestinian general elections should continue. If held, these would be the first since 2006, renewing the legitimacy of national institutions. The international community should support this process, with a view to encouraging national unity rather than division.

69. It is critical that the important Egyptian-led intra-Palestinian reconciliation efforts continue. The United Nations stands firm in its support of the efforts by Egypt in this regard, and I call upon all Palestinian factions to make serious efforts to ensure the reunification of Gaza and the occupied West Bank under a single, democratic, national government. Gaza is and must remain an integral part of a future Palestinian State as part of a two-State solution.

70. The financial situation of UNRWA remains a serious concern. The Agency is not only a lifeline for millions of Palestine refugees, it is also critical for regional stability. Sufficient funding is essential for the Agency's continuity. I applaud the leadership that Jordan and Sweden have shown in mobilizing support for the Agency, including by co-chairing another pledging conference on 23 June. I urge Member States to continue their support for UNRWA and step forward with multi-year commitments at the upcoming conference.

71. I urge all stakeholders – Israelis, Palestinians, regional States and the broader international community – to take action now that enables the parties to step back from the brink and begin the process of re-engaging in a dialogue that will halt unilateral action, chart a positive way forward and avoid a descent into chaos. All sides must do their part in the coming weeks and months to preserve the prospect of a negotiated two-State solution. I remain committed to supporting Palestinians and Israelis to resolve the conflict and end the occupation in line with relevant United Nations resolutions, international law and bilateral agreements in pursuit of achieving the vision of two States – Israel and an independent, democratic, contiguous and sovereign Palestinian State – living side by side in peace and security within secure and recognized borders, on the basis of the pre-1967 borders, with Jerusalem as the capital of both States.

72. I express my deep appreciation to my Special Coordinator, Nickolay Mladenov, for his outstanding service in what remains a challenging context. I also pay tribute to all staff working under difficult circumstances in the service of the United Nations.



Security Council

Seventy-fifth year

8762nd meeting

Tuesday, 29 September 2020, 3 p.m.

New York

Provisional

President: Mr. Abarry. (Niger)

Members:

Belgium	Mrs. Van Vlierberge
China	Mr. Geng Shuang
Dominican Republic	Mr. Singer Weisinger
Estonia	Mr. Jürgenson
France	Mr. De Rivière
Germany	Mr. Sautter
Indonesia	Mr. Djani
Russian Federation	Mr. Nebenzia
Saint Vincent and the Grenadines	Ms. King
South Africa	Mr. Matjila
Tunisia	Mr. Ladeb
United Kingdom of Great Britain and Northern Ireland . .	Mr. Allen
United States of America	Mr. Hunter
Viet Nam	Mr. Dang

Agenda

The situation in the Middle East, including the Palestinian question

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

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President (*spoke in French*): In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, to participate in this meeting.

Mr. Mladenov is joining today's meeting via video-conference from Jerusalem.

The Security Council will now begin its consideration of the item on its agenda.

I give the floor to Mr. Mladenov.

Mr. Mladenov: On behalf of the Secretary-General, I will devote this briefing to presenting his fifteenth report on the implementation of resolution 2334 (2016), covering the period from 5 June to 20 September of this year.

Before presenting the report, I would like to note the recent agreements between Israel, the United Arab Emirates and Bahrain. The Secretary-General welcomes those agreements, which suspended Israeli annexation plans over parts of the occupied West Bank. The Secretary-General hopes that such developments will encourage Palestinian and Israeli leaders to re-engage in meaningful negotiations towards a two-State solution and create opportunities for regional cooperation. He reiterates that only a two-State solution that realizes the legitimate national aspirations of Palestinians and Israelis can lead to sustainable peace between the two peoples and contribute to broader peace in the region.

I am similarly encouraged by the call to restore hope in the peace process and resume negotiations on the basis of international law and agreed parameters, as made by the Foreign Ministers of Jordan, Egypt, France and Germany in Amman.

The recent moves towards strengthening Palestinian unity, as demonstrated by the outcome of the Fatah-Hamas meetings calling for the long-awaited national presidential and legislative elections, are also encouraging. Elections and legitimate

democratic institutions are critical to uniting Gaza and the West Bank under a single national authority and vital to upholding the prospect of a negotiated two-State solution.

However, I am concerned by the rising coronavirus disease (COVID-19) infection rates in the occupied Palestinian territory and Israel. The Office of the Special Coordinator for the Middle East Peace Process is working with the relevant stakeholders to address the needs in Gaza and the West Bank, including East Jerusalem. I welcome the initial response from the donor community to the United Nations COVID-19 efforts, and I urge increased support, particularly as the health emergency is rapidly becoming a socioeconomic crisis. All efforts must be mobilized in order to respond to the pandemic, particularly in Gaza.

Turning to the report, from the outset let me state that developments during the reporting period cannot be divorced from the broader context — Israel's continued military occupation of the Palestinian territory; the illegal settlement activity and demolitions; the situation in Gaza, with more than a decade of control by Hamas over the Gaza Strip and ensuing rocket fire, militant activity and Israeli closures; unilateral actions that undermine peace efforts; severe challenges to the viability of the Palestinian Authority; and the persistent risk of military escalation. The global pandemic has further increased the needs and vulnerabilities of Palestinians.

Those factors collectively erode the prospects for achieving a viable two-State solution, in line with United Nations resolutions, international law and previous agreements.

Resolution 2334 (2016), in paragraph 2, calls on Israel to "immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem" and to "fully respect all of its legal obligations in this regard". No steps were taken to that effect during the reporting period.

During this and the previous reporting period, there were no settlement housing plans advanced, approved or tendered in Area C. On 21 June, however, the Jerusalem District Planning Committee advanced plans for a building with 72 housing units in the occupied East Jerusalem neighbourhood of Beit Hanina.

On 9 June, the High Court of Justice struck down a 2017 law enabling the wide-scale expropriation of private

Palestinian land and the retroactive regularization, under Israeli law, of thousands of housing units in settlements and unauthorized outposts. The Court ruled that the law was unconstitutional owing to its violation of the rights of Palestinians to property and equality as a protected population in the occupied West Bank.

On 27 August, the High Court of Justice also ordered the evacuation of approximately 40 structures in the illegal settlement outpost of Mitzpe Kramim, illegal also under Israeli law, and the relocation of its residents. Meanwhile, two new outposts were established in Um Zaituna, between the occupied West Bank settlements of Ma'on and Carmel, and on Mount Eival, north of Nablus.

On several occasions during the reporting period, Israeli authorities removed or destroyed structures in illegal outposts, in some cases leading to violent clashes with the Israeli security forces and settlers. As highlighted in a statement by the Humanitarian Coordinator for the occupied Palestinian territory on 10 September, demolitions and seizures of Palestinian-owned structures by Israeli authorities continued across the West Bank, including East Jerusalem, reaching the highest demolition rate in the past four years.

Citing the absence of Israeli-issued building permits, which remain almost impossible for Palestinians to obtain, 250 structures were seized or demolished, resulting in the displacement of 360 Palestinians, including 179 children and 87 women. Of the structures demolished, 181 were in Area C and 69 in East Jerusalem. In 32 cases, Palestinians were forced to demolish their own homes so as not to incur the heavy Israeli demolition fees. Health and water facilities, as well as agricultural structures, were also demolished, affecting the services and livelihoods of up to 2,000 Palestinians.

Resolution 2334 (2016), in paragraph 6, calls for “immediate steps to prevent all acts of violence against civilians, including acts of terror, as well as all acts of provocation and destruction”. Unfortunately, violence continues almost on a daily basis.

In August, Palestinian militants resumed launching incendiary balloons from Gaza towards Israel, sometimes escalating to rockets and mortars. Israel retaliated by striking targets in Gaza and temporarily tightening the closures, until a temporary de-escalation was achieved at the end of the month. Overall, 63 rockets and mortars were fired towards Israel from

Gaza, 22 were intercepted by the Iron Dome system and 19 landed in Israel. At least eight Israeli civilians, two of them children, were injured and at least two houses were damaged, while over 400 balloons carrying incendiary devices were launched into Israel, causing hundreds of fires in the vicinity of Gaza.

Israeli security forces launched over 160 missiles and tank shells against Hamas positions in Gaza. Ten Palestinian civilians, including four children and a pregnant woman, were injured, and at least two houses were damaged. Following one strike, an unexploded Israeli missile was found in a United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) school in the Al-Shati refugee camp.

Meanwhile in the West Bank, including East Jerusalem, during the reporting period, four Palestinians, including one child, were killed by the Israeli security forces and 40 people injured by live ammunition. One Israeli was killed and 37 were injured by Palestinians, including three children, in stabbings, clashes, rocket attacks, and other incidents.

On 23 June, a 27-year-old Palestinian man was shot and killed by Israeli security forces while reportedly carrying out a ramming attack at a checkpoint near Jerusalem in which one soldier was injured.

On 9 July, Israeli security forces shot and killed a 34-year-old Palestinian man and wounded a 17-year-old in the West Bank village of Kifl Haris.

Later in July, several Palestinian workers were severely beaten and robbed of their possessions near Mitar Terminal, south of Hebron. The Israeli Justice Ministry subsequently submitted indictments against five border police officers.

In early August, a 23-year-old Palestinian woman was killed by live fire in her home in Jenin during an Israeli security forces operation and the ensuing clash with residents. There are contradictory claims over responsibility for the shooting, and a Palestinian prosecutor is investigating the incident.

On 17 August, a Palestinian man, who was attempting to carry out a stabbing attack against an Israeli border police officer, was shot and killed in the Old City of Jerusalem.

On the same day, Israeli security forces shot and injured a 60-year-old Palestinian man with hearing and

speech impairments at the Qalandiya checkpoint when he did not respond to their calls to halt.

Later in August, a 16-year-old Palestinian died, and two others were injured, after being shot in a village west of Ramallah. The Israeli security forces stated that the three were preparing to throw Molotov cocktails and set alight tires to attack passing vehicles.

On 26 August, a Palestinian man from Nablus stabbed and killed an Israeli man in Petach Tikva. The perpetrator was later arrested.

On 2 September, an Israeli police officer and a soldier were injured in an alleged ramming attack south of Nablus. The Palestinian driver was shot and apprehended.

Settler-related violence in the occupied West Bank continued during the reporting period. The Office for the Coordination of Humanitarian Affairs reported 73 attacks against Palestinians by Israeli settlers, with 30 injuries resulting from those incidents. Approximately 100 attacks resulting in some 20 injuries and damage to property by Palestinians against settlers and other Israeli civilians were also reported.

On 14 September, an Israeli court sentenced the convicted killer of a Palestinian family in a 2015 gruesome arson attack in Duma village to three life sentences for murder and 20 years for attempted murder, as well ordering compensation to the family.

Resolution 2334 (2016) calls for the parties to refrain from acts of provocation, incitement or inflammatory rhetoric. During the reporting period, one senior Fatah official said that anyone who cooperates with Israel “should be shot”, and in its weekly guidance for Friday sermons, the Palestinian Authority Ministry of Religious Affairs used anti-Semitic language in messaging on the recent normalization agreements that “there is nothing that harms Palestine and its holy sites more than making an alliance with the Jews, being connected to them, and relying on them.” Some Israeli officials also made provocative and concerning statements in support of the annexation of parts of the occupied West Bank and rejected the prospect of Palestinian statehood.

One Israeli member of the Knesset and former Minister incited to violence, deprecating a video showing restraint by soldiers of the Israel Defense Forces (IDF) in the face of a 15-year-old Palestinian child throwing stones at them. Referring to the

manslaughter conviction of a member of the IDF after fatally having shot a Palestinian assailant in Hebron, he said: “I would prefer 1,000 videos of Elor Azaria instead of an embarrassing and dangerous one like this one.”

Resolution 2334 (2016) reiterated calls by the Middle East Quartet for affirmative steps to be taken immediately to reverse negative trends on the ground that are imperilling the two-State solution. On 3 September, for the first time in nearly a decade, the Palestine Liberation Organization (PLO) Executive Committee held its first meeting together with the heads of all Palestinian factions. Speakers focused on the need to restore unity and reform the PLO. President Abbas reiterated his known position that he is ready to launch negotiations with Israel under United Nations or international auspices, while also calling for popular resistance to confront the annexation threat.

Following an escalation in violence between Hamas and Israel, Qatar mediated a de-escalation arrangement announced on 31 August and provided significant assistance to Gaza, including to support COVID-19 response and to vulnerable families. As a result, Israel allowed the delivery of fuel, reinstated the fishing zone and reopened the Kerem Shalom crossing for goods, and Hamas agreed to halt incendiary balloons and other attacks.

The COVID-19 pandemic and the suspension of coordination between the Palestinian Authority (PA) and Israel in response to the plans to annex parts of the occupied West Bank have contributed to worsening the already dire humanitarian, economic and political situation in Gaza and impacted the health and socioeconomic situation in the West Bank. The PA’s decision to stop accepting the clearance revenues that Israel collects on its behalf has exacerbated an already concerning fiscal crisis, with an 80 per cent reduction in Palestinian revenues, which has impacted salaries and service provision. It is unclear whether the Government will have sufficient resources to make any future salary payments or carry out its functions in the coming months.

In Gaza, COVID-19-related restrictions halted the crossing of workers and traders into Israel and prevented revenue transfers to Gaza’s exporters. The absence of coordination also delayed critical infrastructure projects, exacerbating the high unemployment rate in the Strip, which is nearly 50 per cent.

In response, the United Nations has engaged with all sides to ensure the unimpeded provision of humanitarian assistance. Agreements were reached with the PA to enable the coordination of humanitarian deliveries under United Nations auspices and with Israel to streamline its administrative procedures. In early September, the Palestinian Authority also re-engaged in its support to donor-funded projects in Gaza. Still, the lack of coordination has significantly compounded the challenge of confronting the rapid increase in the number of COVID-19 cases throughout the occupied Palestinian territory. During the reporting period, three patients, including two children, who needed urgent medical treatment outside Gaza died because of related delays. On 6 September, however, the United Nations brokered arrangements to enable patient transfers from Gaza with the support of the World Health Organization.

Meanwhile, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) faces a \$200 million financial shortfall in its 2020 core programme budget and is seeking an additional \$31 million to cover its 2020 emergency appeal for critical humanitarian needs in Gaza. UNRWA's extended COVID-19 response plan for \$94.6 million to cover needs through the end of the year is only 5 per cent funded.

Concerning arrests have also taken place. On 19 July, Israeli police arrested and detained the PA Governor of Jerusalem. On 9 September, the Internal Security Force (ISF) further notified the Governor of an order restricting his movement. Later, on 21 September, the Palestinian Security Forces arrested seven members of the Fatah Democratic Reform Bloc.

In another negative development, the media reported that Israel's Security Cabinet passed a motion on 2 September to withhold the bodies of Palestinians killed in armed attacks, or alleged armed attacks, that caused injury or death to Israelis, expanding its existing policy to withhold the bodies of Palestinians whom Israel identifies as known militants.

In its resolution 2334 (2016), the Security Council called upon all States

“to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967”.

No such steps were known to have been taken during the reporting period.

Resolution 2334 (2016) also called upon all parties to continue, inter alia, “to exert collective efforts to launch credible negotiations”.

The agreements between Israel and Bahrain and between Israel and the United Arab Emirates, which were formalized in a signing ceremony at the White House on 15 September, highlight the criticality of achieving a just, comprehensive and enduring resolution of the Israeli-Palestinian conflict that meets the legitimate needs and aspirations of both peoples.

On 27 August and earlier today, the Envoys of the Middle East Quartet met virtually to discuss these latest developments and agreed to remain engaged on the matter and chart a way forward.

On 9 September, the League of Arab States held a ministerial meeting. In the final statement, participants reinforced the commitment of all Arab League States to ending the occupation and establishing an independent Palestinian State based on the 1967 lines, with East Jerusalem as its capital, and stated that the Arab Peace Initiative remains the basis for achieving a lasting, just and comprehensive Arab-Israeli peace.

I would like to share some broad observations concerning the implementation of the provisions of resolution 2334 (2016) during the reporting period.

First, the resurgence of COVID-19 is having a devastating effect on the ground. The United Nations and its partners will continue to support the Palestinians in responding to the pandemic, including by addressing critical gaps in medical supplies and equipment. It is important to focus particularly on Gaza, given the unique situation and extreme vulnerability of the population. Any increased responsibilities taken on by the United Nations should be limited, time-bound and not replace the responsibilities of the Palestinian Authority or the Government of Israel. I urge the parties to find a path forward to address this urgent health crisis. I also urge support for UNRWA as well as for the inter-agency COVID-19 plan and the United Nations development response plan in support of the efforts of the Palestinian Government.

Second, we must also remain focused on addressing the steadily eroding situation on the ground. While over the past reporting periods we have seen limited settlement advancement, I remain concerned by plans for settlement construction in the E1 area and other sensitive locations in the occupied West Bank, which are

pending approval by the Israeli authorities. As clearly set out in resolution 2334 (2016), the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, have no legal validity and constitute a flagrant violation of international law.

Third, I am deeply concerned by the serious spike in demolitions and seizures of Palestinian-owned structures in the West Bank, including East Jerusalem. I urge Israel to cease this policy immediately, in line with its obligations under international humanitarian law.

Fourth, Israel's suspension of plans to annex parts of the West Bank removed a critical threat that had the potential to upend peace and regional stability. Annexation would have constituted a most serious violation of international law and dealt a devastating blow to the prospect of the two-State solution. The threat, however, to the viability of the two-State solution posed by continued settlement expansion and demolitions remains. In that regard, I am concerned by recent discussions in the Knesset that demonstrate the intensifying pressure by the Government on Palestinians living in Area C.

Fifth, given the severe economic and health crisis faced by the Palestinian people, I take this opportunity to call on the Israeli and Palestinian leaderships to urgently re-engage and strengthen efforts to advance the goal of a negotiated two-State solution. This financial crisis can and must end. Both sides should re-examine the nature of their economic relationship and improve it to the benefit of both peoples.

Sixth, daily violence continues to fuel mistrust and drives us further from a peaceful resolution of the conflict. Settler-related violence continues, and I urge Israel, as the occupying Power, to ensure the safety and security of the Palestinian population and to hold the perpetrators of the attacks accountable. I reiterate that the Israeli security forces must exercise maximum restraint and should use lethal force only when strictly unavoidable in order to protect life and also investigate all incidents of the possible excessive use of force swiftly, thoroughly and independently.

Seventh, I also emphasize that the indiscriminate launching of rockets and incendiary devices towards Israeli population centres violates international law, and I call on all Palestinian militants in Gaza to halt such attacks. Likewise, children and schools should

never be the target of violence by any party; children should not be exposed to violence at all.

Eighth, I also welcome the 13 August understandings, which have de-escalated tensions in and around Gaza and appreciate Qatar's continued generous support to the Gaza population. I nevertheless remain seriously concerned about the fragile calm and the unacceptable suffering of Palestinians in Gaza. The risk of another major escalation has not been eliminated. No amount of humanitarian or economic support alone will overcome Gaza's challenges. The fundamental problems are political. They require the necessary leadership to reunite Gaza and the West Bank under a single democratic, national leadership as well as to lift Israeli closures in line with Security Council resolution 1860 (2009).

Ninth, I welcome the recent meeting of the PLO Executive Committee and the heads of Palestinian factions as well as the subsequent efforts made by the leadership to strengthen Palestinian unity. It is critical that the important Egyptian-led intra-Palestinian reconciliation efforts also continue. The United Nations firmly supports all such efforts, and I call upon all Palestinian factions to build on this momentum to reunite Gaza and the West Bank under a single, democratic national Government and advance towards general elections, which are critical for restoring belief in the democratic Palestinian leadership and institutions. Gaza must remain an integral part of a future Palestinian State as part of a two-State solution.

I am concerned about reports by Palestinian rights groups of arrests by Palestinian security forces in Gaza and the West Bank based on political affiliation, without clear charges or accusations. Such politically motivated arrests should stop, and the rule of law should prevail.

I would like to reiterate that the fate of two Israeli civilians and the remains of two Israeli soldiers held by Hamas in Gaza remains an important humanitarian concern. I call upon Hamas to provide full information on them, as required by international humanitarian law.

I also remain concerned about Israel's practice of holding the bodies of killed Palestinians and about reports of a recent expansion of that policy. I call for the return of the withheld bodies, in line with Israel's obligations under international humanitarian law.

In conclusion, we are again at a pivotal moment in the search for peace as a convergence of destabilizing

factors threatens to pull Israelis and Palestinians further towards a one-State reality of perpetual occupation and conflict. I remain committed to supporting both sides to resolve the conflict and end the occupation, in line with the relevant United Nations resolutions, international law and bilateral agreements, in pursuit of achieving the vision of two States — Israel and an independent, democratic, contiguous, viable and sovereign Palestinian State — within secure and recognized borders, based on the pre-1967 lines, with Jerusalem as the capital of both States.

I reiterate the Secretary-General's call for the members of the Middle East Quartet, key Arab partners and the Israeli and Palestinian leadership to urgently re-engage and strengthen efforts to advance the goal of a negotiated two-State solution before it is too late.

The President (*spoke in French*): I thank Mr. Mladenov for his briefing.

I shall now give the floor to those members of the Council who wish to make statements.

Mr. Hunter (United States of America): I will lead off today by offering our condolences to the people of Kuwait for the death of their Amir, Sheikh Al-Sabah. The Amir was a peacemaker in every sense of the word, and we are grateful for his years of dedicated service to the people of Kuwait and to making the region a more stable, prosperous and peaceful place. His leadership during Kuwait's two years on the Security Council were particularly noteworthy and appreciated. Our thoughts and prayers today are with the people of Kuwait and his family.

I thank Special Coordinator Mladenov for his briefing today. As always, we appreciate his hard work and that of his team in addressing this issue.

Last month, the United States began by highlighting the most significant step towards peace in the Middle East in over 25 years — the agreement to normalize relations between Israel and the United Arab Emirates (see S/2020/837). For the second month in a row, we are pleased to draw the Council's attention to yet another momentous step on the path towards peace in the Middle East — on 11 September, Bahrain and Israel agreed to normalize relations.

President Trump's bold diplomacy and rejection of the old conventional wisdom enabled him to broker these agreements — the Abraham accords — the first such agreements between Israel and Arab countries

since 1994. I want to emphasize what President Trump highlighted about those agreements: in Israel's entire history, there had previously been only two such agreements. Now we have achieved two in a single month's time, and we are hopeful there will be more to follow.

To commemorate those breakthroughs, President Trump hosted a historic signing ceremony on 15 September at the White House, where the Israeli Prime Minister and the Foreign Ministers of the United Arab Emirates and Bahrain signed the Abraham Accords Declaration. Israel, the United Arab Emirates and Bahrain have committed to the exchange of embassies and ambassadors, as well as cooperation in a broad range of fields including education, health care, trade, energy and security.

President Trump's leadership, vision and expertise made this momentous event possible. He built trust with our regional allies and reoriented their strategic calculus by identifying shared interests and common opportunities, moving them away from a vested interest in perpetuating the same old conflicts. Instead of just talking about peace month after month, Security Council meeting after Security Council meeting, the United States led the way through action, and we achieved tangible results.

We began this year by laying out the President's vision for peace — a comprehensive, fair and realistic plan for Israel and the Palestinians to live peacefully, side by side. The Abraham accords will allow further exploration of that vision. Both the vision for peace and the Abraham accords demonstrate the commitment of the United States and Israel to peace, prosperity and security throughout the Middle East.

Despite those achievements, however, Palestinian terrorists fired a barrage of rockets on 15 and 16 September, just as Israel and its new Arab partners were commemorating their historic peace deals. We deplore and reject such violence, which has only brought misery and suffering for far too long.

We now call on Palestinian leaders, who owe it to their people to reject violence, to embrace the opportunities for broader peace that the Abraham accords offer, and to work with Israel to resolve their long-standing issues. We hope that other Arab States can build on the accords while also encouraging the Palestinians to hold direct talks with Israel.

Tomorrow, along with the United Arab Emirates, we will be co-hosting an informal briefing with Security Council members to discuss these peace agreements. That briefing will provide an opportunity for candid discussion about how these agreements could serve as a springboard to break the deadlock on the Israeli-Palestinian conflict.

We encourage the members of the Security Council to embrace the opportunities presented by the Abraham accords, and we hope they will join us in publicly supporting these historic breakthroughs.

Mr. Matjila (South Africa): Let me begin by thanking Special Coordinator Mladenov for his useful and frank briefing on the current situation in the occupied Palestinian territory.

I join my colleague from the United States in offering our heartfelt condolences to Kuwait for the passing on of His Highness the Amir of Kuwait.

During the recently held general debate of the General Assembly at its seventy-fifth session, we heard many Member States reflect on the birth of the United Nations and its shared values of peace, justice, equality and dignity for all, as well as the notion of saving successive generations from the scourge of war. However, despite those august ideals, Palestine and its people remain under illegal occupation and continue to be deprived of the shared values and ideals we spoke about. Palestine is one of the world's oldest unresolved international conflicts, firmly entrenched in the agendas of both the General Assembly and the Security Council for almost as long as the United Nations has been in existence. Nevertheless, 72 years later, the status quo remains and little progress has been made to ensuring the right of Palestinians to self-determination, independence, territorial integrity and sovereignty.

Despite numerous agreements and newly forged partnerships, it is shameful that Palestinians continue to live under occupation and are denied their very basic civil and human rights. We should ask ourselves — do these agreements that some of us welcome change the day-to-day lives of those living under occupation?

In that regard, South Africa reiterates its position that no peace plan or initiative can have any merit or succeed if it does not include all parties to the conflict in the talks as equal partners from the very beginning. Any initiative aimed at resolving the Israeli occupation must take into account the needs and aspirations of the

Palestinian people. In addition, any such peace plan must ensure that Palestinian statehood is not reduced to an entity without the basic tenets of sovereignty, territorial contiguity and economic viability. A realistic and credible peace plan will result in a genuine two-State solution; not one viable State and a Bantustan.

South Africa will continue to work with like-minded countries to support international efforts aimed at the establishment of a viable Palestinian State existing side by side in peace with Israel within internationally recognized borders, based on those existing on 4 June 1967, with East Jerusalem as capital of both States, in line with all relevant United Nations resolutions, international law and internationally agreed parameters. We therefore support President Abbas' call in his statement at the general debate of the seventy-fifth session of the General Assembly for the Secretary-General, together with the Middle East Quartet and the Security Council, to begin preparations for an international conference with the participation of all the parties concerned and for discussions on a genuine peace process, including to resolve all final-status issues.

Turning to the implementation of resolution 2334 (2016), South Africa once again calls for the full implementation of this and previous resolutions on the question of Palestine. The Council heard today that, while settlement activity may have slowed slightly due to the ongoing coronavirus disease pandemic, this illegal practice by the Israeli authorities continues, in contravention of international law.

With regard to the demolition and seizure of Palestinian property, the recent statement by Mr. Jamie McGoldrick, Deputy Special Coordinator for the Middle East Peace Process, is deeply disturbing. From March to August 2020, we saw the demolition or seizure of 389 Palestinian-owned structures, the highest average destruction rate in four years. This activity took place despite the Israeli authorities' indication that they would refrain from such actions during the global pandemic.

As Special Coordinator Mladenov indicated, these demolitions and seizures have left 442 Palestinians homeless, at a time when Israel and the occupied Palestinian territories are under lockdown. Where are these Palestinians, deprived of their rightful homes, meant to go? Where must they go? Of additional concern is the destruction of critical infrastructure, such as water, hygiene and sanitation facilities, during

a pandemic where universal guidance leans towards the need for regular hand-washing and social distancing.

All resolutions adopted by the Security Council, be they unanimous or not, must be uniformly implemented. We cannot pick and choose which Council resolutions should be implemented. In a similar vein, overt violations of Council resolutions, as is the case with the continued settlement activity in the occupied Palestinian territory, usually evoke stricter measures on the party responsible for the infringement.

In conclusion, South Africa reiterates its position that direct dialogue and negotiation between the relevant parties on an equal footing is the only credible and sustainable path to peace in the Middle East. We must all do our part to bring the parties together, instead of driving them further apart.

Ms. King (Saint Vincent and the Grenadines): I also thank the Special Coordinator for the Middle East Peace Process, Nickolay Mladenov, for his comprehensive briefing.

Saint Vincent and the Grenadines remains deeply concerned about the trends unfolding on the ground. It is time for us as the Security Council to take significant steps that would stabilize the current situation and promote meaningful progress towards a two-State solution.

The prolonged occupation and conflict have caused immense suffering for the Palestinian people, as clearly highlighted in the latest report of the Secretary-General on the implementation of resolution 2334 (2016). Consequently, we remain particularly concerned about the numerous reports of violent incidents against civilians throughout the occupied West Bank, including East Jerusalem. We therefore call on those responsible to respect their obligations under the Fourth Geneva Convention to ensure civilian safety, protection and well-being.

We wish to draw urgent attention to the grave breaches of international law being perpetrated by Israel, despite the international community's continuous calls for the complete, immediate cessation and reversal of settlement activities. Israel continues its illegal activities in the West Bank, including East Jerusalem. Demolitions and settlement activity contravene international humanitarian law and human rights law and erode the viability of the two-State solution. We strongly call on Israel to fully respect resolution 2334

(2016) and all other relevant provisions of international law and United Nations resolutions.

In this context, it is relevant to underscore that international efforts to promote a peaceful settlement can bear success only by facilitating direct and meaningful negotiations between the parties. We call on the Middle East Quartet to renew its efforts and restore belief among Palestinians and Israelis that a negotiated peace agreement remains possible.

Turning to Gaza, Israel continues to intensify measures of repression against the Palestinians under its control, most flagrantly by its illegal inhumane blockade of Gaza. Over the years, the blockade has deepened poverty in Gaza. According to *State of Palestine, Atlas of Sustainable Development 2020*, poverty rates in Gaza are higher and more severe than in the West Bank, 53 per cent versus 13.9 per cent. We commend the United Nations and its partners for their continued efforts aimed at implementing urgent humanitarian and economic interventions to help sustain lives and livelihoods of the Palestinians in Gaza. We call on Israel to end its blockade of Gaza.

We commend the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in its rapid and responsive support to the needs of Palestinian refugees that have been exacerbated by the coronavirus disease. UNRWA continues to deliver in a constrained financial environment. In this regard, we call on the international community to redouble its support to the Agency's new humanitarian appeal from August through December 2020 in order to address the worst impacts of the pandemic on Palestine refugees across its five fields of operation.

The Government of Saint Vincent and the Grenadines reaffirms its principled position in relation to the Palestinian question and remains committed to achieving a negotiated two-State solution in conformity with the international consensus. We wish to emphasize our commitment to a peaceful and just solution to the Israeli-Palestinian conflict.

Finally, I would also like to express our condolences on the passing of His Highness Sheikh Sabah Al-Ahmad, Amir of the State of Kuwait, who will most certainly be remembered for his dedication and contribution to peace and security in the region.

Mr. Geng Shuang (China) (*spoke in Chinese*): First of all, I wish to take this opportunity to express

our deep sorrow over the passing of the Amir of the State of Kuwait and extend express our sympathy and condolences to the Government and the people of Kuwait. The Amir was a distinguished leader in the Arab world who contributed to the development of friendly and cooperative relations between China and Kuwait.

I wish to thank Special Coordinator Mladenov for his briefing.

Today is the last day of the general debate of the seventy-fifth session of the General Assembly. In their addresses in the general debate over the past week, many leaders referred to the situation in the Middle East and the question of Palestine. Ceasefire, cessation of violence, peace process, political settlement and two-State are frequently used expressions by many speakers. That fully demonstrates that the Palestinian question has always caused concern among the international community and has never been forgotten. It remains the international community's common expectation to push for a comprehensive, just and enduring solution to the Palestine question as soon as possible.

The Security Council bears the primary responsibility for the maintenance of international peace and security and is duty bound to promote the settlement of the Palestinian issue. There have been recent developments in the situation in the Middle East, and the Palestinian issue also now faces new dynamics. The Security Council should listen to the voice of the Palestinian people and countries of the region, strengthen communication and coordination with all parties in the international community and play its part through ongoing efforts to promote the Middle East peace process and the settlement of the Palestinian issue.

First, with regard to strengthening political support, the question of Palestine is at the core of the Middle East issue and should remain high on the international agenda. In his address to the General Assembly last week, President Abbas called on Secretary-General Guterres to join the Quartet and the members of the Security Council in convening an international conference early next year to discuss a genuine peace process. China believes that such an initiative demonstrates Palestine's readiness to participate in the peace talks and promote the peace process. All parties should attach importance to it and make the necessary efforts to create favourable conditions for the political settlement of the Palestinian

issue. The international community, especially countries with influence on Palestine and Israel, should uphold an impartial and just position, actively promote peace talks and make genuine efforts to advance the Middle East peace process. President Abbas also said that the Palestinian side was preparing to hold presidential and parliamentary elections involving all political factions. China wishes to place on record its appreciation and looks forward to prompt and positive progress in intra-Palestinian reconciliation and the relevant political processes.

Secondly, with regard to abiding by the international consensus, the relevant United Nations resolutions, the principle of land for peace, the Arab Peace Initiative and the two-State solution are important foundational agreements for resolving the Palestinian issue that must be upheld in order to achieve peace in the Middle East. The plan to annex parts of the occupied Palestinian territory, if implemented, would be a serious violation of international law and United Nations resolutions and would undermine the two-State solution. China is therefore seriously concerned. We note that the implementation of the plan has been suspended, and hope that the party concerned will respond to the Secretary-General's appeal by abandoning the annexation plan and returning to the track of dialogue and negotiations on an equal footing.

In addition, recently the situation in the Gaza Strip has remained tense. It is hoped that all the parties concerned will respond to the Secretary-General's global ceasefire appeal by sincerely observing the ceasefire agreement reached at the end of August and refrain from taking actions that exacerbate the situation.

Thirdly, on a people-centred approach, according to the United Nations, the number of Palestinian homes demolished between March and August this year reached a four-year record, with hundreds of people displaced. We urge the relevant parties to earnestly implement resolution 2334 (2016), cease all settlement activities in the occupied territories, stop the demolition of Palestinian homes and the destruction of Palestinian property and refrain from acts of violence against civilians. At the same time, the relevant parties should fulfil their obligations under international law, ensure the coverage of basic services and humanitarian assistance to those in need in the occupied territories and fully lift the blockade on the Gaza Strip.

The coronavirus disease pandemic has had a severe impact on the economic and social development of Palestine. Israel and Palestine should resolve their differences, strengthen cooperation and spare no efforts in fighting the pandemic and saving lives. The international community should enhance its support to help Palestine to overcome its economic and humanitarian challenges. China appreciates the efforts of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to ease the humanitarian situation of Palestinian refugees and help them to fight against the pandemic.

As a sincere friend of the Palestinian people, China firmly supports the just demands of the Palestinian people and all efforts to resolve the Palestinian issue. We also support the Palestinian people in establishing an independent State of Palestine that enjoys full sovereignty on the basis of the 1967 borders, with East Jerusalem as its capital.

China recently handed over the fourth batch of anti-pandemic supplies to Palestine and signed a donation agreement with UNRWA. In addition, further progress has also been made in the Ramallah school project, supported by the Chinese Government. We will continue to provide assistance, within our capacity, to the Palestinian people to combat the pandemic, develop the economy, improve people's livelihoods and make a positive contribution towards achieving a comprehensive, just and lasting settlement of the Palestinian issue as soon as possible.

Mr. De Rivière (France) (*spoke in French*): I thank Special Coordinator Nickolay Mladenov for his briefing on the implementation of resolution 2334 (2016).

The recent developments serve to underscore the ongoing significance of the Israeli-Palestinian conflict. The parameters for its settlement have long been known — two States, living side by side in peace and security within secure and recognized borders based on the 1967 lines, both with Jerusalem as their capital. On that basis, it is now our responsibility to work towards a resumption of dialogue between the two parties.

The announcement of the normalization of Israel's relations with the United Arab Emirates and Bahrain signals a new dynamic, which may make a positive contribution to regional stability. We welcome it.

However, regional stability also requires a resolution of the Israeli-Palestinian conflict that

respects the aspirations and rights of both parties and is consistent with international law and the parameters agreed by the Security Council. France, which is a friend of both the Israelis and the Palestinians, remains convinced that neither of the two peoples will be able to fulfil its aspirations at the expense of those of the other. France will not compromise Israel's security, just as it will not abandon the Palestinian people in the pursuit of their rights.

In conjunction with its European and Arab partners, France is ready to support a gradual resumption of dialogue. In that spirit, Minister Le Drian and his German, Egyptian and Jordanian counterparts met in Amman on 24 September in the presence of the European Union Special Representative. The four ministers expressed their determination to act collectively to that end on the basis of tangible and realistic commitments to be made by both parties. It is also important that the parties resume their cooperation at all levels, in accordance with the agreements reached, including in dealing with the current pandemic.

In order to achieve a resumption of dialogue, there is an urgent need to re-establish a climate of trust between the parties. That first requires that the suspension by the Israeli authorities of the planned annexation of Palestinian territories become a definitive measure. That is the message that our ministers reiterated in Amman. It is also the message that, together with my European counterparts, we conveyed ahead of this Council meeting.

It also requires an end to the settlement policy and the implementation of resolution 2334 (2016). France is very concerned about the continuing settlement activities and the unprecedented increase in the demolition of Palestinian structures over the past six months despite the health situation. Settlement activities must not allow a de facto annexation. France calls on Israel to suspend the construction of new housing units in the West Bank settlements and East Jerusalem, particularly in sensitive areas around Jerusalem, such as Givat Hamatos, Har Homa and in the E-1 area, and to implement an effective freeze on demolitions.

France also calls for progress in the intra-Palestinian reconciliation process and hopes that the meeting in Ankara will allow progress to be made in that direction. We welcome the Palestinian Authority's renewed commitment to holding elections and encourage it to

make rapid progress in preparing for this important date for the Palestinian people.

Moreover, France will continue to give its full support to the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East. We call on all States to contribute to its budget to help it overcome its financial crisis.

Lastly, France remains committed to upholding international humanitarian law and human rights, in particular through support for Palestinian and Israeli civil society organizations.

France stands ready to support any initiative based on international law and the agreed parameters. It calls on the Council to come together on that basis, which we have built together.

Mr. Jürgenson (Estonia): I would like to thank Special Coordinator Mladenov for his briefing.

Estonia welcomes the signing of agreements between Israel and the United Arab Emirates and between Israel and the Kingdom of Bahrain. We also welcome the constructive role played by the United States in this respect. The normalization of relations is a positive development that contributes to the peace and stability of the whole region. It is positive that, along with these agreements, Israel has committed to suspending plans to unilaterally annex areas of the occupied Palestinian territory.

We believe that these historic developments contribute to peace and stability in the whole region and give momentum to finding a comprehensive solution to the Israeli-Palestinian conflict. A two-State solution and a lasting peace can be achieved only through direct negotiations, taking into account the legitimate aspirations of both parties and Israeli security concerns. We urge the Israeli and Palestinian leaders to re-engage in meaningful negotiations.

We also call on the parties for the implementation of resolution 2334 (2016) and to refrain from any unilateral steps that could undermine the prospects of the two-State solution and increase instability in the region. We would like to recall that the resolution calls for immediate steps to prevent acts of violence against civilians, including acts of terror, as well as acts of provocation, incitement and destruction. We condemn the continued firing of rockets into Israel and the attacks against civilians.

Estonia strongly condemns the heinous killing of Rabbi Shai Ohayon on 26 August. We call on all parties to exercise maximum restraint in order to avoid an escalation of violence.

We call on the Palestinian Authority to resume cooperation based on cooperation agreements with Israel. This would be especially vital in the context of the coronavirus disease pandemic.

Finally, we note the positive signals that the Palestinian factions have once again reached consensus on holding elections. Hopefully, this agreement will soon result in the announcement of a date for the elections throughout the occupied Palestinian territories.

Mrs. Van Vlierberge (Belgium) (*spoke in French*): I would like at the outset to thank the Special Coordinator, Mr. Mladenov, for his detailed briefing and him and his team for their tireless efforts.

The Israeli-Palestinian conflict is at an impasse. The situation on the ground remains unstable in both Gaza and the West Bank, including East Jerusalem, and the parties seem further apart than ever. Our priority today must therefore be the resumption of negotiations.

First of all, we call on Israelis and Palestinians to come to the negotiating table without preconditions and to resume meaningful negotiations. This is indeed the only way to achieve a just, comprehensive and lasting peace. We also call on all parties to refrain from any unilateral action that could jeopardize the resumption of these negotiations.

This conflict, which has been the subject of many Council resolutions, will find a positive solution only if these resolutions and international law are respected. Belgium, together with its European partners, remains committed to a negotiated and viable two-State solution, with Jerusalem as the future capital of both States, based on agreed parameters and international law.

My second point concerns the normalization of relations between Israel and the Arab world, which is an important element for peace and stability in the region. We welcome the agreements reached between Israel and Bahrain and between Israel and the United Arab Emirates. We hope that these developments will create a new momentum towards the resolution of the Israeli-Palestinian conflict on the basis of the two-State solution.

The announcement of the suspension of plans to formalize the annexation of certain parts of the occupied Palestinian territory is a step in the right direction. However, we urge Israel to definitively abandon its annexation plans. Annexation, regardless of its scope and how it is described, is a serious violation of international law. Moreover, annexation would definitively close the door to the resumption of negotiations and deal a final blow to the two-State solution.

Now more than ever, it is time to reverse the negative trends on the ground. We call for full respect for and full implementation of resolution 2334 (2016). We also call on the Palestinian Authority to resume fiscal and security coordination with Israel, given its impact on the Palestinian people.

The third point of my intervention concerns settlements. Israel's illegal settlement activities, which are accompanied by expropriations, demolitions, confiscations and displacements of population, must cease immediately. We are deeply concerned about the recent increase in demolitions, despite indications by the Israeli authorities that they are refraining from demolishing inhabited Palestinian homes. The demolitions have also included water, sanitation and hygiene facilities, further limiting Palestinian access to basic services and commodities, which is particularly worrisome in the context of the current pandemic.

My fourth point concerns Gaza. Belgium welcomes the relative calm that has prevailed in Gaza following the escalations in August and calls on all parties to exercise the utmost restraint. We recall the obligation of the parties to respect international humanitarian law and to ensure the protection of the civilian population. We welcome the de-escalation efforts in this regard, including those of the United Nations, to temporarily facilitate the transfer of patients out of Gaza. If we want to reverse the trend in Gaza, we must invest at both the humanitarian and political levels. We call on all parties to ensure the free access of humanitarian actors and underscore the crucial role of the United Nations Relief and Works Agency for Palestine Refugees in the Near East. At the political level, the only just solution is the lifting of the blockade and the full reopening of the crossings, while taking Israel's legitimate security concerns into account.

My fifth point concerns the organization of elections in Gaza and the West Bank. A strong,

accountable, inclusive and functional Palestinian Government, based on respect for the rule of law and human rights, is essential to the two-State solution. Elections are an important element in this regard. We welcome the recent efforts of the Palestinian factions towards reconciliation and hope that these will pave the way for genuine, free, fair and inclusive legislative and presidential elections throughout the Palestinian territory, including in East Jerusalem.

Finally, I would like to express Belgium's concern about the continued hostile actions and policies against civil society and human rights defenders. Their work contributes to creating an environment that is conducive to peace and respect for human rights. They are an important element of an open and democratic society and, therefore, must be allowed to carry out their work without impediment.

Mr. Dang (Viet Nam): I would like to thank Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process, for his valuable briefings.

I join other members in expressing our deepest condolences to the Government and the people of Kuwait on the passing away of His Highness Sheikh Al-Sabah, late Amir of the State of Kuwait.

Viet Nam joins the Secretary-General, his Special Coordinator and many other countries in expressing its serious concern over the grave, mounting hardship that the Palestinian Authority and people have had to suffer in recent months. The spread of the coronavirus disease pandemic in Palestine continues to be a major concern, as the number of confirmed cases and deaths almost doubled in the past month. The impact of the pandemic and the restriction measures on Palestine's economy is devastating. The socioeconomic conditions in the Gaza Strip and the occupied Palestinian territory have gone from bad to worse. In addition to the economic constraints, foreign aid to Palestine has dropped sharply since early 2020. Against that backdrop, we call on international donors to continue their assistance to the Palestinians to help them overcome the ongoing crisis. We also urge all parties to strengthen their cooperation and to ensure the delivery of humanitarian assistance in accordance with their respective obligations. It is therefore also important to maintain and increase assistance to the United Nations Relief and Works Agency for Palestine Refugees in the Near East so that essential agency can fulfil its important task of helping the Palestinian people.

In the face of such multifaceted challenges — the hostilities continue and civilians, including children, are being killed — the long-standing issue of the continued expansion of Israeli settlements in the West Bank remain unresolved. We also note with concern the increased number of demolitions of Palestinian homes in the West Bank, which have led to the displacement of more and more people. As resolution 2334 (2016) clearly affirms, the establishment by Israel of settlements in the occupied Palestinian territory has no legal validity and constitutes a violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace in the region.

We call on all parties to stop the hostilities so that the tension and violence do not escalate into a large-scale conflict. We commend the Secretary-General and his Special Coordinator and the countries of the region on their efforts to reduce tensions and restore calm. We also welcome the recent steps by the relevant Palestinian parties to prepare for elections in the months ahead, which will hopefully help them address common challenges and meet the expectations of the Palestinian people.

However, we remain concerned that the situation is fragile, since the deep-seated roots of the conflict have not been eradicated. We continue to urge all parties to refrain from any unilateral action that could lead to recurrent violence. At the same time, we welcome all initiatives and measures in the pursuit of a comprehensive, just and lasting settlement of the Palestine question that would contribute to promoting dialogue, cooperation and stability in the Middle East.

We reaffirm our strong support for the Secretary-General and his Special Coordinator. Given the grave situation in which the Palestinians find themselves, it is high time that the international community, the countries of the region, the United Nations and other relevant partners redouble their efforts to restart international negotiations as well as those among the parties directly concerned in order to bring about concrete steps toward de-escalation and the resolution of all outstanding issues.

To conclude, we would like to reiterate Viet Nam's unwavering support for the legitimate struggle of the Palestinian people and their inalienable rights. We strongly support the two-State solution, including the establishment of a State of Palestine that peacefully coexists alongside the State of Israel,

with East Jerusalem as its capital, and with secure and internationally recognized borders on the basis of the pre-1967 lines and in accordance with international law, the United Nations Charter and the relevant United Nations resolutions, including resolution 2334 (2016).

Mr. Djani (Indonesia): Let me start by expressing our sincere condolences on the passing of His Royal Highness Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah, Amir of the State of Kuwait. May His Highness rest in peace.

Let me also begin by expressing my appreciation to the presidency of the Niger for having convened today's meeting and, of course, to the Special Coordinator, Nickolay Mladenov, for his briefing.

As we commemorate the historic seventy-fifth anniversary of the United Nations, we are constantly reminded of what the United Nations stands for. It stands for peace, it stands for international order, and it stands for equality. These are the principles that Indonesia also believes in and emphasized at the 1955 Asia-Africa Conference as pivotal guidelines on the subject of the independence of nations that are under occupation or colonization.

Sadly, despite various United Nations resolutions and widespread global support, and in defiance of international law, Palestine remains the only country attending the Conference that has not enjoyed its independence. To this day, it is still illegally occupied, and its people are discriminated against and their lands often arbitrarily seized.

Indonesia affirms that it is time for the United Nations to do more. We all need to do more. With that in mind, allow me to share three important points.

First, peace without addressing the relevant root causes is not peace at all. Indonesia would like to take this opportunity to remind Member States that the root cause of the Palestinian–Israeli conflict is the illegal occupation. The conflict has been further amplified by decades of Israel's creeping annexation and illegal settlement policy in the occupied territories, a policy that is flagrantly unlawful and goes against resolution 2334 (2016).

As such, the idea of promising peace without addressing root causes is just an illusion of peace. Any efforts to resolve the conflict and achieve peace should first and foremost be undertaken with the involvement of the two main parties, the Palestinians and the Israelis.

Seeking solutions that disregard other parties is unjust and one-sided.

I thus come to my second point: restarting a credible peace process. We need to show our support for the Secretary-General's call urging both Israeli and Palestinian leaders to re-engage in meaningful negotiations. We also should welcome President Abbas's call at the high-level debate last week for the Secretary-General to commence, together with the Quartet and the Security Council, an international conference with all concerned parties to engage in a peace process based on international law, United Nations resolutions and other internationally agreed parameters.

My third point is continued support for the Palestinian cause. In addition to facing the menace of forced evictions, the demolition of homes and discrimination and violence, as well as years of blockade, the Palestinians are now, sadly, also confronted with the increasing coronavirus disease pandemic and its socioeconomic spillover effects. Once again, Nickolay's briefing presented a gloomy picture of the situation on the ground.

According to the World Health Organization, between July and September the number of cases soared from around 3,000 to more than 40,000. In these crises, we need to show our solidarity. We need to show our humanity.

I urge the Israeli Government to end the blockade of Gaza and to allow unhindered access to humanitarian assistance and goods. Furthermore, I urge the international community to strengthen its commitment to providing humanitarian and development aid to the Palestinian people, particularly through the United Nations Relief and Works Agency for Palestine Refugees in the Near East UNRWA, which supports more than 5.6 million Palestine refugees.

To conclude, I would like to reaffirm Indonesia's unequivocal solidarity with and support for the Palestinian people gaining their rights, including the establishment of an independent State of Palestine, within the pre-1967 borders and with East Jerusalem as its capital.

Mr. Ladeb (Tunisia) (*spoke in Arabic*): Allow me to begin by expressing my condolences to the brotherly people of Kuwait following the death of His Highness Amir Al-Sabah, who contributed greatly to humanitarian efforts and to peace and security in the region and worldwide.

I thank Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, for his briefing, which contained updated information reflecting the deteriorating situation in the occupied Palestinian territories, as well as human rights violations, the policy of *fait accompli*, the continuing occupation and the lack of desire to build peace.

During the high-level debate, world leaders reiterated their countries' commitment to the internationally agreed upon parameters and United Nations resolutions as a basis for achieving a lasting solution to the conflict in order to put an end to the occupation and allow the Palestinian people to regain their legitimate rights, particularly their right to self-determination and their right to an independent State based on 1967 borders, with East Jerusalem as its capital. That position has been continuously reiterated by the international community, which has always supported the legitimate aspirations of the Palestinian people and promoted a solution to the conflict.

In that context, Tunisia reiterates its support for the just Palestinian cause and for the inalienable rights of the Palestinian people. We also call on the international community and the Security Council, in particular, to force Israel to freeze its settlement activities, which run counter to international law, and to implement the relevant Council resolutions, particularly resolution 2334 (2016).

Tunisia rejects Israel's annexationist efforts and calls on Israel to abandon them once and for all. My country remains attached to peace as a strategic goal and is ready to support any initiative aimed at shoring up peace based on the agreed parameters, including the Arab Peace Initiative, in order to re-establish peace, justice and peaceful coexistence among the peoples of the region. We believe that the participation of the Palestinian side is a prerequisite to any initiative to resolve the conflict and to find a fair and lasting solution to the conflict.

We believe that it is the responsibility of the Security Council to maintain international peace and security and to resolve conflicts. With that in mind, we recall the role of the Council in advancing the peace process and putting an end to the impunity of Israel, which continues to violate international law. We call on the Quartet to play its rightful role and to revive negotiations, in conformity with the agreed terms of reference, in order to put an end to the occupation,

achieve an independent Palestinian State based on 1967 borders, with East Jerusalem as its capital, and resolve all final-status issues.

We support the call of President Abbas for the convening of an international conference in order to relaunch a credible peace process with a clear timetable. We also welcome the genuine reconciliation measures undertaken by Palestinian factions, as well as the fact that presidential and legislative elections will be organized in the upcoming months.

Israel pursues its aggressive policies and its violations of legitimate Palestinian rights. We condemn all incitement, destruction and actions that target civilians. We must protect Palestinian civilians, who suffer daily violations of their rights, and put an end to the blockade imposed on Gaza, which is a form of collective punishment and only serves to aggravate the suffering of men and women and to complicate the situation in the context of the pandemic by creating an additional challenge.

We welcome the efforts of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, which provides support for 5.5 million Palestinian refugees, and we call on donors to continue supporting the Agency in order to meet the humanitarian needs of Palestinian refugees. We urge regional and international actors to step up their efforts to support the Palestinians and the Palestinian authority.

In conclusion, we believe that in order to ease tensions and re-establish peace and security in the Middle East, it is essential to put an end to the occupation and to ensure justice for the victims.

Mr. Singer Weisinger (Dominican Republic) (*spoke in Spanish*): The Dominican Republic wishes to offer its most heartfelt condolences to the people of Kuwait over the death of Amir Al-Sabah.

We thank Special Coordinator Nickolay Mladenov for his briefing. We are extremely concerned about the latest details on the pronounced deterioration of the situation on the ground, as we note the resurgence of cases of coronavirus disease (COVID-19) on occupied Palestinian territory and in Israel. This month, COVID-19 cases in occupied Palestinian territory have increased by 30 per cent and by 83 per cent in the Gaza Strip, where it has more readily spread throughout the community. Immediate measures are needed to alleviate the humanitarian situation and prevent greater deterioration. That includes the full cooperation of Israeli authorities in allowing the Palestinians to

respond effectively to the needs of the sick and the most vulnerable. A permanent ceasefire is critical to enabling both countries to respond to the pandemic.

We welcome the announcement of President Abbas, in his address to the General Assembly, of the preparations under way for the holding of parliamentary elections, followed by presidential elections, with the participation of all political parties.

The Dominican Republic supports regional efforts that seek to create new conditions that are conducive to peacebuilding. That is why we welcome the normalization agreements between Israel and the United Arab Emirates and, more recently, between Israel and Bahrain, which has become the fourth Arab country to establish direct dialogue with and links to Israel. These efforts and strategies all deepen cooperation among these nations, promote positive transformation and could increase stability and security in the region. However, above all, they should serve to promote the legitimate aspirations of Israelis and Palestinians alike to live in peace, prosperity and justice after so many years of division, hostility and suffering.

Although we understand its position of resigning from the chairmanship of the League of Arab States, we call on Palestine to maintain its indisputable place in the Arab world and take advantage of all spaces to promote constructive commitments towards the creation of new opportunities for its cause.

For many Palestinians, this could be the darkest hour, but we would like to remind them that it is precisely after the darkest hour that there is always a new dawn.

We reiterate that any movement towards annexation in the occupied Palestinian territory would have serious implications and violate international law, including resolution 2334 (2016). The settlements not only contribute to the escalation of tensions on the ground, but also make the possibility of a peaceful two-State solution more remote, hindering both social inclusion and the aspiration to a lasting peace between Israelis and Palestinians. Accordingly, we reaffirm our full support for a two-State solution as set out in United Nations resolutions and continue to adhere to the framework of agreements between Israelis and Palestinians.

The fundamentals have not changed; there must be a peace agreement between these nations. The political leadership of both countries must be willing to compromise, realize that the only way forward is to negotiate their way out of this long and painful conflict

and lead their peoples on their own paths towards a lasting peace for present and future generations.

I would like to take advantage of this penultimate meeting for the month of the Niger's presidency of the Security Council, which ends tomorrow, to thank President Abarry for the magnificent work he and his team have accomplished on behalf of his country. President Abarry has guided the Council in a manner we have rarely seen, for which we sincerely congratulate him.

Mr. Allen (United Kingdom): As always, I thank Special Coordinator Mladenov for his words.

Like others, I would like to start today by expressing sincere condolences following the death of His Highness Sheikh Sabah Al-Ahmad, the Amir of the State of Kuwait. As Prime Minister Boris Johnson has said, the personal contribution His Highness made to regional stability and humanitarian assistance will long be remembered.

The United Kingdom has warmly welcomed the historic steps taken over the last two months, with the normalization of relations between three great friends of the United Kingdom: Bahrain, the United Arab Emirates and Israel. These positive steps are already having an impact, such as direct flights from Israel to the United Arab Emirates and early commercial agreements. More positive progress is to come in trade, cultural and scientific links and much more. We urge others across the region to follow the example of the United Arab Emirates and Bahrain.

We must acknowledge that the agreements represent a profound shift in the region. It is critical that as the international community we build on the momentum of normalization to take forward resolution of the Israeli-Palestinian conflict. In his recent visit to Israel and the occupied Palestinian territories, Foreign Secretary Dominic Raab encouraged both the Israeli and Palestinian leaderships to use the suspension of annexation plans — plans the United Kingdom strongly opposed — as an opportunity. We urge the Palestinian Authority to resume cooperation with Israel in the interests of the Palestinian people. We also call on both parties to make constructive and open steps towards a return to dialogue.

While the threat of annexation appears to have receded, the United Kingdom remains concerned by a number of negative trends on the ground. We reiterate our call on both sides to halt any activity that

makes peace more difficult to achieve. In accordance with resolution 2334 (2016), this includes terrorism, incitement, violence against civilians, demolition of Palestinian property and settlement advancements.

In Gaza, we welcome the agreement reached on 31 August, which has restored a degree of calm and led Israel to lift its ban on fuel and goods imports through the Kerem Shalom crossing. On 15 September, Hamas launched rockets into Israel once more. We condemn these actions; they are unacceptable, unjustifiable and must stop. As ever, dialogue is the only way to address the situation.

We remain concerned at ongoing plans to take forward settlements, including in Givat Hamatos and Har Homa and in the E1 area. All settlements are illegal under international law. Settlement construction in these highly sensitive areas would damage prospects for a two-State solution and threaten to further undermine the viability of a future Palestinian State with its capital in East Jerusalem.

Despite the spread of the coronavirus disease, 2020 is on course to be the worst year since 2016 for Israeli demolition of Palestinian property, including of donor-funded structures paid for by Council members and international partners. In all but the most exceptional of circumstances, demolitions are contrary to international humanitarian law. We call on Israel to desist from such actions and to provide a clear and transparent route to construction for Palestinians in Area C. We are also concerned about ongoing evictions of Palestinians from their homes in East Jerusalem.

Like all countries, Israel has a legitimate right to self-defence and to defend its citizens from attack. But in doing this, it is vital that all actions are proportionate, in line with international law and that they are calibrated to avoid civilian casualties. For example, the shooting and injuring by the Israel Defense Forces (IDF) of an unarmed, deaf and mute Palestinian at the Qalandia checkpoint on 17 August is deeply concerning. The Israeli security forces must provide appropriate protection to the Palestinian people and be seen to conduct prompt and transparent investigations into claims of IDF misconduct.

The Palestinian leadership must continue its efforts aimed at tackling terror and incitement, strengthen institutions and develop a sustainable economy. Hamas and other terrorist groups must permanently end their incitement and rocket fire against Israel.

The Government of the United Kingdom strongly condemns all forms of violence and incitement to violence. We welcome Fatah and Hamas efforts towards reconciliation and hope that this can lead to the holding of democratic elections across the occupied Palestinian territories.

Let me end by reaffirming that the United Kingdom remains active in the Middle East peace process. We continue to work closely with international partners to advocate a two-State solution and encourage a return to meaningful negotiations.

Mr. Nebenzia (Russian Federation) (*spoke in Russian*): At the outset, we would like to express our sincere condolences in connection with the death of the Amir of the State of Kuwait, His Highness Sheikh Sabah. His passing is an enormous loss, especially given the important role he played in the region. I would like to offer our condolences to the Government and all the people of Kuwait.

We thank Mr. Nickolay Mladenov for his briefing. This month, we have seen the signing of agreements between Israel and the United Arab Emirate and Bahrain. At every juncture of work on the Middle East peace process, Russia, as a permanent member of the Security Council and a participant in the Middle East Quartet, has always believed in the need for a comprehensive solution to the conflict. However, there has been an understanding that a just settlement of the Palestinian question based on international law as endorsed by the United Nations — including its resolutions, and on the Arab Peace Initiative and the fundamental principle of the two-State solution — must be an inherent component of that solution. That basis provides for the creation of an independent, sovereign and territorially contiguous Palestinian State within the 1967 borders and with its capital in East Jerusalem, which would live in peace with Israel.

At the same time, we note once again that the whole range of final-status issues should be determined through direct negotiations between Palestinians and Israelis. These negotiations must be launched at the first possible opportunity. In his statement at the general debate of the seventy-fifth session of the General Assembly on 25 September, Palestinian President Abbas addressed that aspect and put forward an initiative aimed at the resumption of negotiations to resolve the Palestinian question.

We firmly believe that one-sided efforts will not achieve a breakthrough. We need to strengthen collective diplomacy to ensure that the international community's efforts to create the necessary conditions for the implementation of the only viable two-State solution through direct Palestinian-Israeli talks do not fail.

We call on our partners in the Quartet — the United Nations, the European Union and the United States — to strengthen cooperation to that end. We are also ready to engage in dialogue with key regional actors and to involve them in the work of the Quartet. In addition, Russia is actively working with various Palestinian representatives in order to bridge differences, while supporting the efforts of its Egyptian friends.

In that regard, we reiterate our call to refrain from provocative actions and unilateral measures. First of all, annexation plans must stop. Israel must cease its settlement activities in the West Bank and its policy of demolishing Palestinian property. There must be an end to violence and terrorist activities. In addition, the parties should refrain from aggressive or provocative rhetoric.

The international community should take active steps to alleviate the dire humanitarian situation in Gaza and the Palestinian territories, which are experiencing a socioeconomic crisis. The Palestinian people need assistance in combating the coronavirus. We will continue to support the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). There is both a humanitarian and a political dimension to UNRWA's work, as it has an important stabilizing effect on the Palestinian territories and the countries of the Middle East.

Mr. Sautter (Germany): Let me express our condolences on the passing of His Highness the Amir of the State of Kuwait, Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah, a tireless mediator in the Middle East. Let me also express our thanks to Special Coordinator Nickolay Mladenov for his briefing and his important work. I would like to make five points.

First, on the normalization agreements between Israel and the United Arab Emirates, as well as between Israel and Bahrain, Germany welcomes the recent signings of the normalization agreements between Israel and the United Arab Emirates and between Israel and Bahrain. We acknowledge the role played by the United States in that regard and express our hope that

those agreements will contribute to achieving peace and stability in the Middle East.

The momentum generated by the signing of those accords should now be focused on finally reaching a just, lasting and comprehensive solution to the Israeli-Palestinian conflict on the basis of international law, the relevant United Nations resolutions and the internationally agreed parameters. Normalization must not result in consolidating the status quo but, rather, it should accompany the resumption of peace talks.

My second remark is on the two-State solution, Germany remains committed to a negotiated two-State solution, where two sovereign, democratic and independent States, Israel and Palestine, live side by side in peace within secure and recognized borders on the basis of the 4 June 1967 lines. That is the only viable and the most realistic path to fulfil the legitimate aspirations of Palestinians and Israelis for a life in peace and dignity with equal rights.

We call on both parties to recommit to their signed agreements and to fully restore the cooperation under the Oslo Accords and the Paris Protocol.

Together with our partners Egypt, France and Jordan, we will continue our efforts and offer our active support and our good offices in facilitating a path back to a credible dialogue and towards a negotiated, peaceful settlement. At our meeting in Amman last week, we emphasized that such serious, meaningful and effective negotiations must be based on international law and agreed parameters and be conducted either directly between the parties or under a United Nations umbrella, including the Middle East Quartet.

We have taken note of the call by President Abbas on the Secretary-General to convene an international conference early next year. Germany would be willing to participate in such a conference and encourages the Secretary-General and Special Coordinator Mladenov to consult with all relevant parties.

My third remark is on settlement activities. We reiterate our position that Israeli settlement activities in the occupied Palestinian territories are illegal under international law. They severely undermine the prospects for ending the occupation and for a viable and contiguous Palestinian State within the framework of a negotiated two-State solution.

We trust that Israeli annexation plans are truly and permanently suspended. We call upon Israel to end the expansion of settlements, in particular in critical

areas around East Jerusalem, and the legalization of settlement outposts in order to prevent a de facto annexation.

We are particularly concerned about the ongoing confiscation and demolition of Palestinian-owned structures and properties in Area C of the West Bank. Such practices, as currently under way in so-called Firing Zone 918 in the South Hebron Hills, lead to the forced eviction and displacement of vulnerable Palestinian residents in the midst of the pandemic. In some cases, they contravene existing property rights of Palestinian residents in the area, rendering such practices incompatible with international law.

Any changes to the legal and traditional status quo on Haram Al-Sharif/Temple Mount, as well as in the city of Hebron, would further erode the substance of signed agreements and mutual trust at a time when the coronavirus disease crisis warrants close cooperation.

My fourth remark is on the full implementation of resolution 2334 (2016). We call on both sides to fully implement resolution 2334 (2016) with regard to settlement activities, as well as all acts of violence against civilians, including acts of terrorism, incitement, provocative actions and inflammatory rhetoric.

In that context, we reiterate Germany's condemnation of all attacks and threats against Israel by Hamas and other terrorist groups, including the repeated firing of rockets from Gaza into Israel. Israel has the right to defend itself against such acts in a proportional manner.

My fifth, and last, remark is on intra-Palestinian reconciliation. We keep stressing that intra-Palestinian reconciliation remains key to achieving a negotiated two-State solution. Gaza and the occupied West Bank must be reunited under a single Government. The democratic legitimacy of Palestinian institutions must be renewed, and governance and responsiveness to the needs of the Palestinian population must be strengthened.

We therefore welcome the recent agreement to hold parliamentary and presidential elections in the West Bank, including East Jerusalem, and Gaza. We hope that such elections will take place soon.

The President (*spoke in French*): I shall now make a statement in my capacity as the representative of the Niger.

I would like to thank Mr. Nickolay Mladenov for his briefing on the recent developments in the situation in the Middle East.

I join previous speakers in addressing my heartfelt condolences to Kuwait following the passing of His Highness the Amir of the State of Kuwait.

On 15 September, we followed with interest the signing in Washington, D.C., of the accords normalizing relations between Israel and some of its regional neighbours, including the United Arab Emirates and Bahrain. The Niger supports all initiatives that enable the region to return to peace and stability.

While the Abraham accords mark a new dynamic, they should not overshadow the pressing need for a just and lasting resolution of the Palestinian question, the main source of tension in the Middle East for decades, as we all know. Moreover, we welcome the rapprochement between Palestinian factions that has taken place in recent days, as it will enable Palestinians to speak with one voice in the peace process.

Faced with this state of affairs, we must redouble our efforts to bring the Israeli and Palestinian parties back to dialogue. The United Nations and the members of the international community that have influence on the parties must spare no effort to seize this opportunity presented by the warming of relations between the Arab countries and Israel, to revitalize the peace talks, in accordance with the internationally recognized parameters and the relevant Security Council resolutions, including resolution 2334 (2016). That is why the Niger calls for a mobilization of all efforts to bring Israelis and Palestinians to resume dialogue as soon as possible.

In that regard, I would like to recall that the cardinal principles that should pave the way for dialogue towards a lasting peace between Israelis and Palestinians have already been clearly defined and are known to all. They are: an end to the illegal occupation and annexation of Palestinian land, in accordance with the provisions of resolution 2334 (2016), and the two-State solution, with Israel and Palestine, living side by side in peace and security, on the basis of the 1967 borders, which is the basis for resolving the conflict in accordance with the provisions of resolution 1515 (2003).

At the humanitarian level, my delegation is concerned about the spread of the coronavirus disease in the region, in particular with the increase in the number of cases of infection observed on both sides.

A few days ago, this situation prompted the Israeli authorities to tighten restrictive measures and impose a new lockdown. It is urgent that the cooperation we just recognized resume between the two parties in the interest of their respective populations.

In order to prevent the deterioration of the humanitarian situation, my delegation calls on the international community to show more generosity to ensure the continuity of the programmes of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, on which nearly 5 million Palestinians depend today. It is also a duty of Israel, as the occupying Power, to assume the responsibility imposed upon it under international law in the administration of territories under its control.

In conclusion, I would like to emphasize that the time has come for us to resolutely seek a true and just peace that takes into account Israel's legitimate security aspirations, as well as the inalienable right to self-determination of the Palestinian people. We must safeguard the two-State solution at all costs.

I now resume my functions as President of the Council.

There are no further names inscribed on the list of speakers. Before adjourning the meeting, as this is the last scheduled meeting of the Security Council for the month of September, I would like to express the sincere appreciation of the delegation of the Niger to the members of the Security Council and to the Council's secretariat for all the invaluable support they have given us throughout this month. At the end of a busy month, we can take pride in the fact that we were able to reach consensus on several important issues within our purview. We could not have done it without the hard work, support and cooperation of every delegation and the representatives of the Secretariat, including the technical support personnel, conference service officers, interpreters, translators, verbatim reporters and security personnel. I wish to express to all of them our sincere and profound gratitude. As our presidency comes to an end, I know that I speak on behalf of all the members of the Council in wishing the delegation of the Russian Federation, with Ambassador Vassily Nebenzia at its head, the best of luck in assuming the presidency during the month of October.

I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 4.55 p.m.



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Implementation of Security Council resolution 2334 (2016)

Report of the Secretary-General

I. Introduction

1. The present report is the sixteenth quarterly report on the implementation of Security Council resolution 2334 (2016). The reporting period is from 21 September to 10 December 2020.

II. Settlement activities

2. In resolution 2334 (2016), the Security Council reaffirmed that the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, had no legal validity and constituted a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace. In the same resolution, the Council reiterated its demand that Israel immediately and completely cease all settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and that it fully respect all of its legal obligations in that regard. No such steps were taken during the reporting period.

3. On 14 and 15 October, in one of the largest collective advancements in recent years, the Israeli authorities approved construction plans for some 5,000 housing units in Area C, approximately 80 per cent of which are planned in settlements in outlying locations, deep inside the occupied West Bank, in areas further impeding the contiguity of a future Palestinian State.

4. The plans include the retroactive legalization, under Israeli law, of the Tapuach West outpost (133 units) near the Kfar Tapuach settlement south of Nablus, and the Pnei Kedem outpost (120 units) near the Metzad settlement north-east of Hebron; the approval of 629 units in Eli, including the retroactive legalization, under Israeli law, of 61 illegally constructed units; and the approval of 560 units in Har Gilo, which will further sever the territorial contiguity between Bethlehem and the village of al-Walaja to its north-west.

5. On 15 November, the Israeli authorities opened the bidding process for the construction of 1,200 housing units in the Givat Hamatos settlement in East Jerusalem. If completed, this project would further consolidate a ring of settlements along the southern perimeter of Jerusalem, separating East Jerusalem from Bethlehem



and the southern West Bank, significantly damaging prospects for a future contiguous Palestinian State.

6. On 23 November, the Jerusalem District Planning Committee advanced a plan for the construction of some 540 housing units in the East Jerusalem settlement of Har Homa.

7. On 29 November, the High Court of Justice of Israel upheld the declaration of areas in and around the Palestinian neighbourhood of Kafr Aqab, including the land on which the Kochav Ya'akov settlement is built, as State land.

8. At the beginning of October, an Israeli outpost was reportedly established in the Beit Dajan area, west of Nablus, and another was reportedly erected on a hill 4.5 km east of the Shiloh settlement, where a military base was previously located.

9. During the reporting period, demolitions and seizures of Palestinian-owned structures continued across the occupied West Bank, including East Jerusalem. Citing the absence of Israeli-issued building permits, which remain almost impossible for Palestinians to obtain, the Israeli authorities demolished, forced people to demolish or seized 290 structures, resulting in the displacement of 251 people, including 128 children and 63 women, with some 2,500 others also adversely affected.

10. At least 56 of the structures targeted were dismantled and seized without prior notice based on military regulations allowing the summary requisition of “newly installed” structures defined as “movable” or suspected to be used to commit a criminal offence. A total of 38 structures were demolished on the basis of military order No. 1797, which authorizes an expedited process that gives owners only 96 hours to demonstrate that they possess a valid building permit. Another 8 structures were demolished by their respective owners following receipt of demolition orders. A total of 73 structures demolished or seized were donor-funded.

11. According to the United Nations Children’s Fund, 52 schools in the occupied West Bank, including East Jerusalem, face pending “stop work” or demolition orders, which, if implemented, would affect some 5,200 students.

12. In 2020, demolitions and seizures by the Israeli authorities of Palestinian-owned property in Area C rose by 72 per cent compared with 2019. In East Jerusalem, while an 18 per cent decline in demolitions was observed, there was a 47 per cent increase in the number of structures demolished by their respective owners following receipt of demolition orders compared with 2019.

13. On 28 October, the Israeli authorities cut a donor-funded pipe supplying water to 14 herding communities in the Masafer Yatta area of Hebron, home to about 1,400 people, including over 600 children.

14. On 2 November, the Israeli Government informed the High Court of Justice that it would not demolish the Bedouin village of Khan al-Ahmar in the next four months. In its explanation, the Government cited restrictions related to coronavirus disease (COVID-19) and “additional considerations” as the reasons for the delay and said that it would use the additional time to exhaust efforts to reach an agreement with the residents.

15. On 3 November, the Israeli authorities carried out the most extensive demolition in the occupied West Bank of the past decade, destroying over 80 structures, including homes, in the Bedouin community of Humsa Al Bqai’a, in Area C. Seventy-three people were displaced, including 41 children. Decade-long petitions and appeals against the demolitions were rejected by the High Court of Justice.

16. On 23 November, the Jerusalem District Court rejected an appeal by a Palestinian family, ruling that they must vacate their home in Batan al-Hawa, in the

neighbourhood of Silwan, in favour of settlers. The 26 family members have lived in the home since before 1967.

III. Violence against civilians, including acts of terror

17. In resolution [2334 \(2016\)](#), the Security Council called for immediate steps to prevent all acts of violence against civilians, including acts of terror, as well as all acts of provocation and destruction, and called for accountability in that regard and for compliance with obligations under international law for the strengthening of ongoing efforts to combat terrorism, including through existing security coordination, and to clearly condemn all acts of terrorism.

18. The reporting period was characterized by daily acts of violence throughout the Occupied Palestinian Territory, including clashes between Palestinians and Israeli security forces, settler-related violence, stabbing attacks or alleged attempted attacks, the throwing of rocks and Molotov cocktails by Palestinians, the firing of rockets by Palestinian militants from Gaza towards Israel, retaliatory Israeli airstrikes against militant targets in Gaza and the use of lethal force by Israeli security forces against Palestinians.

19. Overall, five Palestinians, including two children, were killed by Israeli security forces during demonstrations, clashes, security operations and other incidents across the Occupied Palestinian Territory, and 428 Palestinians, including 2 women and 41 children, were injured, including 36 by live ammunition. Eleven members of the Israeli security forces and 15 Israeli civilians, including two women, were injured by Palestinians in clashes, rock and Molotov cocktail throwing and other incidents.

20. In Gaza, while a relative calm largely prevailed, Palestinian militants launched eight rockets and seven incendiary balloons from Gaza into Israel. In response, the Israel Defense Forces fired 33 shells and missiles into Gaza, striking Hamas positions, observation posts and other military infrastructure, as well as open areas. No injuries were reported.

21. On 1 October, the Israel Defense Forces arrested two Palestinian men who had crossed into Israel through the Gaza security fence, carrying a home-made bomb. On at least 76 occasions, Israeli security forces opened warning fire towards Gaza in the areas adjacent to the perimeter fence, with no injuries recorded. On 42 occasions, Israeli forces opened fire on Palestinians fishing off the coast of Gaza, injuring one.

22. On 20 October, the Israel Defense Forces announced that they had located a Hamas tunnel entering Israeli territory from the southern Gaza Strip. Palestinian militants responded by firing a rocket from Gaza towards Israel, which was intercepted by the Iron Dome system. The Israel Defense Forces responded by striking an underground structure in an agricultural field in Gaza. No injuries were reported.

23. On 15 November, Palestinian militants fired two rockets towards Israel from Gaza. One rocket fell into the sea near the city of Ashdod and the other landed in an open area inside Israel, east of Ashdod. No injuries or damages were reported. In retaliation, the Israel Defense Forces fired three shells and two missiles at Hamas underground infrastructure and military posts in Gaza. No injuries were reported.

24. On 21 November, Palestinian militants fired a rocket towards Israel from Gaza, which landed on an empty factory warehouse in Ashkelon, causing damage. An Israeli woman was injured while seeking shelter. In retaliation, the Israel Defense Forces fired a shell targeting a military observation post in Gaza. A few hours later, on

22 November, the Israel Defense Forces fired 16 missiles targeting Hamas military sites. No injuries were reported.

25. Meanwhile, in the West Bank, on 22 September, during a security operation in Hebron, Palestinian Authority police used live fire and physical force against Palestinian civilians, namely one adult and three children, one aged 14 and two aged 16. The three children were seriously injured, two by live ammunition. Despite court orders to release the injured children, the four were detained until 7 October, when they were released without charge.

26. On 4 October, Israeli security forces shot and injured a 16-year-old Palestinian child during clashes in Beit Ummar village, north of Hebron.

27. On the same day, in the town of Hizma, north-east of Jerusalem, Israeli security forces shot and injured a 15-year-old boy in the head with live ammunition.

28. Also on 4 October, a Palestinian armed with a knife attempted to stab an Israeli security forces officer near Hebron. The attacker was arrested and no injuries were reported.

29. On 5 October, Israeli security forces shot and killed a Palestinian man and injured two others at a checkpoint south-east of Tulkarm. Israeli security forces stated that the three were throwing Molotov cocktails at passing vehicles.

30. On 9 October, Israeli security forces injured two Palestinians with live bullets during clashes in the Old City of Hebron (H2 zone).

31. On 11 October, during a search operation in al-Am'ari refugee camp in Ramallah, Israeli security forces shot and injured 10 Palestinians with live ammunition and a further 13 with rubber-coated metal bullets. One member of the Israeli security forces was injured by a stone thrown by Palestinians.

32. On 14 October, two Israel Defense Forces soldiers were injured by an explosive device thrown at them during an arrest operation in the Balata camp for Palestine refugees, in Nablus.

33. On 25 October, a 17-year-old Palestinian boy died during an encounter with Israeli security forces near the occupied West Bank village of Turmus'ayya, near Nablus. There are conflicting claims about the circumstances and the cause of death.

34. On 27 October, nine Palestinians, including two brothers of a Palestinian Legislative Council member reportedly affiliated with the Fatah Democratic Reform Bloc, were arrested by the Palestinian Security Forces in al-Am'ari refugee camp, following clashes with camp residents.

35. On 30 October, Israeli soldiers opened fire on a Palestinian vehicle travelling near Jenin, injuring three children. The circumstances surrounding the incident remain disputed, with the Israel Defense Forces claiming that the vehicle posed a threat.

36. On 31 October, a leader of the Al-Aqsa Martyrs Brigade died and four Palestinians were injured during clashes between police and local residents in the Balata refugee camp. The Palestinian Security Forces reportedly intervened to disperse a family dispute. According to the Palestinian police, the individual died from a self-inflicted injury, an account disputed by the victim's family.

37. On 4 November, an off-duty officer in the Palestinian Security Forces, who according to the Israel Defense Forces shot towards Israeli soldiers, was shot dead near Huwwara, south of Nablus.

38. On 8 November, a Palestinian man who reportedly attempted to carry out a stabbing attack near Hebron was shot and injured by Israeli security forces, who subsequently arrested him.
39. On 11 November, Israeli security forces injured a 16-year-old Palestinian with two live bullets, near the village of Azun Attmet, in Qalqilya, while the child was attempting to cross the barrier into Israel for work.
40. On 13 November, Israeli security forces shot and injured a Palestinian with live ammunition and shot and injured two others with rubber-coated metal bullets during security operations conducted in several neighbourhoods of Ramallah.
41. On 17 November, a 15-year-old boy returning from school lost his right eye after being hit by ricochet ammunition in Qalandia refugee camp as clashes were taking place between Israeli security forces and residents of the camp. The boy was not involved in the clashes.
42. On 23 November, an Israeli driver lost control of his vehicle after it was hit by stones thrown by Palestinians near Yitzhar junction, south of Nablus, causing an accident with a truck that injured four Israeli civilians.
43. On 25 November, Israeli security forces shot and killed a Palestinian man near a checkpoint east of Jerusalem after he accelerated his car while his documents were being checked. One Israeli soldier was slightly injured after being hit by the car.
44. On 27 November, during protests in Kafr Qaddum, west of Nablus, Israeli security forces shot a 16-year-old in the head with a rubber-coated metal bullet.
45. On 28 November, in Silwad, north of Ramallah, Israeli security forces shot and seriously wounded a 16-year-old with live ammunition to the chest. According to eyewitnesses, the boy was attempting to cross the street, where Israeli security forces had been responding to stone throwing. In a similar incident on 29 November, Israeli security forces shot another 16-year-old boy with live ammunition to the chest, reportedly without warning, in the context of a stone-throwing incident. Both boys were admitted to intensive care with serious injuries; one remains hospitalized and the other is under medical supervision.
46. According to the Office for the Coordination of Humanitarian Affairs (OCHA), during the reporting period, Israeli security forces conducted 994 search-and-arrest operations, resulting in the arrest of 847 people, including 29 children, and the injury of 79 during subsequent clashes.
47. At least 56 of those operations, including house raids and arrests, took place in the volatile neighbourhood of Al-Issawiyah in East Jerusalem, where tensions remain high. Combined with recurring clashes between Israeli security forces and Palestinians, some 109 people, including at least 13 children, were arrested, and one person was injured.
48. During the reporting period, arrests of Palestinians, including children, increased once again. As at 30 September, 4,184 Palestinians, including 157 children, were in Israeli custody. Of those, 376, including two children, were being held in administrative detention without charge or trial.
49. Settler-related violence in the occupied West Bank continued. OCHA recorded 78 attacks by Israeli settlers and others against Palestinians, resulting in 42 injuries and damage to Palestinian-owned properties. Palestinians perpetrated 83 attacks against Israeli settlers and other civilians in the occupied West Bank, resulting in 15 injuries and damage to property, according to Israeli sources.
50. Many settler-related incidents were also recorded in relation to the annual olive harvest. Since the start of the harvest season on 7 October, 26 harvesters have been

injured, over 1,700 olive trees have been burned or otherwise damaged and large amounts of produce have been stolen by Israeli settlers. In a few incidents, Israeli security forces intervened in clashes between Palestinians and settlers, including by shooting tear gas canisters and rubber bullets, injuring olive harvesters and forcing them to leave the groves. Some Palestinian farmers also face daunting challenges to access olive groves located behind the separation barrier or in the vicinity of settlements, which requires special permits or prior coordination from the Israeli authorities. Despite the easing of some procedures in the context of COVID-19, access to those areas continued to be impeded.

51. On 22 October and 1 November, respectively, Israeli security forces raided a non-governmental organization in Beit Hanina and a youth centre in the Shuafat area of East Jerusalem. The directors of both entities were briefly detained and, in the case of the Elia Association for Development and Volunteerism in Beit Hanina, its offices were closed for a week.

52. The Israeli authorities continued to summon, arrest and issue bans, including travel bans, to Palestinian Authority and Fatah affiliates, including the Palestinian Authority Governor of Jerusalem, Adnan Geith, and Fatah Secretary in Jerusalem, Shadi Mtour.

53. Human rights defenders and peace activists also continued to be targeted for arrest by authorities on all sides. During the reporting period, Israeli security forces detained five Palestinian human rights defenders and activists, all of whom except one remained in detention as at 10 December. In addition, one female journalist was placed under administrative detention. The Palestinian Authority detained a journalist for one month; shortly after being released on bail on 27 October, he was arrested by Israeli security forces and he remains in detention. On 26 October, a military court in Gaza convicted and eventually released three activists who had been detained in April 2020 for having organized a “normalization activity” with Israeli youth.

54. During the reporting period, Hamas-controlled courts in Gaza handed down eight new death sentences, three of which were ordered by military courts against civilians convicted of collaboration with Israel.

55. On 21 October, the Ministry of Justice of Israel announced that a border police officer might stand trial for reckless homicide, pending a hearing, for killing Eyad Hallaq, a Palestinian man with disabilities, on 30 May in East Jerusalem. On 28 October, the Supreme Court of Israel reduced the sentence from 15 to 11 years of an Israeli citizen convicted of manslaughter for the killing of a Palestinian on 27 September 2004.

IV. Incitement, provocations and inflammatory rhetoric

56. In resolution [2334 \(2016\)](#), the Security Council called upon both parties to act on the basis of international law, including international humanitarian law, and their previous agreements and obligations, to observe calm and restraint and to refrain from provocative actions, incitement and inflammatory rhetoric, with the aim, inter alia, of de-escalating the situation on the ground, rebuilding trust and confidence, demonstrating through policies and actions a genuine commitment to the two-State solution and creating the conditions necessary for promoting peace.

57. During the reporting period, some Palestinian officials continued to use inflammatory and provocative rhetoric. An animated video shown on the official television channel of Hamas in Gaza portrayed and glorified Palestinians shooting and stabbing Israeli civilians and security forces in Jerusalem.

58. Israeli officials also made provocative and inflammatory statements. Some continued to reject the prospect of Palestinian statehood, calling for settlement expansion and praising demolitions of Palestinian-owned structures in the occupied West Bank. An Israeli politician called Saeb Erekat an “anti-Semite” and a “supporter of terror”, and criticized other Israelis who expressed their condolences following his death from COVID-19.

V. Affirmative steps to reverse negative trends

59. In resolution [2334 \(2016\)](#), the Security Council called for affirmative steps to be taken immediately to reverse the negative trends on the ground that were imperilling the two-State solution. While there were some positive developments during the reporting period, a number of negative trends overshadowed them.

60. Beginning in early September, Fatah and Hamas embarked on a series of discussions to agree on a programme of reconciliation and the holding of the first Palestinian general elections since 2005. From 22 to 24 September, Fatah and Hamas held bilateral discussions in Istanbul, Turkey. Fatah subsequently announced that it had reached a series of understandings with Hamas, including an agreement to hold legislative and presidential elections under a proportional representation system. On 1 October, the Fatah Central Committee formally endorsed the understandings. From 16 to 18 November, Egypt hosted delegations from Hamas and Fatah to assist the parties with resolving outstanding differences. On 22 November, a senior Fatah official stated that the talks had not succeeded in securing an endorsement of the Istanbul understandings owing to disagreements over the timing of elections. Both sides have pledged to continue talks.

61. On 17 November, the Palestinian leadership announced its decision to resume security and civilian coordination with Israel and accept the clearance revenues Israel collects on its behalf, which amounted to some \$900 million.

62. Palestinians and Israelis faced immense socioeconomic impacts from COVID-19, with rising infection numbers continuing to pose grave risks to both populations. The situation remained particularly worrisome in Gaza, where the capacity of the health-care system is limited. The shortage of medical supplies in the health system in Gaza remains critical. In October, some 45 per cent of essential medicines were at zero stock, while the lack of oxygen generators at the European Gaza Hospital hindered the provision of health care to persons with COVID-19.

63. Health partners indicated that COVID-19 also had a negative impact on access to essential care, especially for remote communities in Area C of the occupied West Bank. Humanitarian partners continued to support the Palestinian Authority’s response, including through the procurement and delivery of testing kits and other laboratory and medical supplies. Prior to the resumption of coordination between the Israeli and Palestinian authorities, the United Nations had assumed emergency responsibilities to facilitate humanitarian imports and patient transfers from Gaza. With coordination having resumed, United Nations agencies rapidly began transferring those responsibilities back to the appropriate Palestinian and Israeli authorities.

64. While the mortality rate from COVID-19 in the Occupied Palestinian Territory remained relatively low by global standards, the necessary measures taken to contain the pandemic – recurrent lockdowns and travel restrictions, school closures, the reduction of commercial activities and mandatory quarantines and isolation periods – have severely undermined living conditions. On 9 October, initial findings from a

survey implemented in partnership with the United Nations country team indicated that the pandemic had led to large declines in monthly household incomes.

65. About 42 per cent of Palestinian households reported earning less than half of their regular monthly income from March to May. Households also reported urgent need for cash support and job creation, while economic stresses translated into deteriorating social conditions. The Women's Affairs Centre in Gaza and other gender-based violence service providers across the Occupied Palestinian Territory reported an increase in gender-based violence and significant challenges in delivering services in response. As at September, OCHA had reported 24 femicide cases in 2020, equal to the total for 2019. Suicides and attempted suicides in Gaza also rose over the same period, with 24 people, including four women and five children, reportedly having taken their own lives, as compared with 22 for all of 2019.

66. On 10 November, the Special Coordinator for the Middle East Peace Process issued a socioeconomic report that introduced several proposals to build confidence among the parties and address more effectively the pandemic and its socioeconomic impacts. The report included recommendations to both sides, the United Nations and its partners. The Special Coordinator encouraged Israel to take steps towards improving and backstopping the finances of the Palestinian Authority for the duration of the emergency; to grant permits to some 10,000 workers from Gaza to work in Israel and the occupied West Bank once adequate health precautions were in place; to stimulate economic growth by easing dual-use restrictions for imports into the Gaza Strip; and to grant construction permits in Area C of the occupied West Bank.

67. The Special Coordinator urged the Palestinian Government to pay deferred government salaries, repay loans issued by the Palestinian financial sector and align its expenditures with the recommendations made by the World Bank and the Office of the Special Coordinator for the Middle East Peace Process in June, including for a single basic income support scheme. In addition, the Special Coordinator recommended that the Palestinian Government accelerate its trade procedures, especially with respect to the Gaza Strip, and take steps to increase commerce and trade exiting Gaza.

68. With respect to the United Nations and its international partners, the Special Coordinator indicated the need to focus support on the inter-agency humanitarian response plan, as well as the socioeconomic response plans of the United Nations country team and the Palestinian Authority. The report highlighted other initiatives that could be implemented with significant donor support, including the provision of 20,000 jobs in Gaza for 12 months, the acceleration of critical infrastructure projects in the water, sanitation, energy and health sectors, and support for small- and medium-sized enterprises.

69. Reconstruction and repair of damage incurred during the 2014 conflict in Gaza continued at a slow pace owing to the pandemic and a lack of funding. To date, 9,566 of the 11,000 totally destroyed houses have been rebuilt, including 157 during the reporting period. The reconstruction of an additional 639 houses is under way. There remains a funding gap of \$32 million to complete the reconstruction of 638 destroyed houses and \$75 million for the repair of 56,000 partially damaged homes. Over 760 families (4,000 individuals) have been internally displaced for more than five years.

70. On 27 September, 2 November and 24 November, the Egyptian authorities exceptionally opened the Rafah crossing in both directions for a total of 10 days, allowing 8,526 people to exit Gaza and 3,876 to return. All departing individuals were subject to a COVID-19 test as per the instructions of the Gaza Ministry of Health.

VI. Efforts by the parties and the international community to advance the peace process and other relevant developments

71. In resolution [2334 \(2016\)](#), the Security Council called upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967.

72. On 28 October, the Governments of Israel and the United States of America announced that they had amended three bilateral science, agriculture and technology agreements, allowing United States funds to be directed for the first time to Israeli research projects in the occupied West Bank, including East Jerusalem, and the occupied Syrian Golan.

73. On 19 November, the United States announced new guidelines requiring all products exported to the United States from Area C of the occupied West Bank to be labelled as “Made in Israel”.

74. Also in resolution [2334 \(2016\)](#), the Security Council called upon all parties to continue, in the interest of the promotion of peace and security, to exert collective efforts to launch credible negotiations on all final status issues in the Middle East peace process and urged in that regard the intensification and acceleration of international and regional diplomatic efforts and support aimed at achieving, without delay, a comprehensive, just and lasting peace in the Middle East on the basis of the relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet road map, and an end to the Israeli occupation that began in 1967. The Council underlined that it would not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations.

75. On 24 September, the ministers for foreign affairs of Jordan, Egypt, France and Germany met in Amman. They urged Israel and the Palestinians to engage in “credible dialogue” to restore “hope” to the peace process and stressed “the urgency of the resumption of serious, meaningful and effective negotiations on the basis of international law and agreed parameters directly between the parties or under the United Nations umbrella”.

76. On 25 September, in his statement to the General Assembly, the Palestinian President, Mahmoud Abbas, called for the convening of an international conference in early 2021 to “engage in a genuine peace process, based on international law, United Nations resolutions and the relevant terms of reference, leading to an end to the occupation and the achievement by the Palestinian people of their freedom and independence within their State, with East Jerusalem as its capital, on the 1967 borders.”

77. On 29 September, 19 October and 19 November, the Envoys of the Middle East Quartet met virtually to discuss the latest developments on the ground and agreed to remain engaged on the matter and to chart a way forward.

78. On 18 October, Israel and Bahrain established formal diplomatic relations, signing eight bilateral agreements, including a joint communiqué on the establishment of diplomatic, peaceful and friendly relations. The communiqué affirmed that the two parties would “continue their efforts to achieve a just, comprehensive and enduring resolution to the Israeli-Palestinian conflict.”

79. On 23 October, the leaders of the United States, Israel and the Sudan announced that the Governments of Israel and the Sudan had agreed to end the state of belligerence between their countries and normalize relations.

VII. Observations

80. I remain deeply troubled by continued Israeli settlement expansion in the occupied West Bank, including East Jerusalem, which further undermines the right of the Palestinian people to self-determination, continues to encroach on Palestinian land and natural resources, hampers the free movement of the Palestinian population and increases the risks of violent confrontation. Over the past year, the Israeli authorities have advanced controversial settlement plans that had been frozen or delayed for years. These planned construction projects are located in areas crucial for the contiguity of a future Palestinian State. In total, some 50 per cent of the units advanced over the past year were located in outlying areas, deep in the occupied West Bank.

81. Overall, since the adoption of Security Council resolution [2334 \(2016\)](#), settlement planning and construction have continued. Over the past four years, plans for more than 28,000 units were advanced or approved in Area C and East Jerusalem settlements and tenders were announced for some 12,000 units. On the ground, the construction of more than 6,000 new units began in Area C during the same period.

82. Despite an eight-month pause in settlement advancements in Area C during 2020, recent steps brought the total number of housing units advanced since the beginning of the year to close to 2019 levels. While advancements in Area C declined by 1,400 units in 2020, tender announcements more than doubled to 1,700. In addition, plans for some 3,500 units in the strategic location of E1 were opened for public objections, a step which had been delayed for eight years and which brings construction at the sensitive site closer to implementation. If implemented, the E1 plan would sever the connection between the northern and southern West Bank, significantly undermining the chances for establishing a viable and contiguous Palestinian State as part of a negotiated two-State solution.

83. In East Jerusalem, while the number of units advanced decreased from 1,000 housing units in 2019 to 700 in 2020, the number of units tendered rose from 600 in 2019 to some 1,700 in 2020. This included a tender for some 1,200 units establishing a new settlement in Givat Hamatos, which, if built, would further disconnect East Jerusalem from Bethlehem and the southern West Bank.

84. I reiterate that Israeli settlements in the occupied West Bank, including East Jerusalem, have no legal validity and constitute a flagrant violation of United Nations resolutions and international law. Settlements entrench the Israeli occupation and undermine the prospect of achieving a two-State solution by systematically eroding the possibility of establishing a contiguous, independent and viable sovereign Palestinian State. I urge the Government of Israel to cease the advancement of all settlement activity immediately.

85. I remain deeply concerned by the continued demolitions and seizures of Palestinian structures, which have included internationally funded humanitarian projects, including schools. I call on the Israeli authorities to end the demolition of Palestinian property and the displacement and eviction of Palestinians and to approve plans that would enable these communities to build legally and address their development needs.

86. I remain gravely concerned about the continuing violence, attacks against Israeli and Palestinian civilians and incitement to violence that exacerbate mistrust between Israelis and Palestinians and that drive us further from a peaceful resolution of the conflict. The violence must stop and all perpetrators of violence must be held accountable.

87. I am particularly appalled that children continue to be victims of violence. I reiterate that children should not be the target of violence or put in harm's way. They should be afforded special protection from any form of violence and only detained as a measure of last resort and for the shortest appropriate period of time.

88. I reiterate that security forces must exercise maximum restraint and use lethal force only when strictly unavoidable in order to protect life. The Israeli and Palestinian authorities must carry out thorough, independent, impartial and prompt investigations into all instances of possible excessive use of force.

89. I am deeply concerned by the indiscriminate launching of rockets and mortars towards Israeli civilian population centres by Hamas, Palestinian Islamic Jihad or others, which is prohibited under international humanitarian law. Palestinian militants must cease this practice immediately.

90. I am deeply concerned at the continued settler-related violence in the occupied West Bank, including East Jerusalem. I reiterate the 5 November call by United Nations agencies and international non-governmental organizations operating in the Occupied Palestinian Territory for the Israeli authorities to abide by the obligations of Israel under international law to protect Palestinians from violence by Israeli settlers and to ensure that farmers can access their land freely and safely.

91. I would like to reiterate that the fate of two Israeli civilians who suffer from mental illness and the bodies of two Israel Defense Forces soldiers held by Hamas in Gaza remains an important humanitarian concern. I call upon Hamas to release them, as required by international humanitarian law.

92. I also remain deeply concerned at the continued Israeli practice of holding the bodies of killed Palestinians and call on Israel to return withheld bodies to their families, in line with its obligations under international humanitarian law.

93. I am alarmed by the continued arrest of human rights defenders and peace activists. The Israeli and Palestinian authorities have an obligation to respect freedom of expression, association and assembly, and to facilitate and promote an enabling environment for civil society to function in the Occupied Palestinian Territory, without discrimination.

94. I also express concern that courts in Gaza continue to hand down death sentences in violation of Palestinian law and the international obligations of the State of Palestine, and call upon Hamas in Gaza to impose an immediate moratorium on executions and to cease the use of military tribunals to try civilians.

95. The financial situation of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) remains a serious concern. UNRWA is not only a lifeline for millions of Palestine refugees, but also critical for regional stability. Sufficient funding is essential for the Agency's continuity.

96. The Palestinian Authority's decision to restart civilian and security coordination with Israel and to resume receipt of its clearance revenues and the confirmation by Israel that existing bilateral agreements continue to govern relations between both parties are welcome developments. It would be important to use the transfer of six months of accumulated clearance revenues to provide critical stimulus to the economy, through the payment of partially deferred salaries and an increase in support to households and enterprises, and to allow the Palestinian Authority to address the COVID-19 emergency more effectively.

97. A comprehensive basic income support scheme developed by the Palestinian Authority would allow Palestinians to protect their institutions and banking sector and to address the COVID-19 crisis more effectively, which is urgently needed.

98. I encourage Israelis and Palestinians to re-envisage their economic and administrative relationships going forward, in line with United Nations recommendations. A revised model would not only have humanitarian, economic and developmental benefits, but would also further the prospect of resumed negotiations to help build a sustainable peace. In the absence of an active peace process, bilateral talks have proven fruitful in the past and could be restarted. I call on the Israeli and Palestinian leadership to engage in such discussions.

99. I remain seriously concerned about the fragile situation in Gaza and the immense suffering of its people. The risk of a major escalation remains. I reiterate that no amount of humanitarian or economic support on its own will address the challenges in Gaza. These ultimately require political solutions and the political will to pursue them.

100. Taking into consideration its legitimate security concerns, I urge Israel to ease the restrictions on the movement of goods and people to and from Gaza, with the goal of ultimately lifting them. Only by fully lifting the debilitating closures, in line with Security Council resolution [1860 \(2009\)](#), can we hope to sustainably resolve the humanitarian crisis. I also call on Hamas and other militant factions to end the military build-up, including the construction of tunnels into Israel, and to cease the indiscriminate launching of rockets and mortars towards Israeli civilian population centres, which is prohibited under international humanitarian law.

101. It is regrettable that agreement has not yet been reached on the holding of long-overdue Palestinian presidential and legislative elections. I encourage the parties to continue efforts to overcome outstanding differences in line with Egyptian-led intra-Palestinian reconciliation efforts.

102. I urge Israelis, Palestinians, regional States and the broader international community to take practical steps to enable the parties to re-engage. The Special Coordinator is actively engaged in advancing these efforts. Such steps must also be accompanied by concrete actions to restore a legitimate political horizon to end the conflict. The Middle East Quartet, key Arab partners and Israeli and Palestinian leaders must work together to return to the path of meaningful negotiations.

103. I hope that recent developments will encourage Palestinian and Israeli leaders to re-engage in meaningful negotiations, with the support of the international community, and will create opportunities for regional cooperation. As we have seen in statements from around the world, the commitment to the two-State solution, in line with United Nations resolutions and international law, continues to be affirmed by broad regional and international consensus.

104. I remain committed to supporting Palestinians and Israelis to resolve the conflict and end the occupation in line with relevant United Nations resolutions, international law and bilateral agreements in pursuit of achieving the vision of two States – Israel and an independent, democratic, contiguous, viable and sovereign Palestinian State – living side by side in peace and security within secure and recognized borders, on the basis of the pre-1967 lines, with Jerusalem as the capital of both States.

105. I express my deep appreciation to my Special Coordinator, Nickolay Mladenov, for his outstanding service in what remains a challenging context. I also pay tribute to all staff working under difficult circumstances in the service of the United Nations.



Security Council

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Letter dated 29 March 2021 from the President of the Security Council addressed to the Secretary-General and the Permanent Representatives of the members of the Security Council

I have the honour to enclose herewith a copy of the briefing provided by Mr. Tor Wennesland, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, as well as the statements delivered by the representatives of China, Estonia, France, Ireland, Kenya, Mexico, the Niger, the Russian Federation, Saint Vincent and the Grenadines, Tunisia, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Viet Nam in connection with the video-teleconference on “The situation in the Middle East, including the Palestinian question” convened on Thursday, 25 March 2021.

In accordance with the procedure set out in the letter dated 7 May 2020 from the President of the Security Council addressed to the Permanent Representatives of the members of the Security Council (S/2020/372), which was agreed in the light of the extraordinary circumstances caused by the coronavirus disease pandemic, this briefing and these statements will be issued as a document of the Security Council.

(Signed) Linda **Thomas-Greenfield**
President of the Security Council



Annex I**Briefing by the Special Coordinator for the Middle East Peace Process, Tor Wennesland**

On behalf of the Secretary-General, I will devote this briefing to presenting his seventeenth report on the implementation of Security Council resolution 2334 (2016), covering the period from 11 December to 23 March.

Resolution 2334 (2016) calls on Israel to “immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem,” and to “fully respect all of its legal obligations in this regard”. Settlement activities nevertheless continued during the reporting period.

On 17 and 18 January, Israeli authorities advanced plans for some 800 housing units and tendered some 1,900 units in Area C settlements. An additional 210 units were tendered in East Jerusalem. Some 40 per cent of those units are in settlements deep inside the occupied West Bank. More than 200 units are in outposts, illegal also under Israeli law, that Israeli authorities are regularizing retroactively.

On 19 January, the Jerusalem District Court denied an injunction to freeze the tendering process for some 1,200 units in Givat Hamatos. The winning bids were announced on 20 January. The establishment of that new settlement will further consolidate a ring of settlements along the southern perimeter of Jerusalem that would significantly damage prospects for a future, contiguous Palestinian State.

Demolitions and seizures of Palestinian-owned structures continued across the occupied West Bank, including East Jerusalem. Citing the absence of Israeli-issued building permits, which are almost impossible for Palestinians to obtain, 325 structures were demolished or seized by Israeli authorities or demolished by their owners to avoid heavy Israeli demolition fees. These actions resulted in the displacement of 465 people, including 253 children and 105 women.

On five occasions in February, most recently on 22 February, the Israeli security forces demolished or confiscated 80 structures in the Palestinian Bedouin community of Humsa al-Bqai'a in an Israeli-declared firing zone in the Jordan Valley. The actions repeatedly displaced some 63 people, including 36 children. The Israeli authorities informed the community that it must relocate to a site near the village of Ein Shibli.

On 15 February and 2 March, the Jerusalem District Court rejected appeals against the evictions of 13 Palestinian households, some 52 people, in the East Jerusalem neighbourhood of Sheikh Jarrah. The appeals process to the Supreme Court is ongoing. Israeli courts also upheld eviction orders against six Palestinian families, some 80 individuals, living in the Silwan neighbourhood.

Resolution 2334 (2016) calls for “immediate steps to prevent all acts of violence against civilians, including acts of terror, as well as all acts of provocation and destruction”. Unfortunately, the violence continued daily.

Overall, four Palestinians, including two children, were killed by the Israeli security forces during demonstrations, clashes, security operations, attacks against Israeli security personnel and other incidents. A total of 480 Palestinians, including seven women and 66 children, were injured, including 55 by live ammunition. One Israeli woman was killed and 12 members of the Israeli security forces injured. In addition, 18 Israeli civilians, including three women and five children, were injured by Palestinians in clashes, rock- and Molotov-cocktail throwing, attacks and other incidents.

In Gaza, Palestinian militants launched six rockets and one incendiary balloon from Gaza into Israel. In response, the Israel Defense Forces (IDF) fired 11 missiles

into Gaza, striking what it said were Hamas positions, as well as open areas. Seven Palestinian civilians were injured in those incidents, including one child.

In the occupied West Bank on 20 December, a 52-year-old Israeli woman was killed by blows from a stone near the settlement of Tal Menashe. On 24 December, Israeli forces arrested a Palestinian man near Jenin, who they said confessed to the killing.

On 21 December, a 17-year-old Palestinian opened fire at an Israeli police post in the Old City of Jerusalem and was subsequently shot and killed by the Israeli security forces.

On 1 January, further south in the occupied West Bank, a Palestinian man was paralysed after being shot by Israeli forces during a dispute over the seizure of an electricity generator. An initial IDF internal probe found that the shooting was accidental, an account disputed by Palestinian eyewitnesses. The IDF opened a further inquiry into the incident.

On 5 January, a Palestinian man was shot and killed by the Israeli security forces at the Gush Etzion junction in the occupied West Bank after reportedly attempting to throw a knife at Israeli security forces personnel.

On 26 January, a 17-year-old Palestinian boy tried to stab a female Israeli soldier near the settlement of Ariel and was subsequently shot and killed by the Israeli security forces. Israel has withheld the body.

On 31 January, a 36-year-old Palestinian man was shot and killed by the Israeli security forces as he ran, reportedly carrying an improvised weapon, towards officers stationed at the Gush Etzion junction.

On 19 March, the Israeli security forces killed a Palestinian man during a demonstration in Beit Dajan, near Nablus. The man was reportedly shot in the head with three bullets while he was using a slingshot to throw stones at the Israeli security forces.

Settler-related violence in the occupied West Bank continued. There have been 116 attacks by Israeli settlers and others against Palestinians, resulting in two Palestinians killed, 37 injuries and damage to Palestinian-owned properties. Palestinians perpetrated some 170 attacks against Israeli settlers and other civilians, resulting in 18 injuries and damage to property, according to Israeli sources.

On 3 January, an Israeli woman was critically injured by a rock thrown at her vehicle while she was driving near Deir Nidham, close to Qalqilya.

On 5 February, a Palestinian man was shot and killed by Israeli settlers at the Sadeh Ephraim farm outpost in the northern West Bank after reportedly attempting to break into a house. The Israeli security forces characterized the incident as a terrorist attack while stating that the man was unarmed and that no weapons were found in his possession.

On 23 February, the Israeli authorities filed an indictment against a 17-year-old Israeli boy accused of throwing stun grenades into Palestinian homes in the West Bank village of Sarta, causing property damage.

On 13 March, Israeli settlers attacked a Palestinian family, including seven children aged 1 to 14, in Shi'b al-Buttum, south of Hebron. The father was hospitalized with serious injuries. Israeli police have opened an investigation.

On 5 February, the International Criminal Court (ICC) Pre-Trial Chamber decided that the Court's jurisdiction extended to the occupied Palestinian territory. On 3 March, the ICC Prosecutor confirmed in a statement that her Office had initiated

an investigation with respect to the situation in Palestine covering crimes within the jurisdiction of the Court alleged to have been committed since 13 June 2014.

Resolution 2334 (2016) calls for the parties to refrain from acts of provocation, incitement and inflammatory rhetoric. Some Palestinian and Israeli officials continued to use such rhetoric during the reporting period.

A senior Fatah official said that Israel was carrying out a “second Holocaust” against Palestinians. A Palestinian Authority (PA) official used anti-Semitic language to describe Jews, while another PA official accused Israel of “striving to destroy the Al Aqsa mosque”. A senior Hamas official called for “annihilating the monstrous State [of Israel],” saying that “the Zionist enemy” seeks to “corrupt all of humanity.”

A member of the Knesset praised the establishment of outposts, saying that the settlers who live in them are “preventing with their own bodies any possibility of the future establishment of a Palestinian terror State in the heart of the State of Israel”.

Resolution 2334 (2016) reiterated calls by the Middle East Quartet for

“affirmative steps to be taken immediately to reverse the negative trends on the ground that are imperilling the two-State solution”.

Some positive steps were recorded during the period.

On 15 January, Palestinian President Abbas issued a decree calling for legislative, presidential and Palestinian National Council elections.

On 9 February, Palestinian factions concluded talks in Cairo resolving several long-standing differences. The areas of agreement include recognition of the Palestine Liberation Organization as the sole legitimate representative of the Palestinian people; the establishment of an electoral court with appointments made by consensus; and the release of all detainees held on the basis of their political affiliation or opinion. On 20 February and 1 March, President Abbas issued decrees to enact the agreements. Initial reports suggest that a number of detainees have been released. The factions met again in Cairo on 15 March. Despite requests to ease restrictions on prospective candidates, the faction leaders reaffirmed current modalities for conducting the elections.

On 17 February, the Palestinian Central Elections Commission concluded voter registration and announced the registration of more than 91 per cent of eligible voters. The candidate nomination period was opened by the Commission on 20 March and will conclude on 31 March.

Meanwhile, the coronavirus disease (COVID-19) pandemic remains a persistent health threat that has had major socioeconomic consequences across the West Bank and Gaza. In February and March, new COVID-19 cases increased significantly in the West Bank. Numbers in Gaza remain low but have increased again after a significant decline.

The Palestinian vaccination campaign has begun, although the availability of vaccines remains a key concern. The global COVID-19 Vaccine Global Access (COVAX) Facility Advance Market Commitment delivered its first batch of some 60,000 vaccines to the West Bank and Gaza on 17 March. Approximately 70,000 additional vaccines were reportedly delivered to Palestinians, including in Gaza, by donations from the Russian Federation and the United Arab Emirates. Israel, where the vaccination campaign is progressing at a quick pace, indicated that the vaccination of the Palestinian population was the responsibility of the Palestinian Authority. Nevertheless, Israel has facilitated deliveries across the occupied Palestinian territories and extended its vaccination programme to some Palestinian

populations, including in East Jerusalem. That includes Israel's provision of some 5,000 vaccines to the Palestinian Authority as well as the vaccination of more than 100,000 Palestinians holding permits to enter Israel, including Palestinian health workers in Israel. In the last days of the reporting period, there were reports of progress in talks about increased vaccine provision, including by Israel.

The COVID-19 pandemic, alongside the impact of the occupation and the protracted humanitarian crisis, has worsened the socioeconomic conditions of women across the occupied Palestinian territories. According to the Palestinian Ministry of Women's Affairs, gender-based violence has soared 300 per cent since the pandemic began; women's labour-force participation rate has shrunk to 16 per cent; and only 14 per cent of senior positions in the public sector are held by women.

On 23 February, the Ad Hoc Liaison Committee met virtually. The parties renewed their commitment to enhancing cooperation, and the donor community called on them to take specific steps to improve their economic relations, facilitate critical infrastructure and assistance projects and refrain from unilateral actions that could undermine the resumption of negotiations. The donor community also pledged increased assistance to the Palestinians, including in support of the Government's COVID-19 vaccination effort.

Humanitarian concerns in Gaza persisted. Owing to a lack of funding, there continued to be a serious shortage of medical supplies in Gaza's health system, including essential drugs.

The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) narrowly avoided a financial collapse at the end of 2020, at a time of acute need in the Palestine refugee community. This year UNRWA faces a financial shortfall of more than \$200 million for its core programme budget. By April, the Agency will face a serious cash flow crisis. After years of austerity measures and investment in efficiency, the Agency has reached its limits. It must receive additional funds to sustain all essential services and support national plans to contain the pandemic, including vaccination roll-out. Funding shortfalls facing the World Food Programme and UNRWA may also impact food distribution across the occupied Palestinian territories in the coming months if not addressed by donors.

On 9 February, Egypt reopened the Rafah crossing in both directions until further notice. On 31 January, the Government of Qatar announced that it had significantly increased its financial contribution to Gaza. It concluded, inter alia, an agreement with the United Nations Office for Project Services through the end of 2021 to provide fuel to the Gaza power plant that will generate more than 12 hours of electricity per day.

In its resolution 2334 (2016), the Security Council called upon all States "to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967". No such steps were taken during the reporting period.

Resolution 2334 (2016) also called upon "all parties to continue ... to exert collective efforts to launch credible negotiations".

On 11 January and 11 March, the Ministers for Foreign Affairs of Egypt, France, Germany and Jordan met in Cairo and Paris, respectively, to discuss ways to advance the Middle East peace process, including through collective efforts with the Middle East Quartet.

On 21 December, the United States Congress passed legislation that allocates \$250 million over five years for programmes that help build the foundation for peaceful coexistence between Israelis and Palestinians and for a sustainable two-state solution.

On 23 December, 15 February and 23 March, the Envoys of the Middle East Quartet met virtually to discuss the latest political developments and the situation on the ground. All agreed to meet on a regular basis to continue their engagement.

On 8 February, the League of Arab States issued a statement reiterating its support for the establishment of an independent and sovereign Palestinian State based on the 1967 lines, with East Jerusalem as its capital.

In closing, I would like to share some broad observations concerning the implementation of the provisions of resolution 2334 (2016) during the reporting period.

I am deeply concerned by the continued Israeli settlement expansion, particularly into highly sensitive areas, which entrench the Israeli occupation, erode the possibility of a contiguous, independent and viable Palestinian State and further threaten the prospect of achieving a two-State solution. I reiterate that settlements have no legal validity and constitute a flagrant violation of international law. I urge Israel to cease the advancement of all settlement activity immediately.

We have witnessed a spike in demolitions and seizures of Palestinian-owned structures, which include internationally funded humanitarian projects. I urge Israel to cease demolitions and evictions, in line with its obligations under international humanitarian law, and to approve plans that would enable these communities to build legally and address their development needs.

COVID-19 continues to have a devastating effect on Palestinians. In addition to the brutal impact on public health, the recurrent lockdowns, school closures and reduction of commercial activity have severely undermined living conditions. In view of these challenges, I commend the Palestinian Government's efforts to plan and implement its vaccination campaign. United Nations agencies, in particular the World Health Organization, UNICEF, UNRWA and their partners will continue to support vaccination efforts. Israeli facilitation of vaccine deliveries remains essential, and I appreciate this cooperation. Support for the Palestinian COVID-19 response should be significantly enhanced to ensure that Palestinians throughout the occupied Palestinian territory receive a fair and timely share in the distribution of vaccines.

By every measure, 2020 was a year of setbacks for the Palestinians, their institutions and their economy. Yet we begin 2021 with a degree of guarded optimism. The restart of coordination between Israel and the Palestinian Authority places the Palestinian Government in a more solid fiscal position and could portend greater communication between the sides on a variety of critical issues. Despite an increase in infections in the West Bank, since early February vaccines have begun arriving in the Occupied Palestinian Territory, one of the earliest middle-income countries to receive shipments of COVID-19 vaccines. This is a critical first step towards recovery and a more sustainable reopening of the economy. I welcome the commitment shown by donors at the February AHLC meeting to support Palestinian efforts to respond to and recover from the pandemic. I reiterate my call on Israel to increase the number of permits for Palestinian workers, and I call on both sides to address outstanding fiscal files and issues related to corresponding banking relations.

Nevertheless, I remain concerned by the suffering of Palestinians in Gaza. The threat of another major escalation has not disappeared. The Gaza Reconstruction Mechanism remains critical to facilitating reconstruction, as well as to supporting vital infrastructure projects designed to bolster Gaza's water and energy networks. However, humanitarian and economic support will not alone overcome Gaza's challenges. It is vital that Hamas and other factions end militant activity and the military build-up. Taking into consideration its legitimate security concerns, I urge Israel to ease the restrictions on the movement of goods and people to and from

Gaza, in line with resolution 1860 (2009), with the goal of ultimately lifting them. Only by fully lifting the debilitating closures can we hope to sustainably resolve the humanitarian crisis.

Palestinian unity is essential for progress, and free, fair and inclusive elections throughout Gaza and the occupied West Bank, including East Jerusalem, are a first step. I am encouraged by the steady advance towards the holding of Palestinian elections and urge the parties to carry on their dialogue and overcome remaining differences. The United Nations will continue to support the Palestinian people, including through facilitating and supporting preparations for these important elections, which are crucial for renewing the legitimacy of national political institutions.

Let me underscore how critical it is to preserve political space within the context of elections, but not solely in that regard. I call on authorities on all sides to ensure that political actors, civil society representatives and human rights defenders are able to exercise their democratic rights free from intimidation and threats.

Let me also welcome the important efforts of civil society organizations working towards peace. The significant new funding for these organizations approved by the United States Congress is a crucial vote of confidence at a challenging moment and a positive signal of renewed support for the search for peace in Israel and Palestine. I encourage additional States Members of the United Nations to continue and to increase their assistance for these activities.

I am deeply concerned by the daily violence that continues to fuel mistrust and drives us further from a peaceful resolution of the conflict. I am particularly concerned that children are so often the victims. Children should never be the target of violence by any party, nor be exposed to violence. I reiterate that security forces must exercise maximum restraint and use lethal force only when strictly unavoidable in order to protect life. Pertinent authorities must carry out thorough, independent, impartial and prompt investigations into all instances of possible excessive use of force. Settler-related violence also remains of great concern, and I urge Israel to ensure the safety and security of the Palestinian population, in line with its responsibilities under international law. I underscore that all perpetrators of violence must be held accountable and swiftly brought to justice.

I also emphasize that there can be no justification for any act of terrorism, which must be unequivocally condemned by all. Likewise, the launching of indiscriminate rockets and incendiary devices towards Israeli population centres violates international law and must stop.

I would like to reiterate that the fate of two Israeli civilians and the bodies of two Israel Defence Forces soldiers held by Hamas in Gaza remains an important humanitarian concern. I call upon Hamas to provide full information related to their condition, as required by international humanitarian law. I also remain deeply concerned at the continued Israeli practice of holding the bodies of killed Palestinians and call on Israel to return withheld bodies to their families in line with its obligations under international humanitarian law.

I remain seriously concerned by UNRWA's financial situation. UNRWA is not only a lifeline for millions of Palestine refugees, but it is also critical for regional stability. Collective support for UNRWA and common responsibility for its funding are essential for its sustainability and a critical element for regional stability. At the same time, humanitarian partners continue their efforts aimed at assisting the 1.8 million most vulnerable Palestinians, including 1.4 million in Gaza, through targeted assistance and programming. To date, only 21 per cent of the \$417 million Humanitarian Response Plan for the occupied Palestinian territory has

been funded. I encourage donors to consider additional support for 2021 to avoid further deterioration.

In closing, the COVID-19 pandemic remains a very real threat to the health, security and prosperity of Palestinians and Israelis alike. A collective, robust approach is crucial to tackling this deadly adversary and rebuilding the lives and livelihoods of all those impacted by the virus.

The Palestinian election process continues with a successful voter-registration exercise. The finalization of electoral lists and candidates is ongoing. The international community must continue, Throughout the process, to support Palestinian efforts aimed at restoring democracy and legitimacy to their national institutions. This includes the deployment of observation missions, despite the challenges presented by COVID-19.

Finally, I remain committed to supporting Palestinians and Israelis to resolve the conflict and end the occupation in line with relevant United Nations resolutions, international law and bilateral agreements in pursuit of fulfilling the vision of two States. This means Israel and an independent, democratic, contiguous, viable and sovereign Palestinian State living side by side in peace and security within secure and recognized borders, on the basis of the pre-1967 lines, with Jerusalem as the capital of both States. And I reiterate my call on the members of the Middle East Quartet, key Arab and international partners, as well as to Israeli and Palestinian leadership, to strengthen efforts to return to meaningful negotiations towards a viable two-State solution.

Annex II**Statement by the Deputy Permanent Representative of China to the United Nations, Geng Shuang**

[Original: Chinese]

I thank Special Coordinator Wennesland for his briefing.

After an extended period of impasse and setbacks, the Middle East peace process is finally showing positive signs. The international community should seize the opportunity, stay the course for the two-State solution and, on the basis of international parameters underpinned by the relevant United Nations resolutions and the principle of land for peace, strive to facilitate the resumption of the dialogue and negotiation process. I wish to highlight the following three points.

First, major parties have recently frequently interacted on the Palestinian-Israeli question. The emergency meeting of the Foreign Ministers of the League of Arab States demonstrated the unity of Arab States on the Palestinian question. The Quartet reaffirmed the general direction of two-State solution, sending out encouraging signals. Building on that, we need to amplify the voice of countries of the region, mobilize international support and forge synergy to promote talks for peace. We must uphold the authority of the United Nations and the Security Council and maximize the role of relevant mechanisms. China supports President Abbas's initiative to convene an international conference on peace in the Middle East and supports the establishment of an expanded multilateral mechanism for peace.

We welcome the second round of national dialogue between Palestinian factions and hope that the dialogue will help enhance Palestinian unity, ensure the smooth holding of elections and better protect and promote the interests of the Palestinian people. At the same time, the international community should continue to focus on the root causes of the Palestinian-Israeli conflict and speed up the political process.

Secondly, this year marks the fifth anniversary of the adoption of resolution 2334 (2016). This resolution responds to the legitimate concerns of the Palestinian people and reflects the general demands of the international community. Regrettably, five years on, settlements in the occupied Palestinian territory continue to expand in size and the number of Palestinian houses being demolished keeps growing, while the Council resolution has yet to be implemented effectively.

Israelis and Palestinians living side by side in peace and security is the only option. The issue of settlements is a key item of the final-status negotiations on the question of Palestine. A proper solution to this problem will greatly enhance mutual trust between the two sides and help the Middle East peace process break out of its vicious circle and get into a phase of virtuous interaction. China calls on Israel to act on resolution 2334 (2016), stop settlement activities in the occupied Palestinian territory and take measures to prevent violence against civilians. At the same time, Israel's rights to survival and legitimate security concerns need to be fully respected and guaranteed.

Thirdly, Palestine is faced with prominent challenges in survival and development, which have been exacerbated by the coronavirus disease (COVID-19) pandemic. The international community should take concrete actions to help Palestine fight the pandemic and improve people's lives. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) has made a positive contribution to improve the humanitarian conditions of Palestinian refugees. The international community needs to deliver on its commitments as soon as possible, consolidate its political support for UNRWA and effectively ease the Agency's financial stress.

In the aftermath of the outbreak of the COVID-19 pandemic, China dispatched a team of medical experts to Palestine, donated multiple batches of anti-pandemic supplies and, through UNRWA, provided anti-pandemic assistance to Palestinian refugees. China donated COVID-19 vaccines, which will be delivered to Palestine soon. Following last year's Ramallah city road project, China will continue to assist Palestine this year in building schools and repairing wells, so as to boost its development and generate more benefits for its people.

In conclusion, I wish to reiterate that as a faithful friend of the Palestinian people, China firmly supports Palestine in its just demands and supports the Palestinian people in establishing a fully sovereign and independent State of Palestine, based on the 1967 borders, with East Jerusalem as its capital. China's State Councilor and Foreign Minister Wang Yi is currently visiting the Middle East region. China respects the will of the countries of the region and actively responds to their demands. We will take the opportunity of Foreign Minister Wang Yi's visit to have in-depth exchanges of views with relevant countries in a positive effort to contribute to the comprehensive, just and lasting settlement of the Palestinian question as well as the achievement of peace and prosperity in the Middle East at an early date.

Annex III**Statement by the Political Coordinator of Estonia to the United Nations, Kristel Lõuk**

I thank Special Coordinator Wennesland for his briefing.

Estonia remains committed to supporting a two-State solution, based on international law, relevant Security Council resolutions and internationally agreed parameters.

We call for and support the active engagement of the members of the Middle East Quartet as well as the countries in the region to help create favourable conditions for the resumption of direct meaningful negotiations on all final-status issues. Finding a long-lasting solution to this conflict is in the interest of the whole region and beyond.

We also call for continued practical steps by the parties to strengthen bilateral cooperation and rebuild mutual trust and confidence. We welcome the cooperation in combating the coronavirus disease (COVID-19) pandemic and urge the parties to undertake further coordinated efforts, ensuring access and distribution of the COVID-19 vaccine to all Palestinians. There is also room for increased cooperation to overcome the economic crisis. Such steps would be to the benefit of both parties. We hope that this week's Israeli elections increase political stability and improve dialogue.

Unfortunately, the situation on the ground continues to be worrying, as we also heard in the Special Coordinator's briefing. Estonia condemns the recent rocket attack in Beer Sheva by Hamas. We reiterate our call to all parties to implement resolution 2334 (2016) and refrain from any unilateral steps that increase tensions or undermine the viability of the two-State solution.

We regret the continued settlement activity by Israel in the occupied Palestinian territories, including in East Jerusalem. It is also worrying that the demolition and confiscation of Palestinian structures and properties is continuing at a growing pace. We urge Israel to halt these activities as they are contrary to international law.

Another matter of concern is the persistent acts of sporadic violence. We call upon all parties to refrain from fuelling incitement to violence and hate speech and make further efforts to break the cycle of violence.

We welcome the continued engagement of the Palestinian factions to prepare for the upcoming legislative, presidential and National Council elections. We call upon all Palestinian factions to commit to democratic principles and urge the Israeli authorities to facilitate the holding of elections across the entire Palestinian territory, including East Jerusalem.

Annex IV**Statement by the Permanent Representative of France to the United Nations, Nicolas de Rivière**

[Original: French]

I thank the Special Coordinator for his briefing.

Just over four years ago, the Security Council, in adopting resolution 2334 (2016), reaffirmed the importance of achieving a just and lasting resolution of the Israeli-Palestinian conflict. At that time, we reiterated our commitment to the implementation of agreed parameters and international law, reaffirming the goal of the creation of two democratic States, living side by side in peace, within secure and recognized borders.

We also jointly declared that the status quo was unsustainable and that there was an urgent need to reverse negative trends on the ground and create conditions for the success of the final status negotiations.

Finally, by this resolution, we affirmed that no change to the 1967 lines, other than those agreed between the parties, would be recognized and that all States had the obligation to make a distinction in their communications between the territory of Israel and the territories occupied in 1967. This distinction must be reflected in particular both in bilateral agreements and in trade, for example through the differentiated labelling of products from settlements in the West Bank and East Jerusalem. This framework, defined by Council resolutions, is the only one that will make it possible to stabilize the region on a long-term basis and ensure the security of all, Israelis and Palestinians alike. Any solution imposed by force can only fuel a spiral of despair and violence.

Today, in 2021, we must pursue our efforts to achieve lasting peace.

The need is more urgent than ever to implement resolution 2334 (2016) as the situation on the ground continues to deteriorate, as the Special Coordinator for the Middle East Peace Process has just recalled. Israeli decisions of recent months on the expansion of settlements, particularly those in sensitive areas, increase the risk of de facto annexation of Palestinian territories, threaten the viability of the two-State solution and constitute a major obstacle to peace. France has condemned them.

We are also very concerned by the record increase in the demolition of Palestinian structures, which particularly affects infrastructure financed by France and the European Union.

France calls on Israel to reverse these decisions and to stop the demolitions. It calls on all parties to refrain from any unilateral measure that undermines confidence and calls into question the possibility of a two-State solution.

In this context, it is important to recreate the conditions for dialogue by identifying small, concrete steps in order to overcome the mistrust that exists between the parties. This is the goal of our efforts with Germany, Egypt and Jordan, which we intend to pursue.

The resumption of coordination between the parties, particularly on civil, security and health matters, is encouraging. But we must go further. That is essential if we are to address the economic consequences of the pandemic and to ensure the vaccination of all populations. We wish to work on these issues with the parties, as well as with the members of the Quartet, whose mobilization has the same objective — the eventual resumption of direct negotiations between the parties.

The holding of elections, announced by President Abbas, must be an opportunity to give a voice to Palestinian civil society and to renew the democratic

legitimacy of its institutions. France and its European partners are ready to support the organization of transparent, free and impartial elections. France calls on all actors to act constructively to complete this process. These elections must be held throughout the Palestinian territory, including East Jerusalem.

Finally, there is an urgent need to renew our political and above all financial support for the United Nations Relief and Works Agency for Palestine Refugees in the Near East, whose action is essential to the stability of the region.

France calls on the Council to take a big step forward in order to reaffirm the framework of agreed parameters and finally relaunch a positive, multilateral dynamic.

Annex V**Statement by the Permanent Representative of Ireland to the United Nations, Geraldine Byrne Nason**

I would like to thank our Special Coordinator for the Middle East Peace Process. I thank you, Tor, for your briefing this morning, in particular on the implementation of resolution 2334 (2016).

Those who have experience of prolonged, seemingly at times intractable conflict know the painstaking work and difficult compromises that are needed to pave the way for peace. It is, in part, because of a shared experience of conflict that the Israel-Palestine conflict resonates deeply with us.

It's also why Ireland remains committed to a comprehensive and lasting solution to the question of Palestine, in accordance with internationally agreed parameters. We believe that a two-State solution, with a viable State of Palestine based on the 1967 borders, alongside the State of Israel and with Jerusalem as the capital of both States, offers the only prospect for sustainable peace.

More than four years ago in 2016, the Council adopted a resolution stressing that "the status quo is not sustainable" (*resolution 2334 (2016), tenth preambular para.*). And yet, the very activities that undermine the viability of a two-State solution, which that resolution sought to address, have not stopped. Last year saw continued settlement expansion, alongside infrastructure projects in Area C, which are designed to meet the needs of ever-increasing settlements and which entrench division and inequality.

Settlements negatively impact Palestinian communities daily. They degrade adjacent Palestinian agricultural land, severely affecting the olive harvest in particular. They are also affecting the availability of already scarce water resources and causing pollution.

Settlements are an obstacle to peace and undermine Israel's own security. Ireland once again condemns Israeli settlements in the occupied Palestinian territory, including East Jerusalem.

Ireland assures the Council of our commitment to the principle of differentiation and the implementation of resolution 2334 (2016).

Ireland is extremely concerned at the increased rate of demolitions and seizures of Palestinian-owned structures in the West Bank, including East Jerusalem. So far this year, more than 280 structures have been demolished across the occupied Palestinian territory.

Recent demolitions in Humsa Al-Bqai'a, in the Jordan Valley, are particularly troubling, given the vulnerability of the affected population. We remain deeply concerned at the confiscation and impediment of humanitarian assistance. We are also concerned at the increased threat of evictions and demolitions, especially in East Jerusalem, particularly in Silwan, Al-Walaja and Sheikh Jarrah.

Ireland condemns all acts of violence committed on both sides, which are contrary to resolution 2334 (2016). They erode trust between the parties and have a corrosive effect. Tor, we echo your call for restraint on both sides. Ireland is concerned about the impact of occupation and violence on children and reminds parties of their obligations under international human rights and international humanitarian law.

Ireland is extremely concerned that the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), which is a vital source of stability and security for so many vulnerable Palestine refugees, this year faces

a \$200-million shortfall. More immediately, UNRWA faces a cash-flow gap of \$50 million next month. We encourage all States, including those on the Council and in the region, to join Ireland and others in providing sustainable, predictable and sufficient funding to UNRWA's critical operations and to assist with its immediate cash flow challenges.

Ireland reiterates its call on Israel to end the blockade of Gaza, where unemployment is at an all-time high, partly due to the impact of the coronavirus disease (COVID-19) pandemic. We call on Israel to exercise its responsibility as the occupying Power in ensuring equitable access to COVID-19 vaccines for the Palestinian population in Gaza and throughout the occupied Palestinian territory.

Ireland and its European Union partners stand ready to support inclusive elections across the occupied Palestinian territory and welcome the constructive meeting of Palestinian groups in Cairo last week.

Ireland asks Israel to facilitate elections across the occupied Palestinian territory, in particular in East Jerusalem. We strongly encourage steps to ensure the full, equal and meaningful participation of women in the elections and the engagement of young people in the democratic process. I have personally witnessed the political engagement of Palestinian women at the Commission on the Status of Women, and they have participated in events in Ireland, sharing experiences of peacebuilding. They have so much to contribute. We need their voices to help break through the stalemate. We must bring them in to the process.

Ireland recognizes the vital contribution that a vibrant civil society can make, especially in supporting the electoral process; we wish to stress the importance of safeguarding open, free and fair independent civil society engagement in the occupied Palestinian territory and in Israel.

We believe that both sides need to take concrete steps to advance a two-State solution and avoid unilateral measures that make it more difficult to achieve. Ireland remains convinced that continued international engagement is also essential, and Ireland stands ready to engage with the parties and the international community to help build a reinvigorated approach by the Quartet and others, under the aegis of the Council.

Annex VI**Statement by the Deputy Permanent Representative of Kenya to the United Nations, Michael Kiboino**

I thank the Special Coordinator for the Middle East Peace Process, Tor Wennesland, for his overview of the current state of play regarding the implementation of resolution 2334 (2016).

As we reaffirm the actualization of the long-held vision of a region where two democratic States, Israel and Palestine, live side by side in peace and within secure and recognized borders based on the 1967 lines, the practicality and full implementation of resolution 2334 (2016) will need to include and go beyond the issue of settlements, territorial contiguity and the viability of the two-State solution.

It will have to address the immediate socioeconomic connotations of acts that violate all aspects of the resolution and the violations that continue to entrench the economic isolation of parts of the region from the wider regional and global markets. All these elements have implications for the peace and security and stability of the Middle East region.

I reaffirm Kenya's condemnation of all acts of violence by all parties, including acts of terror, as well as all acts of provocation, incitement, evictions, destruction and demolition of civilian infrastructure.

Based on today's briefing, I will make two points.

My first point relates to the political, socioeconomic and humanitarian impacts of the coronavirus disease pandemic. It is quite commendable that Israel is currently one of the fastest vaccine distributors globally. Kenya welcomes the ongoing vaccination efforts among Palestinian workers and the recent rollout of vaccines through the COVID-19 Vaccine Global Access initiative in Gaza and the West Bank.

We call for strengthened cooperation to ensure the safe movement of health and other essential workers, equity in access to vaccines, and definitive medical care to allow for equitable socioeconomic recovery, including for East Jerusalem.

The strengthened role and reinforced funding for the United Nations Relief and Works Agency for Palestine Refugees in the Near East will also go a long way towards mitigating the political and socioeconomic challenges in the delivery of basic food and medical services, particularly for populations in internally displaced and refugee situations.

My second point relates to the recommendation of reinforced efforts aimed at achieving the stabilization of the situation, reversing negative trends on the ground and creating conditions for successful direct final-status negotiations. We have seen positive initiatives and dynamics in most of these areas. We believe that commitment to the principle of building bridges on multiple platforms will contribute to the comprehensive implementation of resolution 2334 (2016).

We have taken note of the progress made in the registration of voters and acknowledge the efforts for intra-Palestinian reconciliation geared towards the upcoming legislative and presidential elections, including through the two rounds of talks held in Cairo in February and this month.

Additionally, Kenya supports the call for the reinvigoration of the Middle East Quartet and the recent resumption of meetings with the participation of all parties. It is important for the Munich format and other confidence-building initiatives in the Gulf and the broader subregion to complement the work of the Quartet.

It is our hope that there will be meaningful commitment to these processes in order to inject a fresh momentum into the Middle East peace process, in alignment with international law, the Charter of the United Nations, the Council's resolutions — including resolution 2334 (2016) — and the Arab Peace Initiative.

And as mentioned in the Middle East consultations that the Council held last month, Kenya welcomes the normalization of relations between Israel and multiple majority-Arab States. It is our hope that this development will make it easier, rather than harder, to actualize the normalization of relations between the Israelis and the Palestinians at both the grass-roots and the national levels.

Annex VII**Statement by the Permanent Representative of Mexico to the United Nations, Juan Ramón de la Fuente Ramírez**

[Original: Spanish]

I thank the Special Coordinator for the Middle East Peace Process, Mr. Tor Wennesland, for his detailed briefing.

We welcome the holding of the general elections last Tuesday in Israel. We hope that the various Israeli political forces will soon reach agreement on forming a Government.

As free, inclusive and regular elections are an essential element for the strengthening of democratic values and institutions, we urge the Israeli Government to facilitate the organization of the next Palestinian electoral process in Gaza and the West Bank, including East Jerusalem.

In this regard, we recognize the efforts towards rapprochement between various factions, under the auspices of Egypt, and to promote intra-Palestinian reconciliation. We call on the leaders of all Palestinian political movement to remain committed to participating, in a constructive and inclusive manner, in the upcoming elections. This is a crucial moment — a window of opportunity is indeed opening that must be fully exploited.

Moreover, we reaffirm our support for all initiatives that are aimed at preserving the two-State solution and that contribute to creating an environment conducive to peace and stability in the region. We welcome the meeting held earlier this month among Jordan, Egypt, Germany and France to continue advancing efforts to achieve a just and lasting peace between Israel and Palestine.

We reject actions that threaten the two-State solution and specifically those that obstruct the viability of the Palestinian State. We also reject the construction and expansion of settlements in the Palestinian territories, which contravene international law, as well as the demolition of civil structures, including residential houses, schools and health centres, or drinking water, drainage and electricity networks. We call on the Government of Israel to stop demolitions that lead to the displacement of Palestinians in the West Bank and East Jerusalem, in accordance with resolution 2334 (2016).

The indiscriminate destruction of buildings not only causes forced relocations, but also creates a coercive environment conducive to incitement, abuse and outbreaks of violence. We condemn violence and the disproportionate use of force. We also acknowledge the relative calm in southern Israel, but strongly condemn the most recent attack, this week, from Gaza.

Particularly worrying is the increase in the detention of minors by Israeli law enforcement agencies. We call on Israel to immediately release the more than 150 detained Palestinian children.

We also reject the crackdown on popular demonstrations and urge the Palestinian authorities to protect and promote the freedom of expression of journalists, activists and human rights defenders in Gaza and the West Bank. Those who have been detained by the Palestinian security agencies must be treated with dignity and their human rights must be respected.

The revocation of the travel permit of the Palestinian Minister for Foreign Affairs and Expatriates, Mr. Riad Al-Malki, is also regrettable, as it violates his freedom of movement. We hope that this incident will be clarified and that this action will be reconsidered.

We applaud the allocation of 60,000 vaccines, through the COVID-19 Vaccine Global Access mechanism, destined for the Palestinian population. We urge Israel to continue expanding the facilities for the transfer of vaccines in order to address the pandemic in the Palestinian territories. We call on Israel, which has so efficiently moved forward in vaccinating its population, to increase the supply of vaccines destined for Palestinians in Gaza and the West Bank. In this sense, we reiterate the calls of the Council and the General Assembly concerning the importance of international cooperation in guaranteeing universal access to vaccines, without exclusions, if we truly want to form an effective front against the pandemic.

Finally, we wish our Israeli friends a Happy Easter and *Hag Sameach*.

Annex VIII**Statement by the Permanent Mission of the Niger to the United Nations**

[Original: French]

If there is one dossier on the Council's agenda that arouses a sense of helplessness, discouragement and despair in equal measure, it is the situation in the Middle East, with the Israeli-Palestinian conflict at its heart.

Indeed, in other cases, glimmers of hope lead to progress, however small; in the Middle East, on the rare occasions such glimmers appear, they last only for the duration of a lightning strike.

That is the case with such innovative initiatives as those that recently led to the normalization of relations between the State of Israel and some of its Arab neighbours, which have not had the rightfully anticipated impact, in particular in terms of improving the living conditions and existence of the Palestinian people.

However, it remains understood that any normalization of relations between Israel and its neighbours must take into account the legitimate aspirations of the Palestinian people to a viable, independent State living in peace with Israel.

Mr. Tor Wennesland's briefing, which we have just followed and for which I thank him, resembled those that preceded it. Their accounts of the frenetic pursuit by Israel of its policy of occupying Palestinian lands, building new settlements, violating Palestinian rights and maintaining its blockade of Gaza, all of which violate resolution 2334 (2016), are all the same.

Since we no longer have any other choice but to repeat our certainties and assert our truths, my country firmly believes that neither the wait-and-see policy nor the policy of fait accompli through unilateral actions can lead to a just and lasting solution to the conflict between Israel and Palestine.

The continued expansion of Israeli settlements in the occupied West Bank, including East Jerusalem; the demolitions and seizures of Palestinian properties, including schools and farmland; and the resurgence of attacks and violence by Israeli settlers against Palestinian civilians, especially women and children, constitute flagrant violations of United Nations resolutions and the principles of international law. My delegation strongly condemns these acts and calls for their immediate cessation. Likewise, the acts of provocation and incitement to hatred and rocket fire against residential areas in Israel, which only exacerbate the climate of tension and mistrust, must end.

My country commends the recent initiatives that culminated in the ministerial meeting in Paris on 11 March, as well as that of the Quartet's Special Envoys, held on 23 March, which all recalled the cardinal principles of dialogue and negotiation as the only path capable of leading to the two-State solution, in accordance with the relevant Security Council resolutions.

It is our hope that the elections that have just been held in Israel, and those to be held in Palestine, will lay a new foundation for relaunching direct peace talks between the two parties.

In addition, the Niger welcomes the decision taken on 3 March by the International Criminal Court to launch investigations into the allegations of crimes committed in Gaza, the West Bank and East Jerusalem since June 2014. On this issue, as in all others, accountability is essential, because it alone can help fight impunity and pave the way for true reconciliation between the parties to the conflict.

Regarding the humanitarian situation in the occupied territories, it is clear that there is no credible alternative to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), on which almost the entire population of Gaza and other refugee camps depend for their livelihoods and for the provision of essential services.

The difficulties caused by the coronavirus disease pandemic compound those linked to the blockade imposed on the Gaza Strip, food insecurity, overpopulation, high youth unemployment, restrictions linked to imports and the free movement of people, and the precariousness of the health system. Faced with all these challenges, UNRWA must continue to enjoy the means to enable it to continue providing vital services to the Palestinian populations, especially in this time of pandemic.

In conclusion, the picture of the situation in the Middle East that we have just painted, like those that preceded it, is still far from rosy. Yet, rather than succumb to weariness and discouragement, we will rather have to redouble our ardour and imagination in supporting and encouraging the various actors in that tortured region to embark resolutely on the path of peace. We must also continue to give our firm support to the Special Coordinator for the Middle East Peace Process so that the flame of hope that we owe it to ourselves to keep alive is finally rekindled.

Annex IX**Statement by the First Deputy Permanent Representative of the Russian Federation to the United Nations, Dmitry Polyanskiy**

[Original: Russian]

We thank Mr. Tor Wennesland for his briefing.

The Special Coordinator for the Middle East Peace Process briefed us on the progress in the implementation of resolution 2334 (2016). In this context, we reiterate the principal position of that document, according to which the construction of Israeli settlements in the Palestinian territory that has been under occupation since 1967, including East Jerusalem, constitutes a violation of international law and one of the main obstacles to a settlement based on the two-State solution. We are gravely concerned by the fact that the pace of the issuance of construction permits and the expansion of settlements is not declining. The same can be said about the scope of demolitions, the expropriation of Palestinian property and evictions. We call on the Israeli authorities to abandon unilateral steps that create irreversible developments on the ground.

We also stress the need to assist the Palestinians in responding to acute humanitarian and socioeconomic problems in the occupied territories and in Gaza, especially amidst the coronavirus disease pandemic. We note the importance of Palestinians and Israelis interacting with each other in the interests of countering the pandemic, including in the context of vaccination. We attach great importance to the ongoing work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East in support of Palestinians both in the occupied territories and in the neighbouring Arab States. We call for galvanized international support for the Agency's activities.

Russia consistently supports the two-State principle that envisages the creation of an independent Palestinian State within the 1967 borders and with East Jerusalem as its capital, which should rest upon the international legal basis, including United Nations resolutions and the Arab Peace Initiative. There is no alternative to direct negotiations between Palestinians and Israelis on all parameters of the final settlement, including the problems of refugees, borders, water and the status of Jerusalem. At the same time, all Israel's security concerns must be taken on-board.

In conjunction with our Egyptian friends, we will continue to help Palestinians restore unity based on the platform of the Palestine Liberation Organization. We proceed from the understanding that the pending Palestinian elections also provide an opportunity to overcome controversies and strengthen power institutions.

On our part, we take steps to support collective efforts aimed at achieving equitable peace in the region and maintain contacts with the key regional and international stakeholders. As per the previous agreement achieved by the members of the Quartet of international mediators, we work to put set meetings on a regular basis. Therefore, we convened another video-teleconference on 23 March, where we focused on the current situation in the region, the progress in preparations for the Palestinian elections and the situation in the West Bank and in Gaza. We stressed the need to resume direct Palestinian-Israeli negotiations in order to unlock prospects for a peace process. The Russian side put forward a proposal to look into organizing a ministerial meeting of the Quartet.

We are committed to continuing discussions with the interested sides to consider convening a meeting of the Quartet plus Egypt, Jordan, the United Arab

Emirates and Bahrain, plus Palestinians and Israelis, with the possible inclusion of Saudi Arabia, as the author of the Arab Peace Initiative. Such a meeting could provide a review of the current state of affairs and outline key tracks for joint work so as to get over the standstill in the settlement process. We hope this idea will enjoy broad support, and we encourage all interested sides to share their comments and proposals in order to ensure thorough preparatory work for the meeting.

Annex X**Statement by the Second Deputy Permanent Representative of the Permanent Mission of Saint Vincent and the Grenadines to the United Nations, Halimah DeShong**

I also thank Special Coordinator Wennesland for his thorough briefing on the implementation of resolution 2334 (2016) and for his commitment to the Middle East peace process.

We are meeting again at a critical juncture. As Israeli settlement activities continue, it is crucial that the Security Council, reflecting the will of the international community, clearly condemn these illegal acts and declare them null and void.

The Security Council must affirm respect for the vital principles of international law. In particular, it must, by all appropriate means at its disposal, safeguard the territorial integrity of the State of Palestine and promote a peaceful settlement of the decades-long dispute.

Saint Vincent and the Grenadines reaffirms the need for a negotiated two-State solution to the Israeli-Palestinian conflict, in line with all the relevant United Nations resolutions, including resolution 2334 (2016), international law and internationally agreed parameters. In our view, any unilateral actions will undermine the foundations and the viability of the two-State solution. My delegation therefore urges Israeli and Palestinian leaders to restart meaningful direct talks and negotiations with the objective of achieving a comprehensive settlement and establishing a just and lasting peace in the Middle East.

Turning to the implementation of resolution 2334 (2016), Saint Vincent and the Grenadines reiterates its call for the full implementation of this and previous resolutions on the question of Palestine. According to the Office for the Coordination of Humanitarian Affairs, as of 21 March 2021, Israel's policy of home demolitions had resulted in the destruction of 291 Palestinian-owned structures, resulting in the displacement of 443 people, including children, from their homes across the West Bank. These actions are contrary to international law. Moreover, these demolitions contravene the Charter of the United Nations, which prohibits the acquisition of territory by force, as well as the 1949 Fourth Geneva Convention.

We note with great concern the dire humanitarian, economic and political situation in Gaza, which has been further compounded by the coronavirus disease (COVID-19) pandemic. We applaud the delivery of 61,400 vaccines to the Palestinian Authority through the United Nations COVID-19 Vaccine Global Access (COVAX) Facility programme and appeal to the international community to deliver promised vaccines to the Palestinians. Additionally, we urge Israel to end the blockade of Gaza and to allow unhindered access to humanitarian assistance and goods.

Equally, we reiterate our strong support for the United Nations Relief and Works Agency for Palestine Refugees in the Near East, which requires renewed international financial provision, to assist and protect millions of Palestinian refugees.

We are encouraged by the relevant Palestinian parties' recent steps to prepare for the legislative, presidential and Palestinian National Council elections slated for 22 May, 31 July and 31 August, respectively. These democratic exercises will bolster the peace process. It is imperative that these elections be held throughout the occupied West Bank, including East Jerusalem, and the Gaza Strip.

My delegation welcomes the conference call held between the envoys of the Middle East Quartet on the 23 March. We also encourage the Quartet to support

President Abbas' call for an international conference, take affirmative steps to address the threats that are imperilling the two-State solution and offer practical recommendations to enable an eventual return to meaningful negotiations in order to end the occupation and establish an independent Palestinian State based on the 1967 lines, with East Jerusalem as its capital.

Finally, as a State party to the Rome Statute, we reaffirm our support to the International Criminal Court in all of its work. We note with concern the reported confiscation of the travel pass of the Palestinian Minister for Foreign Affairs and call for reason and justice to prevail.

Allow me to conclude by underscoring that it is high time for the Security Council to adopt a clear stance with respect to the annexation of the occupied Palestinian territory and to give top priority in its concerns to the basic objective, which is to achieve a just and comprehensive peace, based on the Arab Peace Initiative and United Nations resolutions, including resolution 2334 (2016).

Annex XI**Statement by the Permanent Mission of Tunisia to the United Nations**

[Original: Arabic]

At the outset, I would like to thank Mr. Tor Wennesland for his valuable briefing. We appreciate the continued efforts by the Secretary-General in championing the peace process and supporting security and stability in the Middle East.

Once again, as we listened to the briefing by the Special Coordinator for the Middle East Peace Process, the Security Council is faced with the intransigence of the occupying Power and its refusal to comply with Council resolutions related to the Palestinian-Israeli conflict, the most recent of which was resolution 2334 (2016).

According to reports issued by United Nations bodies, international organizations and international non-governmental organizations working in the occupied Palestinian territories, the occupying Power continues to intensify settlement activity, home demolitions, displacement of Palestinians and efforts to cut the geographical connection between East Jerusalem and the West Bank. In response to those deeply alarming developments, the Security Council and the international community must take a firm stance and compel Israel, the occupying Power, to bring to an immediate halt its systematic plans to seize more Palestinian land and undermine the two-State solution, as such actions constitute a serious obstacle to the prospect for reaching a peaceful settlement to the conflict.

In view of those violations, we reiterate the international community's call for the Palestinian civilian population to be protected, in line with General Assembly resolution ES-10/20. We also call for an end to the unjust blockade of the Gaza Strip and all other forms of collective punishment imposed on Palestinians by the occupation authorities.

Given the threat posed by the coronavirus disease pandemic and the effects of the economic restrictions imposed by the occupiers, Tunisia urges regional and international actors to step up the humanitarian response in the occupied Palestinian territories. We emphasize the importance of responding to the appeal of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for its financial needs to be met. We welcome the announcement by the United States of America regarding the resumption of its economic and humanitarian support for the Palestinians.

Despite the continued stalemate in the Middle East peace process, we sense that a consensus is developing within the international community that there must be a change in how the Palestinian question is addressed and that there is a desire to start serious and credible negotiations on the basis of international law and the agreed-upon terms of reference. This presents us with a real opportunity to continue working together so that we can build on this momentum and translate it into genuine action in the service of security, peace and stability in the region.

In that connection, we welcome the constructive efforts by the Middle East Quartet and the agreement reached by its members to meet regularly to discuss the Middle East peace process. We once again endorse the proposal to hold a ministerial-level meeting of the international Quartet in the near future to facilitate the launch of serious negotiations on the basis of established principles, in preparation for an international conference on peace in the Middle East, as called for by the President of the State of Palestine, Mahmoud Abbas.

Tunisia values the constructive positions expressed by the members of the Quartet in recent communications with the expanded Arab troika in New York. We

commend Security Council members for taking positions in support of international authority and strengthening the Council's role in resolving this conflict.

We welcome the progress made in organizing general elections in Palestine and call for this process to be facilitated in all the occupied Palestinian territories, including East Jerusalem. We also welcome efforts to achieve intra-Palestinian reconciliation.

In conclusion, Tunisia reaffirms its steadfast support for the legitimate demands of the Palestinian people, which demands do not lapse with time, particularly the right to exercise self-determination and establish an independent, sovereign Palestinian State based on the 1967 borders, with East Jerusalem as its capital, in accordance with the agreed-upon terms of reference, internationally recognized resolutions and the Arab Peace Initiative.

We reaffirm that choosing peace as a strategic solution, championing international authority and rallying around the multilateral international system is the best way to guarantee that justice will be served, rights will be restored and peace will be established, in accordance with the purposes and principles of the Charter of the United Nations.

Annex XII**Statement by the Deputy Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations, Jonathan Allen**

My thanks to Special Coordinator for the Middle East Peace Process Wennesland for his briefing.

Following Israeli elections this week and looking ahead to the prospect of Palestinian elections later in the spring, I wanted to start by reflecting on the opportunity we have for renewed energy and commitment, to reverse negative trends and secure meaningful progress towards peace. We call on all parties to seize this opportunity.

We have seen some positive steps following the resumption of coordination in November 2020. We welcome cooperation on fiscal issues and encourage the parties to go further, with support from the international community, particularly by re-establishing formal Israeli-Palestinian mechanisms, such as the Joint Economic Committee and its subcommittees.

We welcome the launch of the Palestinian Authority's national vaccine rollout and were encouraged by Israel's decision to vaccinate those Palestinians who work in Green Line Israel and Israeli settlements. We urge the Government of Israel to seriously consider the provision of surplus vaccines to the Palestinian population of the West Bank and Gaza, its nearest neighbours.

Such routine cooperation is positive and to be encouraged. However, given the scale of the challenge, it is not enough. We need both sides to renew their commitments to avoiding unilateral actions. We should be under no illusions over declining prospects for peace. As we have heard in today's briefing on the implementation of resolution 2334 (2016), settlement building — which is illegal under international law and constitutes a threat to the physical viability of a two-State solution — is ongoing. Demolitions of Palestinian buildings and evictions of Palestinians from their homes across the West Bank, including East Jerusalem, continue to undermine the Palestinian presence. The people of Israel deserve to live free from the scourge of terrorism and anti-Semitic incitement. We also condemn any incidence of violence by settlers against Palestinian civilians.

The parties must seize the opportunity of democratic renewal, with the support of the international community, to take forward ambitious confidence-building measures, with the aim of returning to dialogue and resuming direct negotiations. These actions are necessary if the parties are to build on existing steps towards regional prosperity and security and create an environment that is conducive to achieving a negotiated, sustainable solution to this long-standing conflict.

The United Kingdom will continue our efforts to support this goal. Our position on the Israeli-Palestinian conflict remains the same. We continue to support a negotiated two-State solution, based on the 1967 lines, with agreed land swaps and a just and fair settlement for refugees.

Annex XIII**Statement by the Permanent Representative of the United States of America to the United Nations, Linda Thomas-Greenfield**

Let me start by thanking Special Coordinator for the Middle East Peace Process Wennesland for his informative briefing.

Today, I would like to talk about three aspects of the Middle East peace process: first, the United States' continued support for Israel; secondly, our desire to see both Israelis and Palestinians take steps toward a two-State solution; and thirdly, our goal of delivering aid to the Palestinian people.

First, President Biden has been a strong and consistent supporter of Israel throughout his career, as have I. The United States will continue to steadfastly stand by Israel, especially when it is unfairly singled out by one-sided resolutions and actions in international bodies.

I want to note that while we focus each month on the Israeli-Palestinian conflict in these meetings, there are other issues in the region that are threats to international peace and security and deserve more of the Council's attention.

Let me be clear — not all criticism of Israel is illegitimate. But too often, that criticism veers dangerously into anti-Semitism. Anti-Semitism, as with all forms of hate, works directly against the cause of peace. So, we will vigorously oppose one-sided efforts. After all, as many of us recognized last week, we have a shared obligation to address the disturbing resurgence of all kinds of prejudice and hate around the world — including anti-Semitism.

Secondly, under President Biden's leadership, the United States has recommitted to the vision of a mutually agreed two-State solution, one in which Israel lives in peace and security alongside a viable Palestinian State. We believe that this vision is the best way to ensure Israel's future as a democratic and Jewish State, while upholding the Palestinian people's legitimate aspirations for a State of their own and to live with dignity and security.

Our approach is to advance freedom, security and prosperity for Israelis and Palestinians in tangible ways in the immediate term. That is important in its own right. But these gains will also advance the prospects of a negotiated two-State solution, consistent with international law and in line with relevant United Nations resolutions. It is essential that both sides take concrete steps to advance the two-State solution.

The United States calls on the Israeli Government and the Palestinian Authority to refrain from all unilateral actions that make a two-State solution more difficult to achieve, whether settlement activity, home demolitions, incitement to violence or providing compensation for individuals imprisoned for acts of terrorism. We call for an end to all acts of violence, including acts of terrorism, as well as incitement to violence and acts of provocation and destruction.

Since January, our diplomatic engagement has been guided by the premise that sustainable progress towards peace must be based on active consultations with both sides. To that end, our administration will take steps to reopen diplomatic channels of communication that were halted during the last Administration. Our engagements all have the same aim — to build support for a peaceful solution to the Israeli-Palestinian conflict.

Thirdly and finally, we are particularly concerned that the pandemic has put a serious strain on both the economic and the humanitarian needs of Palestinians. We were therefore encouraged to see Israel's initiative to vaccinate Palestinian workers.

We urge Israel and the Palestinian Authority to continue cooperation on ensuring that coronavirus disease (COVID-19) vaccines reach more in need.

For our part, President Biden is restoring United States assistance programmes that support economic development and humanitarian aid for the Palestinian people. Specifically, the United States is pleased to announce today \$15 million in humanitarian assistance to support the most vulnerable communities in the West Bank and Gaza.

With this assistance, the United States Agency for International Development is supporting Catholic Relief Services COVID-19 response efforts in health-care facilities and for vulnerable families in the West Bank and Gaza. In addition, this assistance will support emergency food assistance programming to communities facing food insecurity, which has been exacerbated by the COVID-19 pandemic.

This urgent, necessary aid is one piece of our renewed commitment to the Palestinian people. The aid will help Palestinians in dire need, which will bring more stability and security to Israelis and Palestinians alike. That is consistent with our interests and our values, and it aligns with our efforts to stamp out the pandemic and food insecurity worldwide.

The United States looks forward to continuing its work with Israel, the Palestinians and the international community to achieve a long-sought peace in the Middle East.

Let us strive to achieve that peace and prosperity for all.

Annex XIV**Statement by the Permanent Representative of Viet Nam to the United Nations, Dang Dinh Quy**

At the outset, I would like to thank Mr. Tor Wennesland, Special Coordinator for the Middle East Peace Process, for his briefing.

Viet Nam remains concerned about developments on the ground that run counter to resolution 2334 (2016). Since its adoption in 2016, the resolution has been expected to bring about significant progress. Instead, we have only seen the opposite.

While the expansion of settlement shows no sign of halting, demolitions of Palestinian structures continue. The number of demolitions in the first months of 2021 has already exceeded that of the whole of 2020. Many of the destroyed structures were financed by international donors for humanitarian purposes. The demolitions have seriously affected the life of the Palestinian people.

Those unilateral activities will only push the parties away from one another, destroy efforts to resume negotiation and thereby cause hindrance to a future just and lasting solution for the Palestinian question.

We call upon the Israeli authorities to put an end to those unilateral activities and to respect their obligations under international humanitarian law, particularly the Fourth Geneva Convention. An immediate cessation of all such activities, required by resolution 2334 (2016), is essential to building trust and creating a favourable environment for any meaningful talks between Israel and Palestine.

Turning to the peace process, we are encouraged by the new positive dynamics from the relevant parties and members of the international community. We reiterate our support for all efforts aimed at achieving a just and lasting peace in the Middle East based on international law, relevant Security Council resolutions and agreed parameters.

Viet Nam welcomes the strengthened engagement of the Middle East Quartet and their statement of 23 March. We also welcome the recent efforts of Egypt, France, Germany and Jordan and their joint statement at the Paris meeting on 11 March. We are committed to supporting all initiatives and new engagements that can help advance the peace process and take into account the security concerns of all parties. We also call upon the parties to refrain from actions and rhetoric that could complicate the situation and make it more difficult to achieve a two-State solution.

Regarding the situation in Palestine, we are delighted at the progress made in preparing for Palestinian elections and call on all parties to respect the electoral process. We call on Israel to facilitate the preparation and conduct of the voting process, as well as to ensure free access to polling sites, including in East Jerusalem.

We, however, remain concerned about the dire living conditions and humanitarian situation of millions of Palestinian people, in particular women and children, throughout the occupied Palestinian territories. The recent sharp increase in unemployment and the poverty rate is alarming. We reiterate our strong support for the work of United Nations agencies, particularly the United Nations Relief and Works Agency for Palestine Refugees in the Near East, in providing humanitarian assistance to the people in need. We appreciate and call upon all parties, including Israel, to continue facilitating the delivery of humanitarian assistance and coronavirus disease (COVID-19) vaccines to control the surge of COVID-19 infections and prevent the collapse of the health-care system.

To conclude, Viet Nam once again reiterates its support for the two-State solution, including the establishment of the State of Palestine with East

Jerusalem as its capital, within secure and internationally recognized borders, on the basis of the pre-1967 lines, in accordance with international law, the Charter of the United Nations and the relevant United Nations resolutions, especially resolution 2334 (2016).



United Nations

PRESS RELEASE

SC/14527
22 MAY 2021

Security Council Press Statement on Gaza Ceasefire

The following Security Council press statement was issued today by Council President Zhang Jun (China):

The members of the Security Council welcomed the announcement of a ceasefire beginning 21 May and recognized the important role Egypt, other regional countries, the United Nations, the Middle East Quartet and other international partners played in this regard. The Security Council called for the full adherence to the ceasefire.

The members of the Security Council mourned the loss of civilian lives resulting from the violence.

The members of the Security Council stressed the immediate need for humanitarian assistance to the Palestinian civilian population, particularly in Gaza, and supported the Secretary-General's call for the international community to work with the United Nations on developing an integrated, robust package of support for a swift, sustainable reconstruction and recovery.

The members of the Security Council stressed the urgency of the restoration of calm in full and reiterated the importance of achieving a comprehensive peace based on the vision of a region where two democratic States, Israel and Palestine, live side by side in peace with secure and recognized borders.

PALESTINIAN ISSUES MIDDLE EAST ISRAEL STATE OF PALESTINE

! For information media. Not an official record.



Security Council

Distr.: General
18 June 2021

Original: English

Implementation of Security Council resolution 2334 (2016)

Report of the Secretary-General

I. Introduction

1. The present report is the eighteenth quarterly report on the implementation of Security Council resolution 2334 (2016). The reporting period is from 23 March to 11 June.

II. Settlement activities

2. In its resolution 2334 (2016), the Security Council reaffirmed that the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, had no legal validity and constituted a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace. In the same resolution, the Council reiterated its demand that Israel immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem, and that it fully respect all of its legal obligations in that regard. No such steps were taken during the reporting period.

3. On 20 May, the Jerusalem District Planning Committee approved the Har Homa E plan for 540 additional housing units in occupied East Jerusalem. The issuance of building permits for the plan is contingent on several conditions. The plan, if implemented, would serve as another step towards connecting the existing Gilo and Har Homa settlements and create a contiguous built-up area of Israeli settlements along the southern perimeter of East Jerusalem. It would also separate Bethlehem and the southern West Bank from East Jerusalem. In early May, settlers established a new outpost, called Eviatar, south of Nablus. In early June, the Israel Defense Forces issued demolition orders for structures housing some 50 Palestinian families in Eviatar and issued a military order banning further construction at the site and its complete evacuation by 14 June.

4. During the reporting period, demolitions and seizures of Palestinian-owned structures continued across the occupied West Bank, including East Jerusalem. Citing the absence of Israeli-issued building permits, which remain almost impossible for Palestinians to obtain, Israeli authorities demolished, seized or forced people to demolish 72 structures, resulting in the displacement of 78 people, including 47 children and some 15 women, and leaving 357 others affected.



5. A total of 53 per cent of the structures were demolished (3) or seized (35) without, or with very short, prior notice on the basis of military regulations allowing the summary requisition of “newly installed” structures defined as “movable” or suspected to be used to commit a criminal offence. Three structures were demolished on the basis of military order No. 1797, which authorizes an expedited process giving owners only 96 hours to demonstrate that they possess a valid building permit. Another six structures were demolished by their owners following receipt of demolition orders. A total of 14 structures demolished or seized were donor-funded.

6. Overall, in occupied East Jerusalem, at least 218 Palestinian households, comprising 970 people, including 424 children, have eviction cases currently pending in Israeli courts. Most of the cases were initiated by Israeli settler organizations and are based on the application of Israeli laws that allow for properties in East Jerusalem that were owned by Jews prior to 1948 to be reclaimed. No similar law allows Palestinians to reclaim their property in Israel.

7. In the occupied East Jerusalem neighbourhood of Shaykh Jarrah, on 10 February and 2 March, the Jerusalem District Court rejected appeals against cases brought by settler organizations to evict 15 Palestinian families from the neighbourhood, where they had lived for decades. A request for an appeal by the Palestinian families was made to the Supreme Court. Following a request by the Attorney General of Israel, on 9 May, the Court postponed by a month a hearing on the matter. On 25 May, the Supreme Court gave the Attorney General until 8 June to provide a position on the case. On 7 June, the Attorney General announced that he would not intervene in the Supreme Court’s proceedings with respect to the pending eviction of four of the families. The Supreme Court announced that it would schedule a hearing before 20 July on the families’ request for an appeal and issue a ruling accordingly.

8. On 28 May, the Jerusalem District Court postponed until December its decision on an appeal against an eviction order related to two residential buildings, comprising three apartments, in the Batan al-Hawa neighbourhood of Silwan, in East Jerusalem. In its decision, the Court noted that it would wait for the High Court of Justice to issue a decision in similar cases. The Attorney General’s position has also been requested by the High Court of Justice. If the eviction were to proceed, a total of seven Palestinian families, comprising 33 persons, including 19 children, 2 elderly women and 1 man with special needs, would be directly affected. On 10 June, the Jerusalem District Court postponed until 8 July its decision on an appeal against another eviction order related to two residential buildings, comprising three apartments, in Batan al-Hawa. If the eviction were to proceed, a total of three Palestinian families, comprising 20 persons, including 12 children, would be directly affected.

III. Violence against civilians, including acts of terror

9. In its resolution [2334 \(2016\)](#), the Security Council called for immediate steps to prevent all acts of violence against civilians, including acts of terror, as well as all acts of provocation and destruction, called for accountability in that regard and called for compliance with obligations under international law for the strengthening of ongoing efforts to combat terrorism, including through existing security coordination, and to clearly condemn all acts of terrorism.

10. The reporting period was marked by increased violence throughout the occupied Palestinian territory, including clashes between Palestinians and Israeli security forces, settler-related violence, alleged and attempted attacks, the throwing of stones and Molotov cocktails by Palestinians, the firing of rockets by Palestinian armed

groups from Gaza towards Israel, Israeli air strikes and shelling against targets in Gaza and the use of lethal force by Israeli security forces against Palestinians.

11. Overall, and throughout the reporting period, 295 Palestinians, including 42 women and 73 children, were killed by Israeli security forces during demonstrations, clashes, search-and-arrest operations, air strikes and shelling and other incidents across the occupied Palestinian territory, and 10,149 Palestinians, including 17 women and 148 children, were injured, 4,703 by tear gas and 840 by live ammunition. In all, 90 members of Israeli security forces and 857 Israeli civilians were injured by Palestinians in clashes, as well as by the throwing of stones and Molotov cocktails, indiscriminate rocket and mortar fire and other incidents.

12. Tensions were high in the occupied West Bank, including East Jerusalem, throughout the reporting period. The Israeli authorities' planned eviction of four extended Palestine refugee families from their homes in the Shaykh Jarrah neighbourhood heightened tensions between Palestinians and Israeli security forces, resulting in increasingly tense protests beginning in April. In early April, videos went viral on social media depicting violent attacks by Palestinians against ultra-Orthodox Jews and attacks against Palestinians by extreme right-wing groups. Following the start of Ramadan, on 13 April, there was a marked increase in unrest after Israeli authorities installed metal barriers outside the Damascus Gate in the Old City of Jerusalem, blocking access to a public area used by Palestinians. Following the installation, widespread protests and violent clashes between Palestinians and Israeli security forces occurred in occupied East Jerusalem, in particular in the vicinity of the Aqsa Mosque and the Damascus Gate, as well as in Shaykh Jarrah.

13. The unrest increased further on 22 April, when Israeli civilians marched towards the Damascus Gate, chanting "Death to Arabs" and other anti-Arab slogans and clashed with Palestinians, who were also chanting inflammatory rhetoric, before both groups were dispersed by Israeli security forces. The removal by those forces of the barriers, on 25 April, temporarily restored a relative calm to the area. Beginning on 28 April, Palestinians held daily protests in the Shaykh Jarrah area, which, combined with a continued heavy presence of Israeli security forces and provocation by Israeli civilians, triggered repeated clashes throughout East Jerusalem.

14. While full details remain unclear, the situation in occupied East Jerusalem escalated further on Jerusalem Day, 10 May, when Israeli security forces entered the Aqsa Mosque compound, launching stun grenades, using tear gas and firing rubber-coated metal bullets. Israeli authorities took steps to reduce tensions, including rerouting a scheduled demonstration, organized by right-wing Israeli activists to mark Jerusalem Day, away from the Muslim Quarter of the Old City, postponing a Supreme Court hearing on the Shaykh Jarrah evictions and barring Jewish visits to the holy sites. Nevertheless, the violence and heavy security presence continued within the Old City. During the reporting period, 2 Palestinians were killed and 1,635 were injured in East Jerusalem – including 657 on 10 May alone – while 99 Israelis were injured, 32 of them on 10 May.

15. Against the backdrop of tensions in Jerusalem, violence erupted between Israel and Palestinian armed groups based in the Gaza Strip, leading to the worst escalation of armed hostilities since 2014. On 10 May, late in the afternoon, a spokesperson for the Hamas Izz al-Din al-Qassam Brigades published a statement giving Israel "an ultimatum until six in the evening today to withdraw its forces from the blessed Al Aqsa Mosque and Sheikh Jarrah neighbourhood and release all detainees from the recent events in Jerusalem". That evening, Palestinian armed groups indiscriminately fired 191 rockets and mortars towards Israel, including some aimed at Jerusalem, to which the Israel Defense Forces responded with 60 missiles and shells, hitting Gaza. For the next 10 days, Israel continued intensive air strikes and shelling, reportedly

targeting armed groups and their infrastructure, while Palestinian armed groups in Gaza continued to launch rockets and mortars at an unprecedented scale towards Israel, including from highly populated civilian neighbourhoods. The inner compound yard of one United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) school was struck by two Israeli missiles despite the school being designated as an emergency shelter for civilians during the hostilities. In the context of a subsequent investigation into how to secure the building from the missiles, UNRWA discovered the existence of a possible tunnel under the school for potential use by Palestinian armed groups. There is no indication of the existence of any entry or exit points for the tunnel within the premises.

16. In total, Palestinian armed groups fired over 4,000 rockets and projectiles towards Israel, with over 600 falling within the Gaza Strip, reportedly accounting for some Palestinian casualties. According to Israeli sources, Israeli forces carried out over 1,500 strikes from air, land and sea across the Gaza Strip. Israeli air strikes and shelling, directed at what Israel said were targets containing militant installations, caused extensive damage to civilian property and infrastructure, including public buildings, residential homes and commercial units, including four high-rise towers – one of which hosted international media outlets – humanitarian organizations, medical facilities and roads. Rockets from Gaza reached as far as the outskirts of Jerusalem, Tel Aviv and its suburbs and Ben Gurion Airport. The rockets struck multiple locations, causing damage to residential and commercial property, as well as to schools and a crude oil pipeline.

17. Throughout the hostilities, the United Nations worked with all sides to restore calm, de-escalate the situation and prevent any further loss of life. The escalation continued until both sides announced a cessation of hostilities, which began at 2 a.m. on 21 May. The cessation has continued to hold, with no further rocket firing or air strikes reported.

18. The armed hostilities took a severe toll on the civilian population. Between 10 and 21 May, 259 Palestinians were killed in Gaza, including 66 children and 41 women (4 of whom were pregnant), with 248 of them, including 63 children, killed in air strikes and by falling rockets. According to the Gaza Ministry of Health, 1,948 Palestinians were injured. At least 129 of those killed were civilians. In some cases, families, including women, children and infants, were killed in their homes by Israeli air strikes. Over 40 people are estimated to have been killed in a series of air strikes reportedly targeting tunnels under residential areas in Gaza City overnight on 15 May, with many people still unaccounted for. The fatalities included the head of internal medicine at Al-Shifa Hospital, the main hospital in the Gaza Strip, and one of Gaza's few neurologists, as well as members of their families, and nine members of a family – two women and seven children – from the Al-Shati refugee camp.

19. In Israel, a 5-year-old boy was killed by a rocket in Sderot, and a 16-year-old girl and her father were killed in Lod. Throughout the 11 days of hostilities, hundreds of thousands of Israelis across much of the south and centre of the country repeatedly had to run for shelter amidst rocket barrages. Nine Israelis, including two children, four women and one soldier, and three foreign nationals were killed and hundreds of Israelis were injured during the hostilities. In addition, incendiary balloons and kites launched from Gaza sparked dozens of fires in southern Israel during the period.

20. In the occupied West Bank, including East Jerusalem, 39 Palestinians, including 2 women and 7 children, were killed. A total of 8,217 Palestinians were injured, 4,703 of them from tear gas inhalation. Most of the fatalities resulted from the use by Israeli security forces of live ammunition in the context of demonstrations or clashes or in response to attacks or attempted attacks. In all, 1 Israeli was killed and 137 were injured, including 90 members of Israeli security forces. The number of incidents in

the occupied West Bank, including East Jerusalem, increased during the reporting period, in particular during the period of escalation, from 10 to 21 May.

21. On 6 April, Israeli security forces shot and killed a Palestinian man at an ad hoc checkpoint in Bi'r Nabala village, north of Jerusalem. The man died of his injuries, and his wife, also in the vehicle, was injured. Israeli security forces initially said that the man had attempted a ramming attack, an account disputed by the man's wife and eyewitnesses. Israeli security forces launched an investigation into the incident.

22. On 3 May, a Palestinian killed an Israeli man and injured two others in a drive-by shooting attack at Za'atara checkpoint, south of Nablus. On 5 May, a 16-year-old Palestinian boy was killed as a result of Israeli forces shooting him in the back under disputed circumstances during clashes between Palestinians and Israeli security forces in the village of Udalah, south of Nablus.

23. On 7 May, Israeli forces shot and killed two Palestinian men and seriously injured a third near Salem checkpoint, north-west of Janin, after the men, travelling on a bus into Israel, reportedly opened fire at border police.

24. On 11 May, Israeli forces shot and killed one Palestinian man and seriously injured another at Za'atara checkpoint, under unclear circumstances. On 12 May, a Palestinian man was reportedly shot and killed by Israeli security forces during clashes in Fawwar refugee camp, south of Hebron. Israeli security forces prevented Palestinian ambulances from reaching the man.

25. On 12 May, during clashes in Aqqaba, in Tubas, Israeli security forces shot and killed a 16-year-old boy in the back with two live bullets. Reportedly, the incident occurred in the context of Israeli security forces withdrawing from clashes in Tubas, where they shot and injured two Palestinians with live ammunition and where two additional Palestinians were injured as a result of being rammed by a military jeep.

26. On 14 May, Palestinians held solidarity protests in support of Gaza, many of which escalated into clashes between Palestinians and Israeli security forces in Qalqilyah, Ramallah, Nablus, Bethlehem, Hebron and dozens of other locations. In the deadliest day in the occupied West Bank in over a decade, 10 Palestinians were killed by Israeli security forces in such demonstrations and clashes and about 250 were injured by live bullets, raising concerns over excessive use of force by Israeli security forces. Another Palestinian was killed near Ofra settlement in an alleged ramming and stabbing attack against Israeli security forces.

27. On 15 and 16 May, two Palestinians were shot dead by Israeli security forces in separate ramming and alleged ramming attacks against those forces in Shaykh Jarrah and in the southern West Bank, respectively. In the southern West Bank, seven Israeli border police officers were injured, two moderately. On 16 May, three Palestinians were killed by the live ammunition of Israeli security forces during demonstrations and clashes in Tulkarm, Nablus and Hebron, including a 14-year-old boy, who died of his injuries after being shot in the head by those forces in Hebron on 13 May.

28. On 18 May, a Palestinian man armed with a submachine gun was shot dead by Israeli security forces in Hebron as he reportedly attempted to throw a pipe bomb. On the same day, Israeli security forces killed two Palestinian men during demonstrations and clashes in Ramallah, as well as a 16-year-old boy in the village of Bil'in. A fourth Palestinian man, who was shot in the head during demonstrations and clashes in Janin on 18 May, later died of his wounds.

29. On 25 May, Israeli special forces killed with live ammunition a Palestinian from al-Am'ari refugee camp who was sitting in his car in the Umm al-Sharayet neighbourhood of Ramallah. The shooting occurred in the context of an arrest operation in search of the man's family member in what appears to be a case of

mistaken identity. On 28 May, Israeli security forces shot and killed a 28-year-old Palestinian man and injured at least 24 others during protests against the establishment of a new settler outpost in Jabal Sbeih, in Bayta, south-east of Nablus.

30. Across the occupied West Bank, including East Jerusalem, there was an escalation in the severity of settler-related violence, including the use of firearms. A total of 139 attacks were recorded in which Israeli settlers or other civilians injured Palestinians or reportedly damaged their property. The attacks resulted in the killing of one Palestinian and the injury of 51, as well as in damage to Palestinian-owned properties, compared with two fatalities and 31 injuries in the first quarter of 2021. According to Israeli sources, Palestinians perpetrated 228 attacks against Israeli settlers and other civilians in the occupied West Bank, including the throwing of stones, Molotov cocktails and pipe bombs at civilian vehicles, resulting in 47 injuries and damage to property.

31. During the reporting period, Israeli security forces conducted 805 search-and-arrest operations, resulting in the arrest of 851 people, including 31 children, the killing of two Palestinians, including a child, and the injury of 98 people during subsequent clashes. Of these, 130 took place in East Jerusalem against a backdrop of heightened tensions.

IV. Incitement, provocations and inflammatory rhetoric

32. In its resolution [2334 \(2016\)](#), the Security Council called upon both parties to act on the basis of international law, including international humanitarian law, and their previous agreements and obligations, to observe calm and restraint and to refrain from provocative actions, incitement and inflammatory rhetoric, with the aim, inter alia, of de-escalating the situation on the ground, rebuilding trust and confidence, demonstrating through policies and actions a genuine commitment to the two-State solution and creating the conditions necessary for promoting peace.

33. There was a serious escalation in the instances of incitement and inflammatory rhetoric throughout the reporting period, many of which drove or exacerbated the ongoing violence. In the lead-up to the outbreak of hostilities in Gaza, and throughout the escalation, Hamas leaders repeatedly called for violence against Israelis and issued threats. One Hamas official called upon Palestinians living in Jerusalem to “cut off the heads of the Jews with knives”, explaining how to do so most effectively. The official social media pages of Fatah repeatedly conveyed calls from the group’s national and local leadership to engage in confrontations with Israeli soldiers and settlers, in some cases urging the use of “all means possible”. In an interview, a senior Fatah official addressed “every Palestinian who has a stone or a word or a bullet”, saying that the “battle has opened”. In sermons broadcast on the official Palestinian television channel, some Palestinian Authority religious officials claimed that Israel was seeking to destroy the Aqsa Mosque and “defiling” it.

34. At the same time, Israeli officials incited violence and engaged in a series of provocative steps and statements. During demonstrations in Shaykh Jarrah, a Deputy Mayor of Jerusalem was filmed telling a Palestinian activist that it was “a pity” that he wasn’t shot in the head. Far right members of the Knesset repeatedly organized provocative visits to flashpoints in Jerusalem, including the neighbourhood of Shaykh Jarrah, the Damascus Gate and the entrance to the Holy Esplanade, sparking violent clashes between their supporters and Palestinians. In a social media post, an Israeli Minister wrote, following the death of an Israeli soldier, that the “Palestinian enemy is raising its head. Like in the past 100 years, [they are] barbarians and savages”. Reacting to a video of Palestinians attacking an Israeli driver near the Old City, a member of the Knesset wrote on social media that Israel had lost control of its

sovereignty over Jerusalem and that “the time has come to reliberate the Temple Mount and Jerusalem and show [Palestinians] who is in charge once and for all”. Members of the Knesset made derogatory and unacceptable statements against Arabs, with one tweeting that, “in the long run”, Arabs who don’t accept that “the Land of Israel belongs to the People of Israel ... won’t stay here”. Another wrote, in response to footage of Palestinians in East Jerusalem cheering rocket strikes on the city, that they should be “put on trucks and deported immediately”.

V. Affirmative steps to reverse negative trends

35. In its resolution [2334 \(2016\)](#), the Security Council called for affirmative steps to be taken immediately to reverse the negative trends on the ground that were imperilling the two-State solution. Negative trends on the ground continued during the reporting period.

36. On 30 April, the Palestinian President, Mahmoud Abbas, said that he was indefinitely postponing Palestinian Legislative Council, presidential and Palestinian National Council elections scheduled for 2021 until the participation of Palestinians in occupied East Jerusalem was guaranteed by Israel. Preparations for Palestinian Legislative Council elections, scheduled for 22 May, were well advanced. Some 93 per cent of eligible voters had registered to participate, amounting to over 2.5 million Palestinians, some 50 per cent of whom were women, and more than 40 per cent would have been first-time voters. Thirty-six candidate lists, comprising a total of 1,389 candidates, had been cleared to participate by the Central Elections Commission, and the campaign period was set to begin on 1 May.

37. In Gaza, extensive damage was inflicted on residential and commercial buildings, health facilities, schools and infrastructure, including roads, electricity feeder lines and networks, wastewater networks and pumping stations, pipelines, water wells and agricultural land. Gaza has been contaminated by a significant amount of undetonated explosive remnants of war, necessitating life-saving mine action interventions and the urgent education of civilians on the risks of such remnants. On 9 June, an explosive accident killed a 9-year-old boy and severely injured his brother. In the context of the recent escalation, a United Nations risk assessment confirmed the presence of 14 deep-buried bombs, including 2 below an UNRWA school.

38. Initial estimates by local authorities reported the total destruction of 2,000 housing units and damage to 15,000 others. Over 113,000 Palestinians were temporarily displaced in UNRWA schools or with host families during the hostilities, heightening the risk of the spread of coronavirus disease (COVID-19) owing to overcrowding, with some 8,500 Palestinians seeking shelter with host families or in two UNRWA schools as at 10 June. Approximately 600 families (3,600 individuals) have remained internally displaced for more than six years, since the 2014 conflict.

39. Damage was also inflicted on 141 schools and 33 health facilities.

40. The electricity supply across the Gaza Strip was further reduced, from an average of 15 hours per day to 5 to 6 hours per day, owing to damage to key electricity feeder lines, transformers and networks, as well as to Israel barring entry for fuel delivered through the United Nations for the Gaza power plant, causing disruptions to the provision of basic services, including water, sanitation and health care. About 800,000 people temporarily lacked regular access to safe piped water as a result of damage to infrastructure and the reduced electricity supply. During the reporting period, the key electricity feeder lines were repaired, partially restoring electricity, and significant repairs to water infrastructure were completed.

41. On 11 May, following the commencement of hostilities between Israel and Palestinian armed groups, Israel closed the Erez Crossing, including to movement of humanitarian cases and personnel, and the Kerem Shalom Crossing for goods. However, on 18 May, Kerem Shalom was reopened for fuel for UNRWA and animal feed only, following its early closure owing to mortar fire from Gaza. Erez was opened exceptionally for one day, on 17 May, for the entry of a shipment from Jordan of medical aid, along with medical personnel. The closure of crossing points from Israel throughout the period of hostilities, combined with the effects of the damage sustained by electricity infrastructure in Gaza, aggravated the humanitarian situation and affected the well-being of the entire Gaza population.

42. The Rafah Crossing remained open, except during public holidays. The Salah al-Din Gate opened on five days during the hostilities to allow for the entry of commercial goods, including fuel. On 9 May, Israel sealed off the Gaza fishing zone, which was restored to six miles on 25 May. It had already closed the fishing zone completely for three days, from 26 to 28 April, in response to the firing of rockets and incendiary balloons towards Israel.

43. Following the cessation of hostilities, on 21 May, 40 truckloads of humanitarian supplies were permitted entry. On 25 May, Israel announced the opening of the crossings for certain humanitarian goods and personnel. Israel has facilitated the entry of over 46,000 COVID-19 Vaccine Global Access (COVAX) vaccines.

VI. Efforts by the parties and the international community to advance the peace process, and other relevant developments

44. In its resolution [2334 \(2016\)](#), the Security Council called upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967.

45. In its resolution [2334 \(2016\)](#), the Security Council also called upon all parties to continue, in the interest of the promotion of peace and security, to exert collective efforts to launch credible negotiations on all final status issues in the Middle East peace process and urged in that regard the intensification and acceleration of international and regional diplomatic efforts and support aimed at achieving, without delay, a comprehensive, just and lasting peace in the Middle East on the basis of the relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet Road Map, and an end to the Israeli occupation that began in 1967. The Council underlined that it would not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations.

46. On 23 April and 16 and 28 May, the Envoys of the Middle East Quartet met virtually to discuss the latest political developments and the situation on the ground, including the latest escalation and cessation of hostilities between Israel and Palestinian armed groups.

47. During the escalation between Israel and armed groups in Gaza, the Security Council met, on 10, 12, 16 and 18 May, to express its deep concern over the ongoing violence and encourage the parties to end the hostilities. On 20 May, the General Assembly held an urgent meeting to address the situation, during which the Secretary-General reiterated his call to all sides for an immediate ceasefire. On 22 May, the Security Council issued a statement welcoming the announcement of a ceasefire and stressing the immediate need for humanitarian assistance to the Palestinian civilian population, in particular in Gaza. On 27 May, the Human Rights Council decided to establish an ongoing commission of inquiry into alleged violations of international

humanitarian law and all alleged violations and abuses of international human rights law in the occupied Palestinian territory and Israel leading up to and since 13 April 2021.

VII. Observations

48. I remain deeply troubled by the continued illegal settlement expansion of Israel in the occupied West Bank, including East Jerusalem, which further entrenches the Israeli occupation, undermines the right of the Palestinian people to self-determination and sovereignty, continues to encroach on Palestinian land and natural resources, hampers the free movement of the Palestinian population and increases the risks of violent confrontation. Israeli authorities continue to advance settlement plans that had been frozen or delayed for years, located in areas crucial for the contiguity of a future Palestinian State.

49. The advancement of expansion plans for the Har Homa settlement in occupied East Jerusalem is a particularly concerning example. It is yet another step on the road to consolidate the continuum of illegal settlements along the southern perimeter separating East Jerusalem from Bethlehem and other Palestinian communities in the occupied West Bank to its south.

50. Israeli settlements in the occupied West Bank, including East Jerusalem, have no legal validity and constitute a flagrant violation of United Nations resolutions and international law. They undermine the prospect of achieving a two-State solution by systematically eroding the possibility of establishing a contiguous, independent and viable sovereign Palestinian State. I urge the Government of Israel to cease the advancement of all settlement activity immediately.

51. I remain deeply concerned by the continued demolitions and seizures of Palestinian structures, which have included internationally funded humanitarian projects. I call upon the Israeli authorities to end the demolition of Palestinian property and the forcible displacement and eviction of Palestinians, in line with the country's obligations under international humanitarian and international human rights law, and to approve plans that would enable these communities to build legally and address their development needs.

52. I remain deeply disturbed by the possible forced evictions of some Palestinian families from their homes in the Shaykh Jarrah and Silwan neighbourhoods of occupied East Jerusalem. As demonstrated in recent weeks, such forced evictions, in particular in such politically sensitive areas, can trigger dangerous tensions and violence.

53. The rapid escalation of violence, violent attacks against Palestinian and Israeli civilians and incitement to violence spiralled quickly out of control and into a devastating exchange between Israel and armed groups in Gaza at a scale not seen in years. The events have only deepened the divisions between Israelis and Palestinians and made progress towards peace an even greater challenge. The violence must stop, and all perpetrators of violence must be held accountable.

54. I am deeply concerned by the multiple instances in which officials exacerbated the tensions and violence through unacceptable rhetoric or provocative actions. The statements and actions contributed to the deadly escalation. Violence and incitement must be clearly condemned and unequivocally rejected by all. Instead, on too many occasions, they were encouraged and amplified. At the same time, I commend initiatives led by civil society organizations to call for peace, reconciliation and an end to the fighting.

55. The indiscriminate launching of rockets and mortars towards Israeli civilian population centres, including from highly populated civilian neighbourhoods, by Hamas, Palestinian Islamic Jihad or others constitutes a clear violation of the principle of distinction under international humanitarian law and must cease. Although Israel took a number of precautions, such as advance warning of attacks in some cases, air strikes in densely populated areas resulted in a high level of civilian fatalities and injuries, as well as the widespread destruction of civilian infrastructure. Israeli authorities must abide by the rules of international humanitarian law governing armed conflict and take all feasible precautions to spare civilians and civilian objects in the conduct of military operations.

56. I am appalled in particular that children continue to be victims of violence. Sixty-six children in Gaza, six children in the occupied West Bank and two children in Israel were killed as a result of the recent hostilities. I reiterate that children should not be the target of violence or put in harm's way. They should be afforded special protection from any form of violence.

57. There are serious concerns that Israeli security forces used disproportionate force against those participating in demonstrations, in particular through the use of live ammunition. I reiterate that security forces must exercise maximum restraint and use lethal force only when it is strictly unavoidable in order to protect life. Israeli and Palestinian authorities must carry out thorough, independent, impartial and prompt investigations into all instances of possible excessive use of force.

58. I am deeply concerned by the continued settler-related violence in the occupied West Bank, including East Jerusalem. I am especially troubled by the increasing severity of settler attacks, including reports that Israeli settlers are using live ammunition against Palestinians. Israel, as the occupying power, has an obligation to ensure the safety and security of the Palestinian population and to investigate such attacks. I am also deeply concerned by attacks by Palestinians against Israeli civilians. Perpetrators of violence on all sides must be held accountable and swiftly brought to justice.

59. I would like to reiterate that the fate of two Israeli civilians and the bodies of two Israel Defense Forces soldiers held by Hamas in Gaza remains an important humanitarian concern. I call upon Hamas to provide information on their status, as required by international humanitarian law.

60. I also remain deeply concerned by the continued Israeli practice of holding the bodies of killed Palestinians. I call upon Israel to return withheld bodies to their families, in line with its obligations under international humanitarian law.

61. I welcome the cessation of hostilities agreed on 21 May and recognize the important efforts of Egypt, Qatar and the United States of America to support ending the violence. I also wish to thank my Special Coordinator for his efforts. Nevertheless, the situation in Gaza remains deeply worrying, including the severe emotional trauma and suffering experienced by its people after years of prolonged Israeli closures and severe economic and movement restrictions, the nature of Hamas rule and the ongoing threat of violence. Although a cessation of hostilities continues to hold, it is fragile, and the risk of a major escalation is ever-present. The devastating events of the past few weeks are a stark reminder that this conflict cannot be perpetually managed. I reiterate that no amount of humanitarian or economic support on its own will address the challenges in Gaza, which ultimately require political solutions and the political will to pursue them.

62. In the immediate period, maintaining the calm, stabilizing the cessation of hostilities and taking steps to urgently address humanitarian needs are crucial priorities. I appeal to the international community to work with the United Nations to

develop an integrated, robust package of support for swift, sustainable reconstruction and recovery that supports the Palestinian people and strengthens their institutions. I am committed to ensuring that the United Nations plays its part.

63. The United Nations is coordinating the delivery of urgent humanitarian assistance to the people of Gaza, and I highlight the \$95 million humanitarian flash appeal launched on 27 May. The United Nations, the World Bank and the European Union are also working on a rapid damage needs assessment in which the longer-term reconstruction and recovery needs in Gaza will be estimated. For humanitarian relief to be delivered to Gaza rapidly, immediate funding for health, protection, education, food, shelter, water, sanitation and hygiene is required. All parties must also facilitate unimpeded access to humanitarian relief. Israel must fast-track the entry of goods for humanitarian response and reconstruction and the passage of essential humanitarian and reconstruction personnel, including Palestinian nationals. Israel must also increase significantly the number of Gaza exit permits issued for patients to receive life-saving cancer treatments and other interventions.

64. I remain extremely concerned by the UNRWA \$150 million programme budget shortfall. I welcome the resumption of funding from the United States last April and call upon Member States to ensure that the organization has the liquidity over the summer to conduct operations. UNRWA is vital to the region's stability, in particular in the aftermath of a devastating conflict and while the region continues to be volatile. I welcome efforts by Jordan and Sweden to organize an international conference on UNRWA in October. Investing in UNRWA remains an indispensable investment in regional stability and support for the goal of Middle East peace.

65. It is critical that the important Egyptian-led intra-Palestinian reconciliation efforts continue. The United Nations stands firm in its support of the efforts by Egypt in this regard, and I call upon all Palestinian factions to make serious efforts to ensure the reunification of Gaza and the occupied West Bank under a single, democratic, national Government. Gaza is, and must remain, an integral part of a future Palestinian State as part of a two-State solution.

66. The postponement of the Palestinian election process has had significant implications, both for the security situation on the ground and the future of the Palestinian national project. I commend the tireless efforts of the Palestinian Central Elections Commission, which, throughout the process, ensured that all the technical aspects were effectively implemented. The holding of elections in the occupied West Bank, including East Jerusalem, and Gaza would be a crucial step towards Palestinian unity, giving renewed legitimacy to national institutions, including a democratically elected Parliament and Government in Palestine.

67. The pull of short-term fixes must be avoided, and the focus must be on working towards advancing intra-Palestinian unity, lifting the debilitating closures in Gaza, in line with Security Council resolution [1860 \(2009\)](#), and, ultimately, returning to a peace process that will end the occupation and create a viable two-State solution.

68. I remain committed to supporting Palestinians and Israelis to resolve the conflict and end the occupation in line with relevant United Nations resolutions, international law and bilateral agreements in pursuit of achieving the vision of two States – Israel and an independent, democratic, contiguous, viable and sovereign Palestinian State – living side by side in peace and security within secure and recognized borders, on the basis of the pre-1967 lines, with Jerusalem as the capital of both States.

69. I urge Israelis, Palestinians, regional States and the broader international community to take practical steps that will enable the parties to re-engage on the path towards meaningful negotiations and, ultimately, peace. The Special Coordinator is

actively engaged in advancing these efforts with his counterparts in the Middle East Quartet, key regional partners and Israeli and Palestinian leaders.

70. I express my deep appreciation to Special Coordinator Tor Wennesland for his outstanding service in what remains a challenging context. I also pay tribute to all United Nations personnel working under difficult circumstances in the service of the Organization.



Security Council

Seventy-sixth year

8869th meeting

Wednesday, 29 September 2021, 10.10 a.m.

New York

Provisional

<i>President:</i>	Ms. Byrne Nason	(Ireland)
<i>Members:</i>	China	Mr. Geng Shuang
	Estonia	Mr. Jürgenson
	France	Mr. De Rivière
	India	Mr. Gotru
	Kenya	Mr. Kimani
	Mexico	Mr. De la Fuente Ramírez
	Niger	Mr. Abarry
	Norway	Ms. Juul
	Russian Federation	Mr. Khoroshev
	Saint Vincent and the Grenadines	Ms. King
	Tunisia	Mr. Ladeb
	United Kingdom of Great Britain and Northern Ireland . .	Dame Barbara Woodward
	United States of America	Mr. Mills
	Viet Nam	Mr. Dang

Agenda

The situation in the Middle East, including the Palestinian question

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The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President: In accordance with rule 39 of the Council's provisional rules of procedure, I invite the following briefers to participate in this meeting: Mr. Tor Wennesland, Special Coordinator for the Middle East Peace Process; Ms. Mai Farsakh, Planning Manager, Jerusalem Legal Aid and Human Rights; and Ms. Meredith Rothbart, co-Founder and Chief Executive Officer of Amal-Tikva.

The Security Council will now begin its consideration of the item on its agenda.

I now give the floor to Mr. Wennesland.

Mr. Wennesland: On behalf of the Secretary-General, I will devote this briefing to presenting his 19th report on the implementation of resolution 2334 (2016), covering the period from 12 June to 27 September.

Resolution 2334 (2016) calls on Israel to "immediately and completely cease all settlement activity in the occupied Palestinian territory, including East Jerusalem" and to "fully respect all of its legal obligations in this regard".

During the reporting period, there were no new settlement housing plans advanced, approved or tendered.

On 2 July, some 50 Israeli settler families left the settlement outpost of Evyatar, illegal also under Israeli law, following an agreement with the Israeli Government that the Israeli military would re-establish a presence at the site and that a land survey would be conducted to determine land status.

Demolitions and seizures of Palestinian-owned structures continued across the occupied West Bank, including East Jerusalem. Citing the absence of Israeli-issued building permits, which are almost impossible for Palestinians to obtain, 302 structures were demolished or seized by Israeli authorities or demolished by their owners to avoid heavy Israeli demolition fees. These actions displaced 433 people, including 251 children and 102 women.

On 7 July, Israeli authorities demolished some 30 structures, of which 17 were provided as humanitarian assistance, in the Bedouin community of Humsa Al-Baqai'a, in the Jordan Valley.

On 14 July, Israeli authorities confiscated at least 49 structures in the Bedouin community of Ras Al-Tin, in Ramallah governorate. As a result, 84 people, including 53 children and 14 women, were displaced.

On 11 August, the Jerusalem Local Affairs Court froze the demolition of several dozen structures in the Al-Bustan section of the Silwan neighbourhood until 10 February 2022, pending ongoing planning discussions.

On 2 August, Israel's Supreme Court held a hearing to consider an appeal request by four Palestinian families facing forced eviction in the Sheikh Jarrah neighbourhood of East Jerusalem. The judges made a proposal, which was not accepted, and the hearing was adjourned with no date to reconvene. There are currently some 970 Palestinians facing eviction in East Jerusalem.

Resolution 2334 (2016) calls for

"immediate steps to prevent all acts of violence against civilians, including all acts of terror, as well as all acts of provocation and destruction".

Unfortunately, daily violence continued. Overall, 24 Palestinians, including two women and five children, were killed by Israeli security forces during demonstrations, clashes, security operations and other incidents. Some 4,814 Palestinians, including 10 women and 530 children, were injured. Of these, 3,369 injuries were due to tear gas inhalation. Some 205 people were injured by live ammunition. One Israeli soldier was killed by Palestinians and 41 Israelis, including seven women and one child, were injured by Palestinians in clashes, rock and Molotov cocktail throwing, attacks and other incidents.

Beita village, in the occupied West Bank, remained a flashpoint, where demonstrations against the nearby Israeli settlement outpost of Evyatar often escalated into clashes between Palestinians and the Israeli security forces. Since June, four Palestinians, including one child, have been shot and killed and 3,530 others injured by Israeli forces during these clashes.

On 16 June during protests in Beita, Israeli security forces shot a 16-year-old boy, who later died from his

injuries. During a demonstration on 24 September, a Palestinian man was killed in an exchange of fire with Israeli security forces.

On 24 June, Palestinian political activist Nizar Banat died following an arrest operation by Palestinian security forces in Hebron, during which he was reportedly beaten severely. Banat's death sparked several demonstrations since late June, leading to dozens of arrests; all were subsequently released. On 27 September, a Palestinian military court held its first hearing for the 14 officers from the Palestinian security forces charged with the death of Nizar Banat.

On 18 July, three Israelis, including a one-year-old child, were injured by stones thrown by Palestinians near Damascus Gate in Jerusalem's Old City.

On 23 July, Israeli security forces shot killed a 17-year-old Palestinian during clashes in Nabi Saleh. Israeli security forces stated that the boy was throwing stones.

On 28 July, an 11-year-old Palestinian boy was killed in Beit Ummar after Israeli security forces fired at the car he was travelling in with his father and siblings. The next day, Israeli security forces shot and killed a Palestinian man amid clashes during the boy's funeral.

On 16 August, four Palestinians were killed and another injured in an exchange of fire with Israeli security forces during an Israeli search operation in the Jenin refugee camp.

On 24 August, Israeli forces shot and killed a 15-year-old Palestinian boy in the Balata refugee camp, east of Nablus. According to Israeli officials, the boy had been preparing to throw a large rock at Israeli security forces personnel from a rooftop. However, witnesses disputed the account of Israeli security forces.

On 31 August, Israeli security forces shot and killed a 39-year-old Palestinian man in Beit Ur, west of Ramallah, under unclear circumstances. Israeli security forces announced that it would open an investigation into the killing.

On 10 September, following a call from Fatah and Hamas, demonstrations linked to six escaped prisoners were held across the occupied West Bank and Gaza, with several escalating into clashes with Israeli security forces, resulting in 183 Palestinians injured.

On 26 September, Israeli forces conducted a search-and-arrest operation targeting what Israel said were Hamas operatives in several locations in the West Bank. Five Palestinians were killed, including a 16-year-old boy, and seven others were injured during exchanges of fire between Israeli forces and Palestinians. Two Israeli security personnel were also injured.

In Gaza, Palestinian militants launched five rockets and numerous incendiary balloons into Israel, injuring four civilians, including one child, all while running to shelter, and causing dozens of fires. In response, Israeli forces carried out 55 air strikes on what they said were military targets in the Strip, resulting in damage but no injuries.

On 21 August in Gaza, thousands of people participated in a demonstration at the perimeter fence. Hundreds hurled stones and, reportedly, improvised explosive devices at Israeli security forces, who responded with live ammunition and tear gas. Some 41 Palestinians were injured, including 24 children. Two Palestinians, including a boy, subsequently died of their injuries. One Israeli soldier was critically injured and later died of his wounds. On 23 August, Israeli forces carried out eight air strikes against what Israel said were Hamas military targets.

Across the occupied West Bank, including East Jerusalem, settler-related violence continued, including reports of armed settlers carrying out attacks against Palestinians, in proximity to Israeli security forces. On 17 August, a 15-year-old Palestinian boy was attacked in the northern part of the occupied West Bank, during which a group of Israeli settlers kidnapped the boy and brutally assaulted him.

A total of 102 attacks occurred, in which Israeli settlers or other civilians injured 36 Palestinians or reportedly damaged property. Palestinians perpetrated some 193 attacks against Israeli settlers and other civilians in the occupied West Bank, including throwing stones, Molotov cocktails and pipe bombs at civilian vehicles, resulting in 23 injuries and damage to property.

On 21 August, Palestinian security forces arrested 23 people in Ramallah for their participation in a planned demonstration. On numerous occasions, Palestinian security forces restricted the freedom of expression and assembly on demonstrators and used force, including beating them with batons and indiscriminately firing tear gas and stun grenades. Women present at the

demonstrations reported sexual harassment and gender-based threats on social media afterwards.

During the reporting period, Israeli security forces arrested two prominent human rights defenders, one in Ramallah and another in Bethlehem. Israeli security forces also raided and searched three Palestinian civil society organizations located in Area A of the occupied West Bank and closed one for six months for undisclosed security reasons.

Resolution 2334 (2016) calls for the parties to refrain from acts of provocation, incitement and inflammatory rhetoric. Some Palestinian and Israeli officials continued to use such rhetoric during the reporting period. On 27 June, an Israeli member of the Knesset challenged the status quo on the Haram Al-Sharif/Temple Mount, stating

“our demand is full sovereignty, raising the Israeli flag and expelling all Waqf elements seeking to harm us”.

On 20 June, a senior Hamas official said that “neither words nor messages” were needed to resolve the status of Jerusalem, and that the movement would arrive in Jerusalem with the help of barrages of hundreds of rockets fired at Tel Aviv.

Resolution 2334 (2016) reiterated calls by the Middle East Quartet for affirmative steps to be taken immediately to reverse negative trends on the ground that imperil the two-State solution. On 13 September, the United Nations launched a cash assistance programme to aid nearly 100,000 needy families in Gaza. The effort is supported by the State of Qatar, with \$40 million provided over four months. In addition, some \$45 million of the requested \$95 million has been raised for the United Nations humanitarian flash appeal, and nearly \$55 million has been mobilized in support of the humanitarian response more broadly.

In Gaza, Israel eased access restrictions imposed during the May escalation. In addition to key humanitarian assistance, access was progressively facilitated for commercial goods and materials for international projects, including allowing some 3,000 tons of rebar outside the Gaza Reconstruction Mechanism, with nearly 20,000 trucks entering Gaza through the Kerem Shalom crossing during the reporting period. The entry of materials and trade has since returned to pre-escalation levels. Moreover, on 1 September, Israel announced it would increase entry

permits for traders and businesspeople from 2,000 to 7,000, expand the Gaza fishing zone from 12 to 15 nautical miles, allow the entry of more goods and equipment and increase the supply of fresh water to Gaza by 5 million cubic metres a year.

Israel continued to deduct an amount of the clearance revenues from Israel to the Palestinian Authority (PA) equivalent to what Israel calculates is paid by the PA to Palestinian security prisoners and the families of those killed in the context of attacks. The PA continues to face a growing fiscal crisis that has a severe impact on its ability to cover minimum expenditures, including Government salaries and payments to needy households.

Following a meeting between President Abbas and Defence Minister Gantz on 30 August, the first such meeting between both sides in years, Israel said it would provide a \$150 million loan to the PA, to be repaid through commensurate deductions from the clearance revenues. Israel also announced plans to issue identification cards for thousands of undocumented foreign nationals in the occupied West Bank and grant an additional 15,000 permits for Palestinian workers to enter Israel, along with an additional 1,000 building permits for Palestinians in Area C of the West Bank.

On 6 September, the Palestinian Authority announced that it would hold local elections on 11 December for all villages and municipalities in category C, the smallest 388 of the approximately 450 councils overall. On 27 September, the PA announced that the remaining local elections would be held on 23 March 2022, including for 11 local councils in Gaza, pending an agreement for them to take place in that second phase.

On 16 August, schools managed by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) opened for more than 300,000 girls and boys across the occupied Palestinian territory. However, UNRWA is once again struggling to obtain funding to operate in the last months of the year. A disruption in UNRWA services will deny hundreds of thousands of Palestinians, namely young people, across the region the essential rights to a dignified life, education, health, food and housing.

In its resolution 2334 (2016), the Security Council called upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967. No

such steps were taken during the reporting period. Resolution 2334 (2016) also called upon all parties to continue, inter alia, to exert collective efforts to launch credible negotiations.

On 15 July, the Envoys of the Middle East Quartet met virtually to discuss the most recent developments on the ground and agreed to remain engaged on the matter and chart a way forward.

On 2 September, the Presidents of Egypt, Jordan and Palestine met in Cairo. All three leaders pledged to work together to resume peace negotiations, in accordance with international legitimacy, under the auspices of the Quartet.

In conjunction with International Day of Peace on 21 September, Palestinian and Israeli peace organizations hosted several events to promote the establishment of a long-term solution to the conflict and warn about the costs of maintaining the status quo.

In conclusion, allow me to share the Secretary-General's observations concerning the implementation of the provisions of resolution 2334 (2016) during the reporting period.

I reiterate that all settlements are illegal under international law and that they undermine the prospects for achieving a viable two-State solution, in line with United Nations resolutions, international law and prior agreements. The pause in new advancements and tenders of plans for housing units in settlements observed during this reporting period must become permanent.

I remain deeply concerned by the continued demolitions and seizures of Palestinian-owned structures, which have included internationally funded humanitarian projects. I urge Israel to cease demolitions and evictions, in line with its obligations under international humanitarian law, and to approve plans that would enable these communities to build legally and address their development needs.

I am deeply troubled by the continued loss of life and serious injuries in the occupied Palestinian territory. I am appalled that children continue to be victims of violence. I reiterate that security forces must exercise maximum restraint and use lethal force only when it is strictly unavoidable in order to protect life. Pertinent authorities must carry out thorough, independent, impartial and prompt investigations into all instances of possible excessive use of force and hold perpetrators accountable.

I am deeply concerned by the continued settler-related violence in the occupied West Bank, including East Jerusalem. Israel, as the occupying Power, has an obligation to ensure the safety and security of the Palestinian population and to investigate such attacks. I underscore that all perpetrators of violence must be held accountable and swiftly brought to justice.

The launching of indiscriminate rockets and incendiary devices towards Israeli civilian population centres violates international law and must stop.

I would like to reiterate that the fate of two Israeli civilians and that of the bodies of two Israel Defense Forces soldiers held by Hamas in Gaza remain an important humanitarian concern. I call upon Hamas to provide information on their status, as required by international humanitarian law. I also remain deeply concerned by the continued Israeli practice of holding the bodies of Palestinians. I call upon Israel to return withheld bodies to their families, in line with its obligations under international humanitarian law.

The death of Nizar Banat while in the custody of Palestinian Security forces is unacceptable. I call on the Palestinian Authority to ensure that his death and all allegations of use of disproportionate force against protesters by Palestinian security forces be investigated and those responsible held accountable. All arrests of human rights defenders, journalists and activists on charges that interfere with their exercise of fundamental freedoms of expression must cease.

I welcome Qatar's generous contribution to support vulnerable families and improve the dire socioeconomic and humanitarian situation in the Gaza Strip. The United Nations will continue to work closely with the Palestinian Authority and partners, including Egypt, to solidify the ceasefire, allow the entry of urgent humanitarian assistance and stabilize the situation in Gaza.

While materials for humanitarian assistance have entered Gaza more regularly, predictable access for materials necessary for stability and economic recovery remains a key challenge. All materials required to implement the 2021 humanitarian response plan and the May 2021 flash appeal should be allowed into Gaza. All parties must facilitate unimpeded access for humanitarian relief. Humanitarian staff from the United Nations and international non-governmental organizations must also be able to enter and exit Gaza

on a regular basis. Hamas must cease practices that hinder the delivery of crucial humanitarian assistance.

A recent assessment by UN-Women of the impact of the May hostilities has highlighted the importance of addressing the protection needs of women and children in Gaza. I encourage support for United Nations partners to continue to offer gender-based-violence-related services.

The Palestinian Authority's finances continue to be of serious concern. In addition to the severe impact of the occupation on the economy, Israelis and Palestinians should urgently resolve the impasse over prisoner payments and the other fiscal files. The scope of private-banking-sector lending to the Palestinian Authority is now at its limit. I encourage donors to provide urgent support to the Palestinian Authority.

I welcome recent high-level contacts between Israeli and Palestinian officials and the steps taken by the Israeli Government to ease the economic pressure on the Palestinian Authority, and I encourage their further expansion. I encourage both Parties to take urgent steps that are necessary to stabilize the Palestinian economy and strengthen Palestinian institutions. I also urge the implementation of existing agreements by both sides. The next meeting of the Ad Hoc Liaison Committee can examine how outstanding issues can be addressed by the parties, with the support of donor community and the United Nations.

I reiterate the gratitude of the United Nations to all donors who continue to support the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). I urge Member States to sustain the funding levels of UNRWA's programme budget in the past years and advance disbursements of funds as much as possible to avoid a disruption of essential services and humanitarian aid across the occupied Palestinian territory. We must provide the Agency with adequate resources to fulfil the mandate it was given by the General Assembly. Investing in UNRWA remains an indispensable investment in regional stability and support for the goal of Middle East peace.

Crucially, Gaza requires political solutions that will see a focus on working towards advancing intra-Palestinian unity, lifting the debilitating closures in Gaza, in line with Security Council resolution 1860 (2009), and, ultimately, returning to a peace process that will end the occupation and create a viable two-State solution. Palestinian unity is crucial to advancing

a two-State solution. It is therefore critical that the Egyptian-led intra-Palestinian reconciliation efforts continue. The United Nations stands firm in its support of these efforts. The holding of elections in the occupied West Bank, including East Jerusalem, and Gaza would be a crucial step towards Palestinian unity, giving renewed legitimacy to national institutions, including a democratically elected Parliament and Government in Palestine. I encourage the Palestinian Authority to resume the election process as soon as possible.

I am encouraged that many Israelis and Palestinians remain committed to achieving a two-State solution and a just, lasting and comprehensive peace despite the significant challenges. We in the international community must support the civil society organizations that continue to work tirelessly to build trust and advance the prospects for peace.

In closing, while I am encouraged by the recent engagement of senior Israeli and Palestinian officials, we must continue our efforts to address the worrying situation on the ground, including reversing negative trends across the occupied Palestinian territory and stabilizing the fragile situation in Gaza. We must now re-energize efforts aimed at establishing a legitimate political horizon that will end the occupation in line with relevant United Nations resolutions, international law and bilateral agreements in pursuit of achieving the vision of two States — Israel and an independent, democratic, contiguous, viable and sovereign Palestinian State — living side by side in peace and security within secure and recognized borders, on the basis of the pre-1967 lines, with Jerusalem as the capital of both States.

I once again urge Israelis, Palestinians, States of the region and the broader international community to take practical steps that will enable the parties to re-engage on the path to peace. I will continue to actively engage in advancing those efforts with my counterparts in the Middle East Quartet, key regional partners and Israeli and Palestinian leaders.

The President: I thank Mr. Wennesland for his briefing.

I now give the floor to Ms. Farsakh.

Ms. Farsakh: We would like to attest before the Security Council to the blatant disregard of the State of Israel for international law in its continued settlement expansion into Palestinian territory, at the expense of

Palestinians' individual right to housing and collective right to self-determination, among other rights, such as the enjoyment of natural resources, private property, freedom of movement and, with the emergence of settler violence, personal security.

The settler population now stands at nearly 670,000 persons across 132 settlements and 140 outposts in Area C and 13 settlement blocs in East Jerusalem, controlling nearly 43 per cent of the territory of the West Bank, including East Jerusalem — an enterprise amounting to the transfer of a State's population into occupied territory. Since the adoption of resolution 2334 (2016), approximately 60,000 additional settlers have taken occupancy of the occupied Palestinian territory through the addition of 43 new outposts and the expansion of existing settlements, as reflected in the published tenders for 15,900 new housing units, as per data published by Peace Now.

More plans have since been announced in 2021, involving 9,000 housing units in the Atarot settlement, south of Ramallah, and 3,412 housing units in E-1, in the Jerusalem periphery, among others. More threatening still are the plans being advanced to retroactively authorize illegal outposts situated on Palestinian private land by declaring the lands as State land after the fact, as is being attempted in the case of the Evyatar outpost, constructed in May in the Nablus governorate. Earlier in 2021, authorization plans were also furthered for another two outposts: Havat Yair in the Salfit governorate and Nofei Nehemia in the Nablus governorate.

Settler violence, actively or tacitly supported by the Israeli army, has been among the key measures employed by settlers in constructing and maintaining settlements and outposts on Palestinian lands. Such violence takes the form of verbal assault and intimidation, physical attack up to murder, the destruction of property and fencing off land, among other measures. According to data collected by the United Nations Office for the Coordination of Humanitarian Affairs, 441 settler attacks were documented against Palestinians and Palestinian property in the occupied Palestinian territory in the first five months of 2021, which is nearly a threefold increase when compared to the monthly average of settler violence incidents the year prior.

Facilitating the process of settlement expansion are Israel's restrictive zoning and planning policies, which effectively preclude Palestinians from obtaining and/or

affording building permits and leaves the great majority of residents vulnerable to the threat of demolition, as reflected in 241 villages being completely designated as Area C, nearly all Bedouin communities receiving blanket demolition orders and at least a third of the Palestinian homes in East Jerusalem lacking Israeli-issued building permits. Since the adoption of resolution 2334 (2016), Israel has only intensified demolition and displacement efforts in clearing the way for settlement expansion. Between January 2016 and August 2021, 3,255 Palestinian structures were demolished, displacing 5,622 women, men, girls and boys.

The financial, social and psychological ramifications of living in anticipation, or in the aftermath, of a demolition or violent act by an Israeli involve far-reaching impacts on the lives of Palestinians, from the loss of property or an inability to access livelihood resource and the associated financial impacts to the loss of social cohesion and freedom of movement, trauma and the resulting effects on mental health — for example, depression/anxiety, higher rates of delusional, obsessive, compulsive and psychotic thoughts and domestic violence and, in the case of children, withdrawal, attention difficulties, delinquency and violent behaviour. According to a study by Save the Children, having to cope with trauma emanating from house demolition in an environment of family trauma serves to marginalize the individual's own need for care. That is especially problematic for children, whose needs are magnified when their parents are contending with their own, and for women, as they are tasked with caretaking.

When demolition involves makeshift schools constructed to service more remote and marginalized areas, such as Bedouin communities or communities isolated within the seam zone, the ability of girls in particular to continue their education is often threatened. The alternative, that of crossing in and out of heavily militarized checkpoints or walking along arduous footpaths or settler roads to reach schools beyond their community, often prompts families to discontinue their education out of fear for their safety. Similar concerns have served to hamper women's participation in higher education and employment opportunities.

The continuously evolving facts on the ground I referred to and their human impact serve to attest to Israel's intentional undermining of a viable two-State solution and the prospect of peace in the region.

The President: I thank Ms. Farsakh for her briefing.

I now give the floor to Ms. Rothbart.

Ms. Rothbart: I thank you, Madam President, for your kind and uncommon invitation to speak here in front of the Security Council. I also thank the members of the Council and the Special Coordinator for their attention and consideration of new ideas and hope for the future.

I am Meredith Rothbart, and I am a Jewish Israeli, a religious Zionist, speaking to the Security Council from Jerusalem. I am the co-Founder and Chief Executive Officer of Amal-Tikva, where my Palestinian co-founder, Basheer Abu-Baker, and our teamwork with leaders of non-governmental organizations, philanthropists and field experts to build capacity for strategic, sustainable and scalable peacebuilding efforts. I am here to share with the Council my view from the ground.

We heard today and over the past few weeks of the continued violence between our two peoples. It is clear to all who are observing our political reality that negotiations at the highest diplomatic levels would not result in substantive peace right now.

If we recall, the Oslo Accords failed because the agreement came from a secret process between elite leaders, with no women, no religious leaders and no representative of those wishing to disrupt the process with violence. Neither society was prepared or ready to make compromises. It is therefore no wonder that the Oslo Accords failed and that the disappointment by the public led to the most violent era in the history of our conflict. Let us not do that again.

Around the same time as the Oslo Accords, when violent attacks were a daily occurrence in Northern Ireland, the United States spearheaded the establishment of the International Fund for Ireland. Both Prime Ministers Bertie Ahern and Tony Blair share the view that the Fund built the social and economic foundations upon which peace was eventually secured about a decade later.

Today the Special Coordinator asked for affirmative steps to improve the situation on the ground. We know that civil society peacebuilding is not only an affirmative step; it works, and it is a required precondition for a negotiated peace agreement, especially in an intractable conflict. We know because of so many initiatives that have been proved to succeed.

We know that it works because a Palestinian police officer saved a lost Israel Defense Forces soldier's life, not because he had to but out of appreciation for the Israeli volunteer from the organization Road to Recovery, who had driven his brother to the hospital just the week before.

We know that it works because Rabbi Michael Melchior and Sheikh Raed Badir from the Religious Peace Initiative were the religious leaders who prevented a third intifada amid violence on the Temple Mount. And it was they who conducted the negotiations that led to our unity Government, which has a religious Zionist Prime Minister and Palestinian members of Parliament from the local Islamic Movement.

Those are the real peace negotiators. My close friend and mentor, the Reverend Gary Mason, who helped bring about peace in Northern Ireland, always says:

“If you want peace today, you should have started building it 20 years ago. And if you do not feel like working for building peace today, then you better not complain to me in 20 years that the conflict is ongoing and affecting your children.”

The United Nations has adopted resolution after resolution, which, as a global institution, is a part of the Security Council's agenda. I understand that but, in order to build peace between Israelis and Palestinians, I ask the Council to consider investing in a social peace.

It is no coincidence that it is the Irish who invited me here today, because the Irish know the power of civil society peacebuilding firsthand. I must also acknowledge the United States Government for passing the Nita Lowey Middle East Partnership for Peace Act, the first large-scale Government attempt at building Israeli-Palestinian peace from the ground up. That is an opportunity for a multilateral partnership.

I ask the members of the Security Council to take inspiration from the Irish and American peacemaking efforts and to commit to investing in the infrastructure needed for real peace.

Help us build a multilateral international entity like the Peace Impact Programme of the International Fund for Ireland; an independent entity with the resources and the mandate to build capital projects, such as a peace institute in Jerusalem modelled on the Skainos Centre in East Belfast, or a laboratory for programme innovation and capacity-building, impact investments and microgrants.

Invest in the infrastructure that peace actually needs, like the partnership between adjacent community centres in Jerusalem — one Israeli and one Palestinian — which are working together to renovate their communal health-care centres, supporting women entrepreneurs and making their neighbourhoods safer.

Invest in building economic partnerships through organizations like Tech2Peace and 50:50 Start-ups, which are teaching technology and entrepreneurship to young Israelis and Palestinians and guiding them to create start-ups addressing climate, food security, water and other critical issues.

Invest in programmes like Kids4Peace and the Teachers' Lounge, which are enabling youth and educators to not only learn each other's narratives but view themselves as agents of change. There are many more organizations like those, with methodologies and programmes that work, but they are not yet at scale. They could be with enough support, capacity and infrastructure.

In our ancient Jewish text known as *Pirkei Avot*, or the *Ethics of the Fathers*, we read:

“You are not obligated to complete the work, but neither are you free to desist from it”.

We know that, in order for peace negotiations to work, we must break the intractable nature of our conflict into manageable parts and tackle each one of those parts one by one. We must build a popular belief that peace is actually possible and that all people — Israelis and Palestinians — have an integral role to play and responsibility in its pursuit.

The President: I thank Ms. Rothbart for her briefing.

I shall now give the floor to those members of the Council who wish to make statements.

Mr. Mills (United States of America): I thank the Special Coordinator for the Middle East Peace Process for his briefing, and I also thank Ms. Rothbart and Ms. Farsakh for their powerful statements. They were heard.

I think it is clear that, while present circumstances are both difficult and concerning, there are steps that we can take to improve the lives of the Israeli and Palestinian people in concrete and practical ways now. We can help today, while also preserving the possibility of a negotiated two-State solution when the time is ripe.

Of the urgent needs, we assess that we must currently focus our attention and resources on supporting the livelihoods of the most vulnerable in Gaza.

The United States once again expresses its thanks to Qatar for its financial assistance to Palestinians in Gaza. We welcome the commencement of the stipend disbursements, and we hope that that stable income will help families meet their daily needs. In order to facilitate recovery, the United States calls for regular, predictable and sustained access to Gaza for humanitarian actors.

In the interest of the people of Gaza and regional security, crossings should remain open with regular hours to normal commercial traffic and the expedited transit of humanitarian goods. It is important that materials needed for vial relief and recovery efforts can get to affected areas. We were pleased that the Israeli Government agreed to provide additional water to the Gaza Strip. However, there remains a dire need to get water flowing regularly within Gaza, and we hope to see the importation of water pipes to allow for the rehabilitation of water networks in Gaza. The de facto authorities in Gaza must refrain from interfering in humanitarian activity, assistance, delivery and internationally supported reconstruction efforts. Those efforts are directly supporting Palestinians in Gaza, especially the most vulnerable.

The Special Coordinator mentioned the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). The United States has already contributed more than \$300 million to UNRWA this year. We call on others to step up and contribute to help address UNRWA's imminent shortfall in funding for its core services. UNRWA is a vital lifeline and provides schooling to more than 530,000 Palestinian children across the region. In the absence of UNRWA, many of the children will be unable to attend school or would be forced to attend schools under the influence of extremist groups.

At the same time, we will continue to urge UNRWA to make operational and managerial improvements to ensure that it can deliver assistance to Palestinian refugees efficiently and with maximum effect. We will continue working with UNRWA to ensure that it upholds commitments to promoting tolerance, respect, transparency and accountability.

The United States also remains committed to widening the circle of peace between Israel and its neighbours. In the past year, we have seen Israel open

Embassies in the United Arab Emirates and Bahrain, and the United Arab Emirates and Bahrain appoint their first Ambassador to Israel. Israel and Morocco also agreed to upgrade their missions to full Embassies in short order.

The United States is committed to expanding on those normalization agreements and hopes that those agreements, which are important in and of themselves, will also generate momentum between Israel and the Palestinians. In the meantime, we will continue to encourage both the Israelis and the Palestinians to exercise restraint and refrain from provocative actions and rhetoric. Such actions distract from reconstruction and threaten the viability of a two-State solution and a future where Israelis and Palestinians live with equal measures of freedom, dignity, security and prosperity.

Mr. Ladeb (Tunisia) (*spoke in Arabic*): We thank the Special Coordinator for the Middle East Peace Process, Mr. Tor Wennesland, for presenting the report of the Secretary-General on the implementation of resolution 2334 (2016). We reiterate our support for his efforts and those of all United Nations personnel in the occupied territories to alleviate the suffering of the Palestinian people and strengthen prospects for peace in the Middle East. We also listened closely to the briefings by the two civil society representatives.

This meeting coincides with the beginning of the seventy-sixth session of the General Assembly. Once again, the world has demonstrated through statements by leaders and high-level officials the broad consensus on the need to end the suffering of the Palestinian people, end the occupation and establish an independent sovereign Palestinian State, within the 1967 borders with East Jerusalem as its capital.

Once again, delegations from all over the world call on the Security Council to shoulder its responsibilities, in accordance with the Charter of the United Nations, to ensure the implementation of its relevant resolutions. They also call on the Council to urge the occupation authorities to comply with international legitimacy resolutions.

In the light of the broad consensus in the international community, we cannot help but wonder: when will we see international action to break the stalemate in the peace process and facilitate the resumption of negotiations in order to reach a comprehensive, just and lasting settlement to the Palestinian question, based

on the international agreed terms of reference and the relevant United Nations resolutions?

We remain confident that the international community, including the Security Council, the Middle East Quartet, neighbouring countries and effective actors, will be able to create genuine prospects to achieve a settlement, which would promote stability and the maintenance of peace and security in the region. In that regard, we support the proposal to hold an international peace conference under the auspices of the Middle East Quartet as soon as possible.

The obstruction of prospects for settling the conflict and enabling the Palestinian people to regain their legitimate rights is accompanied by the insistence of the occupation authorities on imposing a de facto policy by continuing to implement settlement plans, attempting to change the demographic composition and the legal and historical character of Jerusalem, demolishing homes, displacing Palestinian civilians and imposing the unjust blockade on Gaza.

We have expressed our condemnation for the continuation of those practices. In that regard, we call on the international community, especially the Security Council, to fully shoulder its responsibility to compel the occupying Power to honour its commitments under international law, international humanitarian law and international human rights law. The occupying Power must put an end to its violations and settlement projects and any unilateral action that could further exacerbate and escalate the situation, thereby undermining any chance of achieving peace and restoring stability and security to the region. We call also for the full implementation of the relevant Security Council resolutions, in particular resolution 2334 (2016).

We reiterate the need to provide protection to Palestinian civilian people from violence by settlers and occupation forces that use excessive force. We call for follow-up on the implementation of General Assembly resolution ES-10/20, on the protection of the Palestinian civilian population.

With regard to the deteriorating humanitarian and economic situation in the occupied Palestinian territories, including in the besieged Gaza Strip, we stress the importance of facilitating unfettered delivery of humanitarian assistance, as well as refraining from hindering reconstruction efforts. We look forward to seeing a scaling up of the humanitarian response in the occupied territories and the securing of sustainable

funding to the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

We reiterate the need to continue Palestinian reconciliation efforts, and we welcome the renewed commitment by the Palestinian leadership to hold general elections in Palestine as soon as there is approval to hold elections in East Jerusalem.

In conclusion, we reiterate our support to the legitimate rights of the Palestinian people to self-determination and to establishing their independent sovereign State. We hope to undertake collective efforts in which we focus on practical measures to put an end to this protracted tragedy, allowing Palestinians to regain the rights that were stripped from them and ensure the rule of law.

Mr. Gotru (India): I thank the Special Coordinator for the Middle East Peace Process for his briefing on the implementation of resolution 2334 (2016). I also thank the civil society briefers for their insights from the ground.

I would like to begin by reaffirming India's unwavering commitment to the peaceful resolution of the Palestinian issue. India strongly supports a negotiated two-State solution leading to the establishment of a sovereign, independent and viable State of Palestine living within secure and recognized borders, side by side and at peace with Israel, taking into account the legitimate security concerns of all the parties concerned.

India has consistently called for direct peace negotiations between Israel and Palestine based on the internationally agreed framework to achieve the ultimate goal of a two-State solution. Resolution 2334 (2016) calls for advancing that two-State solution through negotiations, as well as for reversing the negative trends on the ground. It also calls for preventing all acts of violence against civilians, including acts of terror, and for both parties to refrain from provocative acts and unilateral measures.

Furthermore, resolution 2334 (2016) emphasizes the need to create conditions for peace negotiations for advancing the two-State solution. In that regard, we appreciate the regional and international efforts, including under the auspices of the Middle East Quartet, towards de-escalation and resuming those direct negotiations. We have noted the outreach efforts made between the Israeli Government and Palestinian

Authority, as well as the announcements made by Israel to alleviate the socioeconomic conditions in the West Bank.

The planned loan of 500 million Israeli new shekels to the Palestinian Authority, additional building permits for construction of Palestinian homes in Area C and increased numbers of work permits for Palestinians to travel to Israel for employment are all steps in the right direction. We hope those measures will provide impetus for further strengthening the economic and administrative relationships between Israel and the Palestinian Authority.

India has always placed great emphasis on the socioeconomic development of the Palestinian people and the strengthening of their national institutions. Our development partnership with Palestine is geared towards those objectives. Access to stabilized and enhanced revenues by the Palestinian Authority is a necessary precondition for Palestinian socioeconomic development and institution-building. In that regard, we support a dialogue between Israel and the Palestinian Authority to resolve outstanding issues related to the transfer of tax revenues.

The regular and predictable entry of construction material will facilitate the early reconstruction of Gaza. It is also important that the international donor community support the reconstruction of Gaza through the Palestinian Authority. The commencement of cash assistance transfers to vulnerable Palestinian families in Gaza through the United Nations is an important development, as it will provide much-needed relief to those families. We also appreciate the work of the United Nations and its agencies in ensuring the delivery of critical aid to Palestinians in Gaza. We call for the timely transfer of aid and other essential items to Gaza to ease the humanitarian situation and facilitate early reconstruction, as well as for the appropriate use of such aid.

The recent high-level interactions among Israel, Palestine and key States in the region provide a window of opportunity for the resumption of direct negotiations between Israel and Palestine. The Council and the international community, in particular the Middle East Quartet, should use that opportunity to make renewed efforts to kick-start negotiations, as they provide the best platform to resolve all final-status issues and achieve a two-State solution. India stands ready to support such efforts.

Mr. De la Fuente Ramírez (Mexico) (*spoke in Spanish*): We welcome the participation of Special Coordinator Wennesland, as well as Ms. Rothbart and Ms. Farsakh, in this meeting.

My delegation expresses its concern about the lack of progress in the Middle East peace process. The transfer of settlers, the seizure of land, the demolition of more than 670 structures and the consequent displacement of the Palestinian population are all contrary to international law and represent an obstacle to any peace initiative. An additional example is today's attack on Palestinian civilians in southern Hebron.

Mexico calls, in line with resolution 2334 (2016), for an end to Israeli settlements in the occupied Palestinian territories, as well as to any actions that limit the Palestinian population's access to safe drinking water, which constitutes a flagrant violation of international humanitarian law.

Nevertheless, Mexico welcomes the recent announcement by the Palestinian Central Elections Commission that it will organize municipal elections next December. Those elections will surely contribute to strengthening the institutions of the Palestinian State.

We express our dismay at incidents targeting Palestinian organizations and human rights defenders, limiting their freedom of expression and association. We also urge Palestinian and Israeli law enforcement agencies to protect the human rights of Palestinian civil society.

Moreover, we commend the efforts to bring to justice those responsible for the death of activist Nizar Banat. Mexico also condemns the firing of rockets and incendiary devices into Israel from Gaza, as well as the disproportionate use of force by Israel against Palestinian demonstrators in the vicinity of the border fence.

We underscore the importance of continuing to strengthen the ceasefire in Gaza and, therefore, welcome the recent meeting between the Israeli Prime Minister and the Egyptian President. We also welcome the announcement of initiatives for the economic reconstruction of Gaza, as well as the easing of certain blockade restrictions, which will allow for an expansion of the fishing area, as well as the entry of some building materials. We welcome the implementation of the United Nations cash assistance programme. Nonetheless, we

must reiterate our call for the full lifting of the blockade of Gaza.

Mexico lauds the commitment made by the Palestinian Authority, Egypt and Jordan at the tripartite summit, held at the beginning of this month, to developing a vision for the resumption of political negotiations and to working with partner countries to revive the peace process, in accordance with relevant United Nations resolutions and under the auspices of the Middle East Quartet. We also welcome cooperation between Israel and Palestine for civilian and security purposes. We highlight in particular the \$150 million loan provided by Israel to the Palestinian Authority.

I reiterate Mexico's support for the two-State solution, based on provisions that address Israel's legitimate security concerns and lay the foundation for the establishment of an economically and politically viable Palestinian State, within pre-1967 borders, with East Jerusalem as its capital, in line with relevant United Nations resolutions.

Before concluding, I am pleased to inform the Council that Mexico has made an additional contribution to the United Nations Relief and Works Agency for Palestine Refugees in the Near East to support health-care operations and provide medical supplies.

Mr. Geng Shuang (China) (*spoke in Chinese*): I thank Special Coordinator Wennesland for his briefing. I also listened carefully to the briefings by Ms. Farsakh and Ms. Rothbart.

Four months after the last round of conflict in Gaza, the situation in the occupied Palestinian territory remains turbulent. China calls on all parties concerned, in particular Israel, to exercise restraint and cease hostile acts, with immediate effect, to avoid an escalation of the situation. We support Egypt and other countries in the region in their efforts to enhance mediation, promote stability and ease tensions. We commend Qatar for its cooperation with the United Nations in providing relief to the people of Gaza and support the United Nations Relief and Works Agency for Palestine Refugees in the Near East in its work to improve the humanitarian situation in Palestine.

Press statement SC/14527, issued by the President of the Security Council in May, called for reconstruction and recovery in Gaza. Israel has the responsibility to open relevant crossings in Gaza, remove obstacles to the

entry of humanitarian aid and reconstruction material and fully lift the blockade on Gaza as soon as possible.

The issue of settlements is a major one that bears heavily on final-status negotiations for Palestine and the prospects for the realization of the two-State solution. Resolution 2334 (2016) clearly states that settlement activities in the occupied Palestinian territory are in breach of international law. For some time, Israel has continued to demolish Palestinian homes, evict Palestinians and expand settlements. Violence against Palestinian civilians has also intensified. China urges Israel to earnestly implement the relevant Security Council resolutions and return to the path of the two-State solution and the Arab Peace Initiative.

In his statement at the just-concluded general debate of the seventy-sixth session of the General Assembly (see A/76/PV.12), President Abbas expressed his readiness to work on the delineation of borders and on solving final-status issues. At the end of August, Palestine and Israel also engaged in high-level contact. We hope that Palestine and Israel will take the opportunity to continue to build momentum, gradually rebuild mutual trust, opt to engage in strategic peace talks and resume dialogue, on an equal footing, as soon as possible.

Last week, the Security Council and the Arab League troika had an in-depth exchange of views on situations in the region, including the Palestinian question. China supported the strengthening of coordination and cooperation among the Security Council, the League of Arab States and the Organization of Islamic Cooperation. We support the holding of a United Nations-led international peace conference, with the participation of the permanent members of the Security Council and various stakeholders in the Middle East peace process. We call on the country with considerable influence on the parties to hold an objective and impartial position and refrain from favouring one side over the other or using double standards.

Over the past few days, during the general debate of the General Assembly, the Palestinian question was one of the most frequently mentioned regional hotspot issues. The vast majority of countries expressed their support for the just cause of the Palestinian people, striving for their national rights. They also support the two-State solution and the realization of a comprehensive, just and lasting settlement of the Palestinian question, through dialogue and negotiation. That reflects the

sentiments of the international community for fairness and international justice.

China stands ready to work with the international community to increase efforts to promote peace through continuous action and to make unremitting efforts to help alleviate the suffering of the Palestinian people and settle the turmoil in Middle East.

Mr. Khoroshev (Russian Federation) (*spoke in Russian*): We thank Mr. Tor Wennesland for his informative briefing. We listened carefully to the briefings by Ms. Mai Farsakh and Ms. Meredith Rothbart.

The stalled Middle East peace process, compounded by the fact that its core issue, the Palestinian question, remains unresolved, creates a constant hotbed of tensions in the region. Following the escalation of violence in May, the pressing issues are maintaining the ceasefire, providing humanitarian assistance to Palestinian victims and reviving the peace process. Potentially dangerous unilateral actions are ongoing — the expropriation and demolition of Palestinian property, settlement building, arbitrary arrests and violations of holy sites and violence.

We urge Israeli authorities to refrain from unilateral steps, which would create an irreversible situation on the ground. Nonetheless, we understand the need to consider Israel's natural security concerns. In that regard, we are of the view that the top priority is to attain lasting stability and for parties to refrain from provocative and unilateral actions. It is also important to create the conditions for the peace process to be revived on the broadly recognized international legal basis, including the two-State solution.

It is important to underscore that similar positions were put forward by world leaders during the general debate of the General Assembly. It was noteworthy that the vast majority of all those who mentioned the Middle East settlement process spoke in favour of the two-State solution to the Palestinian-Israeli conflict and confirmed that the approaches of the international community to the issue remain unchanged.

Regrettably, levels of tension in the West Bank and the Gaza Strip remain high. In that regard, we urge both sides to show restraint and reject unilateral steps and provocative actions. We believe that the main immediate challenge is to provide urgent humanitarian assistance to all those in need and to the victims on the Gaza Strip.

There is also a need to step up efforts to assist Palestinian authorities in addressing socioeconomic difficulties. The coronavirus disease pandemic continues to have an adverse effect in that area. The Palestinians cannot cope with it alone. We give particular importance to providing comprehensive humanitarian assistance to those in need in the West Bank and the Gaza Strip as well as to Palestinian refugees in neighbouring Arab States.

We support the efforts of relevant international organizations, including the United Nations Relief and Works Agency for Palestine Refugees in the Near East. We continue to work with the parties in conflict, as well as with interested international players in the region. For example, on 9 September, Russian Foreign Minister Lavrov met with the new Israeli Foreign Minister, Mr. Lapid.

We believe that, in order to overcome the crisis, it is important to have the Palestinian problem back in the focus of attention of the new Israeli leadership, and also to have elections convened in the Palestinian territories. We also consider it important to continue to build an international consensus on a fair solution to the Palestinian problem. An important role in this regard is played by the Quartet, which remains the only internationally recognized mechanism to assist the Palestinian-Israeli settlement process. We also attribute great importance to Egypt's efforts aimed at overcoming intra-Palestinian disunity, which is a precondition for reviving the peace process. In particular, we welcome the recent summit between Palestine, Jordan and Egypt, which took place in Cairo. We cherish the hope that it will be an important first step towards a qualitative improvement in the current deadlocked status quo.

Ms. Juul (Norway): I thank Special Coordinator Wennesland for his updates. I also thank Ms. Meredith Rothbart and Ms. Mai Farsakh for their valuable remarks.

Let me begin by welcoming the resumption of broader dialogue between the Government of Israel and the Palestinian Authority. The August face-to-face meeting between President Abbas and Minister of Defence Gantz is a first, crucial step towards broader engagement. We encourage the parties to further expand this dialogue, including to political issues.

For example, given the precarious financial situation, it is urgent to agree on amendments to the Paris Protocol to improve the long-term fiscal situation and institutional capacity of the Palestinian

Authority. Palestine needs a stronger Palestinian Authority. A strong Palestinian Authority is one that is well-functioning, accountable and enjoys democratic legitimacy among the Palestinian people.

We are also encouraged by the seemingly more stable situation in Gaza. The delivery of cash assistance to tens of thousands of vulnerable families in Gaza following the memorandum of understanding between the United Nations and Qatar is especially important. It is critical that assistance continues to reach those most in need. Additionally, efforts to secure a long-term and sustainable ceasefire must be strengthened. And we welcome the additional lifting of restrictions on Gaza by Israel. Norway calls on the de facto rulers of Gaza to keep the situation calm, act in the best interest of the people of Gaza and protect civilians.

The Special Coordinator's briefing today has yet again showcased the negative impact of Israeli settlement activity, house demolitions, evictions and settler violence. While we note that there have been no new announced housing units in the reporting period, we remain concerned about the projects in the pipeline.

We again underscore that Israeli settlement activities are illegal under international law. They fuel violence and undermine the prospects of a contiguous Palestinian State and a viable two-State solution. Norway is concerned that, according to the Office for the Coordination of Humanitarian Affairs, the number of house demolitions in 2021 has increased by 40 per cent compared to last year. Displacement has nearly doubled. This trend is alarming and unacceptable.

We are also worried about the security situation on the West Bank, including the high number of violent clashes between protestors and Israeli security forces. We are particularly concerned that children continue to be victims of violence. Children should never be targeted or put in harm's way. Just the opposite: they must be afforded special protection. Let me reiterate the need to ensure the protection and security of all civilians, especially during this volatile time at the start of the olive-harvest season. We urge all actors to de-escalate and refrain from actions and rhetoric that fuels tensions.

We welcome the recent improvement in dialogue between Israel and Jordan, especially given Jordan's historical role as custodian of the holy sites in Jerusalem and in maintaining stability in Palestine.

We regret that the ministerial-level meeting of the Ad Hoc Liaison Committee, planned for 23 September, had to be postponed. It is urgent that the parties, as well as donors, meet in person for these important discussions. Let me assure the Security Council of our commitment to reconvene as soon as possible. We are hopeful that a meeting can be arranged later this fall.

Finally, let me conclude by restating the fundamental truth that only a broad political solution can solve the underlying problems of the conflict. We reiterate our call for a two-State solution on the basis of the 1967 lines, relevant Security Council resolutions, international law and internationally agreed parameters.

Mr. Kimani (Kenya): I thank Special Coordinator Tor Wennesland for his observations and recommendations during this reporting period. We also welcome all constructive grass-roots efforts in advancing the peace process, including the observations and insights shared with the Security Council by Ms. Meredith Rothbart and Ms. Mai Farsakh.

I reaffirm Kenya's condemnation of all acts of violence and other breaches of resolution 2334 (2016), by all parties, including terrorist acts, all acts of provocation, incitement to violence, evictions, collective punishment and the destruction and demolition of civilian infrastructure. Nevertheless, we have noted that there has not been advancement of expansion of housing units since June.

Kenya continues to strongly condemn the recent launches of rockets from Gaza by Hamas, Palestinian Islamic Jihad and other militant groups. We again repeat: no cause can justify the deliberate targeting of civilians, and these acts of terror must cease. The use of civilian infrastructure for weapons storage or disguise or as human shields must also be addressed.

As Kenya has stated before, the practicality and full implementation of resolution 2334 (2016) will need to address the issue of settlements, territorial contiguity and the viability of the two-State solution. The establishment by Israel of settlements in the Palestinian occupied territory, including East Jerusalem, in violation of international law, remains a major obstacle to the fulfilment of the vision of a two-State solution, where two States, Israel and Palestine, live side by side in peace and within secure and recognized borders based on the 1967 lines.

The recent engagements between senior Israeli and Palestinians officials are also important positive steps towards forging cooperation in the areas of security and economic policies. We urge that the recent ease of restrictions of entry of goods between Gaza and Israel continue to be strengthened to this end.

Kenya welcomes the ongoing efforts by the Qatari Government aimed at rebuilding Gaza in partnership with the United Nations programme. The strengthened role and reinforced funding for the United Nations Relief and Works Agency for Palestine Refugees in the Near East will also go a long way towards addressing a broader set of socioeconomic challenges in the occupied Palestinian territory. As the needed focus is being directed to Gaza, we must not lose sight of the security and economic challenges in the West Bank.

Every single effort in advancing the Middle East peace process at the ground level through local actors, Israeli and Palestinian leaders and key regional partners needs to be affirmed and encouraged. I would like to thank Ms. Rothbart for her reminder that the conflicts we are dealing with today are a result of what was done 20 years ago, and that what we are trying to do today is not only to respond to the present crisis but to lay the groundwork for peace in 20 years. I thank her for that insight, which I think can inform the Security Council in many of its situations.

The gains achieved also need to be safeguarded to reinforce the underlying principles of resolution 2334 (2016), namely, achieving the stabilization of the situation, reversing the negative trends on the ground and creating conditions for successful direct final-status negotiations.

Mr. Jürgenson (Estonia): I thank Special Coordinator Wennesland for his briefing. I also thank Ms. Rothbart and Ms. Farsakh for their statements.

More than four months after the most recent round of violence in and around Gaza, the tensions and violence between the parties have unfortunately not subsided.

The continued launching of rockets and incendiary balloons towards Israel is unacceptable. Israel has a right to defend itself, while ensuring the safety and protection of the civilian population. We call upon the parties to continue to respect the ceasefire and do their utmost to avoid further violence.

We are also worried about the continued incidents of violence on the West Bank, including the clashes between the Palestinians and the Israeli security forces, with several deaths and hundreds of injured during the past weeks. We call on all parties to refrain from violence, incitement and acts of provocation.

Such developments once more underline the need for international and regional efforts to restore the conditions for direct negotiations aimed at a two-State solution, based on international law and the relevant Security Council resolutions, as the only viable path to a lasting peace.

We welcome the first high-level meeting in years between Israel and the Palestinian Authority, held on 29 August. That was an important step of confidence, and we hope that it will pave the way for a sustained political dialogue, as well as further practical cooperation between the two sides, which would benefit both the Israelis and the Palestinians.

Estonia also fully supports the continued international and regional efforts for reconstruction in Gaza and to improve the dire and unsustainable humanitarian and socioeconomic situation in the Gaza Strip. We hope that the planned reconstruction process can begin promptly. In that context, we also welcome the proposals to create economic stability and improve the socioeconomic situation of the Palestinians.

We join the calls for the parties to show commitment to the two-State solution through concrete steps and to refrain from unilateral steps that undermine it. We remain worried about Israel's plans for advancing settlements on the West Bank, as well as the continued demolitions of, and evictions from, Palestinian property. We call upon Israel to refrain from those activities, as they are contrary to international law.

Finally, I would like to reiterate our concern about the recent arrests of Palestinian protesters in relation to the death of the political activist Nizar Banat. We call on the Palestinian Authority to ensure freedom of expression and freedom of assembly.

Mr. De Rivièrè (France) (*spoke in French*): As I do every month, I reiterate France's support for a two-State solution. That is the only one that is consistent with international law, the agreed parameters and the resolutions of the Security Council, including resolution 2334 (2016). It is the only option to date that can bring about a just and lasting peace in the region, ensure

Israel's security, with which we will never compromise, and meet the legitimate aspirations of the Palestinians.

In that context, France is concerned by the increasing negative trends on the ground, which jeopardize the two-State solution. The record increase in demolitions in 2021 is unacceptable. The issuing of building permits to Palestinians in Area C cannot justify the advancement of settlements, which is contrary to international law. We call on the Israeli authorities to stop the expansion of settlements, freeze demolitions and permanently suspend eviction procedures in East Jerusalem.

France will not recognize any change to the 1967 lines other than those agreed between the parties. We recall the obligation for all States to distinguish in their exchanges between the territory of Israel and the territories occupied in 1967.

We are also concerned about the continuing increase in violence in the Palestinian territories. The priority is, of course, to maintain the ceasefire in Gaza. We condemn any firing of incendiary balloons or rockets into Israeli territory. In the West Bank and East Jerusalem, France calls on Israel to use force judiciously, in accordance with international humanitarian law. We also call on the Palestinian Authority to shed full light on the assassination of Nizar Banat and to ensure respect for human rights and fundamental freedoms in the territories under its control. Strong democratic institutions, based on respect for the rule of law, remain crucial to the building of a viable Palestinian State.

The resumption of contacts between the parties is encouraging and must be accompanied by the implementation of confidence-building measures. France welcomes the first measures taken by Israel, including to allow the delivery of goods to Gaza. We call for such efforts to continue, in particular to facilitate the reconstruction of the enclave. In that regard, we welcome the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East. We are also ready to work towards the implementation of the ideas expressed by the Israeli Foreign Minister concerning Gaza. It is important to focus on projects that can bring about a significant improvement in the lives of the Palestinian people. The Palestinian Authority must play its full part in that. We hope that the next meeting of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to

Palestinians will be an opportunity to move forward in that direction.

France, together with its German, Egyptian and Jordanian partners, in the framework of the Amman Group, is determined to continue all specific reciprocal measures aimed at restoring trust between the parties, with a view to a resumption of the negotiations.

Confidence-building measures are necessary, but they will be effective only if they are part of a political process. It is more urgent than ever to restore that perspective. France is ready to work to that end, in conjunction with the Council members.

Dame Barbara Woodward (United Kingdom): My thanks go to the Special Coordinator for his briefing and the quarterly report on the implementation of resolution 2334 (2016). I would also like to thank Mai Farsakh and Meredith Rothbart for their remarks, their insights and their work on the ground. I would like to pay tribute to them and to all those civil society members who work to build social peace and the foundations for peace.

The United Kingdom welcomes the recent engagement between the Israeli Government and the Palestinian leadership, including the meetings between Palestinian President Abbas and Israeli Defence Minister Gantz on 29 August. We urge further direct engagement and call on both parties to work together to tackle immediate and long-term threats to peace and stability. While appreciating the difficulties on both sides, we urge all parties to be open to further dialogue.

The United Kingdom wants to see greater cooperation between Israelis and Palestinians, including on economic initiatives, to help support the recovery of Gaza, boost the Palestinian economy and improve the lives of all Palestinians living in the occupied Palestinian territories. However, those initiatives need to be part of a political pathway. All parties need to take steps to avoid exacerbating tensions and avoid unhelpful rhetoric. Existing agreements must be respected, and all parties must refrain from harmful unilateral actions.

We remain concerned about Israel's ongoing settlement expansion, as well as the demolition of Palestinian property and the resultant displacement of protected persons, such as prospective demolitions and evictions in Silwan, Al-Walaja and Sheikh Jarrah. We urge Israel to allow for more legal avenues for Palestinian construction. As has been noted previously, we have seen a worrisome upward trend in Palestinians killed

by Israeli security forces' live fire throughout 2021, particularly around Beita, where eight Palestinians have been killed by the Israeli Defense Forces since May.

We urge restraint on all sides. Israeli investigations should be transparent and comprehensive and, where there has been excessive use of force, those responsible should be held to account. We condemn any incidents of violence by settlers against Palestinian civilians and aid workers. We express particular concern about the reported attack on 15-year-old Palestinian Tareq Zubeidi on the 17 August. Communities must be protected from violence and harassment. Such incidents must be investigated fully, and those responsible brought to justice.

We continue to call on the Palestinian Authority to adhere to international standards on freedom of expression, association and assembly, and urge respect for human rights. Reform is needed to rebuild trust with the public. I reiterate that the United Kingdom condemns unequivocally Hamas' indiscriminate attacks against Israel, including the use of incendiary balloons. We call on Hamas and other terrorist groups to permanently end their rocket fire against Israel.

Finally, turning to Gaza, the United Kingdom welcomed Israeli Foreign Minister Lapid's speech proposing positive policy suggestions to support economic development in Gaza and greater security for Israel. A long-term solution for Gaza is needed, not only to end the cycle of violence, but also to make progress towards the two-State solution — a solution to which the United Kingdom remains firmly committed.

Ms. King (Saint Vincent and the Grenadines): I thank the briefers for their powerful and enlightening presentations.

The grave security situation that continues in the State of Palestine is of particular concern to Saint Vincent and the Grenadines. The Palestinian people and the territory of the State of Palestine are in more urgent need of international protection, as Israel continues its ongoing settlement activities and the demolition of Palestinian structures in the occupied territory.

We therefore reiterate here again today that the ongoing occupation of Palestinian territories constitutes a flagrant violation of international law and remains a significant threat to lasting and comprehensive peace. We call on Israel, the occupying Power, to cease all settlement activities and to abide by its legal

obligations and responsibilities under the Fourth Geneva Convention. Furthermore, as reinforced by resolution 2334 (2016), we condemn all measures aimed at altering the demographic composition, character and status of the Palestinian territory occupied since 1967.

As we have said many times, freedom and justice for the Palestinian people can be achieved only through a lasting two-State solution that allows for the peaceful existence of the State of Palestine, based on the pre-1967 borders, and the full recognition of their sovereignty, territorial integrity and political independence. Moreover, the continued oppression of the Palestinian people undermines their legitimate claims to dignity, equality and human rights.

On a positive note, we welcome plans for the reconstruction of Gaza, which will start in October. Notwithstanding, the ongoing humanitarian crisis in Gaza continues to be exacerbated by the 14-year Israeli blockade. Yet again, we call on Israel to lift the blockade to allow humanitarian access, building materials and construction equipment for the reconstruction of Gaza. Furthermore, we condemn all punitive measures against the Palestinian people that exacerbate the humanitarian crisis in Gaza.

Despite the many challenges, we commend the ongoing efforts of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in providing humanitarian assistance to ease the plight of the Palestinian refugees. The certainty of support for UNRWA from the international community is critical to the Agency's ability to promote human development and meet the most urgent humanitarian needs of the Palestinian refugees.

In conclusion, we echo the warning of President Abbas that undermining the two-State solution based on international law and the relevant United Nations resolutions will open the way for other alternatives imposed on the Palestinians by the situation on the ground, as a result of the continued Israeli occupation of the State of Palestine.

Mr. Dang (Viet Nam): I thank the Special Coordinator for the Middle East Peace Process, Mr. Tor Wennesland, for his comprehensive briefing. I welcome the presence of Ms. Meredith Rothbart and Ms. Mai Farsakh at this meeting and thank them for their statements.

I would like to begin by expressing our serious concern about the recent increase in violence across the occupied Palestinian territory. In the West Bank, including East Jerusalem, we are troubled by continued incidents of violence, particularly the recent clashes between the Israeli security forces and the Palestinians. The number of casualties since the beginning of 2021 has been five times higher than that for 2020, with 58 Palestinians killed and more than 13,000 injured.

Incidents in other parts of the occupied Palestinian territory and clashes in the border areas of Gaza could lead to full-scale hostilities. We call on all parties to refrain from violence and incitement to provocation. We urge the Israeli authorities to observe their obligations under international humanitarian law, stop excessive use of force and settler attacks and apply the necessary measures to protect civilians, particularly children.

We remain concerned about the continued settlement policy of the Israeli authorities. While the announcement of the intention to grant construction permits to Palestinians in Area C is an initial and encouraging sign, the ongoing settlement activities in the West Bank, including East Jerusalem, continue to violate international law and the relevant United Nations resolutions. In that respect, we call on the Israeli authorities to cease all settlement activities, stop demolitions and definitively suspend procedures aimed at the expulsion of Palestinian families from Silwan and Sheikh Jarrah in East Jerusalem.

We are encouraged by the recent engagement and initial cooperation between the Israeli Government and the Palestinian Authority. We welcome the stronger engagement between officials from both sides, which can contribute to creating an atmosphere of trust between the parties and meeting common challenges in humanitarian, health care, financial and economic areas. We hope that such contact and cooperation can be helpful in paving a pathway towards broad and significant dialogues and negotiations. We welcome all efforts by international actors to facilitate the building of that momentum.

With regard to the deteriorating socioeconomic and humanitarian situations in Gaza, it remains vital that Israel ensure regularized access into and out of Gaza, especially for humanitarian, medical and reconstruction purposes, in accordance with international humanitarian law. Meanwhile, it should be noted that external humanitarian and economic

support alone cannot address the challenges facing the Strip. The unemployment rate has reached 67 per cent, while the poverty rate has exceeded 70 per cent and food insecurity is affecting over 68 per cent of the population.

Therefore, we call upon Israel to lift the blockade imposed on Gaza as soon as possible, not only to facilitate humanitarian access, but also to ensure regular movement into and out of Gaza to improve the livelihood of Palestinians. We also call upon international donors to increase the level of assistance and humanitarian response in the occupied Palestinian territories, including through the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and to support other relevant United Nations efforts.

Before concluding, we would like to reaffirm our strong support for a comprehensive, just and sustainable settlement of the conflict between Israelis and Palestinians. Towards that end, we welcome all initiatives aimed at bringing the relevant parties together.

We reiterate our commitment to supporting a two-State solution that includes the establishment of an independent and sovereign State of Palestine, living side by side with the State of Israel, within secure and internationally recognized borders based on the pre-1967 lines and a negotiated settlement.

Mr. Abarry (Niger) (*spoke in French*): At the outset, I would like to thank Mr. Wennesland for his detailed briefing on the situation in the Middle East. I would also like to thank Ms. Rothbart and Ms. Farsakh for their valuable contributions to our discussions. I would also like to acknowledge the presence of the representative of Palestine among us today.

As usual, Mr. Wennesland's briefing was a catalogue of horror, detailing multiple violations of Palestinian rights, including the killing of young people, all of which seriously contravene the spirit and the letter of resolution 2334 (2016). How much longer will that go on?

The announcement by Israel of a recovery plan for the Gaza Strip, including the rebuilding of infrastructure, as well as the meeting between the Israeli Minister of Defense and the President of the Palestinian Authority, are positive signs and should be commended.

At this juncture, I would like to highlight that those welcome gestures, which seem to herald an easing

of tensions and increased trust in relations between Israel and Palestine, must be further consolidated and maximized in order to contribute to the restoration of peace and a peaceful coexistence among those two peoples, who have been exposed to violence, devastation and despair for far too long.

In order to give the resumption of peace process the best possible chance of success, certain requirements remain essential, if not unavoidable.

First of all, Israel must put an end to its policy of unbridled colonization in the occupied Palestinian territories and commit to respecting international parameters, as well as to General Assembly and Security Council resolutions enshrining the only viable solution to the conflict, namely, the two-State solution.

Secondly, it is equally important that the violence from Gaza cease and, with it, Israel's disproportionate responses that spare neither human lives nor essential infrastructure.

Finally, the international community, the Middle East Quartet and those Council members with influence on the parties, as well as regional actors, must continue to work for a rapprochement between Israelis and Palestinians, as well as to safeguard, at all costs, the realization of the two-State solution. Only then can we hope for the return of peace, which we have been seeking in the Middle East for almost 70 years.

In the context of efforts aimed at easing tensions between Israel and Palestine, the lifting of the illegal blockade on the Gaza Strip and the improvement of the humanitarian situation and general living conditions remain priorities that require effective action. It cannot be overstated that the climate of tension in Gaza reflects the deep frustration and profound despair of a predominantly young population whose entire lives have been undermined by the effects of Israel's colonization and prolonged siege. Since 2012, several United Nations reports have warned that, beyond 2020, the Gaza Strip, a veritable open-air prison, could become unliveable if Israel does not lift its illegal and inhumane blockade.

Those challenges require urgent responses, including through reconstruction and recovery plans for Gaza and the protection and survival of its population. We therefore call on the international community to show more compassion and generosity to that hard-pressed population by supporting the funding

of the Gaza construction process, as well as the vital programmes of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, which ensure the survival of thousands of Palestinian families.

It is equally crucial that Israel, as the occupying Power, fully comply with all of its obligations under international humanitarian law, including by ensuring the well-being and survival of the population under its control, especially in the fight against the ongoing coronavirus disease pandemic.

The prospects for holding elections in Palestine are to be encouraged and supported.

In conclusion, the Niger believes that only a return to respect for the internationally agreed parameters and the resumption of the peace process, with a view to achieving a solution with two viable, sovereign and independent States, can lead to a just and lasting settlement of the Israeli-Palestinian conflict. In that regard, we commend the tireless efforts of Mr. Tor Wennesland and reaffirm our full commitment to supporting all efforts of the international community to bring about a successful solution to the dispute, which has had an undeniable impact on the peace and security and stability of the entire Middle East region and beyond.

The President: I shall now make a statement in my capacity as the representative of Ireland.

I want to thank Special Coordinator Wennesland for his briefing and extend a very special thanks to Ms. Farsakh and Ms. Rothbart. They show us the pivotal work that young women are doing day in, day out, as agents of change. We are very glad that they are with us today and we have heard their voices. In my view, it is their generation and perhaps their gender that hold the key to a brighter future for both Palestine and Israel.

I thank Ms. Farsakh for setting out the ongoing and worrying impact of settlements and related issues on the Palestinian population, which registered with us. I also thank Ms. Rothbart, whose work on capacity-building for strategic, sustainable and scalable peace efforts on the ground has given all of us here in the Council very useful insights and, in my case, some hope.

Ireland remains steadfast in its view that a two-State solution offers the strongest prospect for sustainable peace. Ongoing contacts between the parties and within the region are welcome, but they are no substitute for direct negotiations as part of a wider political process.

Today, we have heard another deeply concerning briefing from Special Coordinator Wennesland on the implementation of resolution 2334 (2016). Once again, his report reminds us that settlements remain a major obstacle on the path to peace. I reiterate Ireland's long-standing condemnation of illegal Israeli settlements in the occupied Palestinian territory.

Ireland is extremely concerned at the increase in demolitions, evictions and seizures of Palestinian-owned structures in the West Bank, including East Jerusalem. We call on the Israeli authorities to cease those activities and to provide adequate permits for legal construction in Palestinian communities, as well as for the development of Palestinian territories. In particular, I wish to clearly underline our serious concerns about the recent increase in the number of Palestinian families at risk of eviction in Sheikh Jarrah and Silwan. That remains of serious concern. We again underscore the importance of maintaining the status quo at the holy sites, in particular at Haram Al-Sharif/ Temple Mount.

Let us be clear — acts of violence, including rocket attacks from Gaza into Israel, continue to erode trust between the parties and trust within their own communities. All of that adds up to making a political settlement more difficult to achieve. Ireland condemns all acts of terrorism.

We are concerned about the increase in violence in the occupied Palestinian territory. We unreservedly condemn yesterday's incidence of settler violence in the South Hebron Hills, in which a young child was seriously injured. We call on the Israeli authorities to hold those responsible accountable and to end the culture of impunity around all such incidents of violence. We call out, in particular, the devastating impact of the occupation and violence on children, as we just heard from Mr. Wennesland.

We remind all the parties of their obligations under international human rights law and international humanitarian law. We call on the Government of Israel and the Palestinian Authority to use their influence and authority to reduce tensions, prevent violence and contribute to the resolution of long-standing issues.

Once again, we renew our call on Israel to end the blockade of Gaza. We welcome the decision by Israel to allow more reconstruction material to enter Gaza, its expansion of the fishing area and provision of more work permits for residents of Gaza. However, that is the

minimum we need to see to help Gaza residents on the path to recovery.

As we all know, Gaza remains far removed from normal economic activity and the situation there will continue to pose challenges, including a deepening humanitarian crisis, until the underlying issues are addressed. Ireland reiterates its view that it is incumbent on the Council, the Quartet, partners in the region and the international community to uphold international law and remain fully engaged in working to resolve the

Israel-Palestinian conflict. The time for that has long passed; we cannot simply afford to wait.

I now resume my functions as President of the Council.

There are no more names inscribed on the list of speakers. I shall now adjourn the meeting so that the Council can continue its discussions on the subject in closed consultations.

The meeting rose at 12.05 p.m.



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Implementation of Security Council resolution 2334 (2016)

Report of the Secretary-General

I. Introduction

1. The present report is the twentieth quarterly report on the implementation of Security Council resolution 2334 (2016). The reporting period is from 29 September to 9 December 2021.

II. Settlement activities

2. In its resolution 2334 (2016), the Security Council reaffirmed that the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, had no legal validity and constituted a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace. In the same resolution, the Council reiterated its demand that Israel immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem, and that it fully respect all of its legal obligations in that regard. No such steps were taken during the reporting period.

3. On 4 and 18 October and 8 November, the Civil Administration of Israel held discussions on objections to two settlement housing plans for a total of nearly 3,500 units in the strategic E1 area in the occupied West Bank. If the objections are rejected, the plans will be two steps short of final approval. If implemented, the plans would sever the connection between the northern and southern parts of the occupied West Bank, hindering the possibility of establishing a viable and contiguous Palestinian State.

4. In mid-October, construction of a new residential compound in the Jewish settlement in Hebron began. The project, totalling 31 housing units, was approved and budgeted by previous Governments of Israel and is the first new construction project in the settlement in over a decade.

5. On 24 October, the Israel Land Authority announced tenders for some 1,350 settlement housing units. About half are in the settlement of Ari'el, at the heart of the northern West Bank, and would significantly expand the built-up residential area westwards, with serious implications for future Palestinian development in the area. The announcement included the reissuance of tenders from January for some 80 units in the settlement of Giv'at Hamatos in occupied East Jerusalem. Construction in this



area would further consolidate the ring of settlements, potentially severing the link between East Jerusalem and Bethlehem.

6. On 27 October, the High Planning Committee of Israel advanced plans for 3,100 housing units in Area C, some located in outlying settlements, including 600 units in Eli, 300 in Bracha and 200 in Talmon in the West Bank.

7. On 28 October and 1 November, Israeli authorities advanced plans for 6,000 housing units for Palestinians in the occupied East Jerusalem neighbourhood of Issawiya and 1,300 housing units for Palestinians in Area C.

8. At a session held on 6 December, the Jerusalem District Planning Committee discussed a controversial plan for some 9,000 housing units in Atarut, near Qalandiya, between Jerusalem and Ramallah. Following the session, during which representatives from several government ministries presented opposing views on the plan, the Committee stated that, while the plan would utilize unused land reserves in an appropriate manner, it could not be advanced before the completion of an environmental impact survey, which is expected to delay the advancement process by roughly one year.

9. During the reporting period, demolitions and seizures of Palestinian-owned structures continued across the occupied West Bank, including East Jerusalem. Citing the absence of Israeli-issued building permits, which remain almost impossible for Palestinians to obtain, Israeli authorities demolished, seized or forced people to demolish 166 structures, resulting in the displacement of 106 people, including 44 children and 34 women, and leaving 5,495 others affected.

10. A total of 56 per cent of the structures were demolished or seized with no or very short prior notice based on military order 1797, which authorizes an expedited process for the demolition of unauthorized “new structures” in Area C and gives owners 96 hours to demonstrate possession of a valid building permit. Another 20 structures were demolished by their owners following receipt of demolition orders. A total of 30 structures demolished or seized were donor-funded.

11. On 29 September, the High Court of Justice of Israel granted a request by the State of Israel to postpone to March 2022 its response to a petition to implement eviction orders against the Bedouin village of Khan al-Ahmar in Area C. In the request, the coronavirus disease (COVID-19) pandemic and the “current diplomatic-security situation” were cited as reasons for the postponement, and it was added that there had been “significant progress” towards an agreement to avoid demolition.

12. On 25 October, in Hammat al-Maleh, in the northern Jordan Valley, Israeli authorities confiscated structures, including a classroom and a medical clinic serving five adjacent Bedouin and herder communities. Some 50 children were affected.

13. Overall, in occupied East Jerusalem, at least 218 Palestinian households comprising 970 people, including 278 women and 424 children, are subject to eviction cases in Israeli courts. Most cases were initiated by Israeli settler organizations and are based on the application of Israeli laws that allow for properties in East Jerusalem that were owned by Jews prior to 1948 to be reclaimed. No similar law allows Palestinians to reclaim their property in Israel.

14. On 4 October, the Supreme Court of Israel presented a proposal to four Palestinian families who were seeking to appeal a lower court ruling authorizing their eviction from their homes in the East Jerusalem neighbourhood of Shaykh Jarrah. The proposal would postpone their eviction, while requiring them to pay nominal annual rent to the settler corporation seeking to evict them. The Court specified that the agreement would not prejudice ongoing legal proceedings to determine ownership of the properties, but until a legal determination is made, the Palestinians would be

recognized as protected tenants and the settlers as owners of the plots. The four families rejected the Court's proposal on 2 November, while the settler corporation also reportedly raised reservations. The Court had previously announced that, if the parties did not accept its proposal, it would issue a ruling on the pending appeal of the Palestinian families.

15. On 28 November, the Jerusalem District Court rejected an appeal against the demolition orders issued against 58 homes, affecting around 500 people, in the Silwan neighbourhood of East Jerusalem, placing them at risk of demolition and eviction.

III. Violence against civilians, including acts of terror

16. In its resolution 2334 (2016), the Security Council called for immediate steps to prevent all acts of violence against civilians, including acts of terror, as well as all acts of provocation and destruction, called for accountability in that regard and called for compliance with obligations under international law for the strengthening of ongoing efforts to combat terrorism, including through existing security coordination, and to clearly condemn all acts of terrorism.

17. The reporting period was characterized by daily violence throughout the occupied Palestinian territory, including clashes between Palestinians and Israeli security forces, high levels of settler-related violence, attacks and alleged attacks by Palestinians against Israelis and the use of lethal force by Israeli security forces against Palestinians.

18. Overall, throughout the reporting period, 10 Palestinians, including one woman and 4 children, were killed by Israeli security forces during demonstrations, clashes, search-and-arrest operations and other incidents across the occupied Palestinian territory, and 1,085 Palestinians, including five women and 141 children, were injured, including 16 by live ammunition and 830 by tear gas. In addition, 34 Palestinians were injured by Israeli settlers or other civilians, who also perpetrated 104 attacks resulting in damage to Palestinian property. In total, 1 Israeli civilian was killed and 31 Israelis – 26 civilians and five members of Israeli security forces – were injured by Palestinians in clashes, shooting, stabbing and ramming attacks, as well as incidents involving the throwing of stones and Molotov cocktails and other incidents.

19. Israeli forces conducted 114 search-and-arrest operations, resulting in 510 Palestinians arrested, including 36 children. Many children reported ill-treatment and breaches of due process by Israeli forces while in detention, with some reporting physical violence. On 23 November, the Israel Security Agency announced that it had exposed a network of some 50 Hamas operatives in the West Bank who, according to the Israeli authorities, were preparing attacks against Israelis.

20. Near nightly confrontations between Palestinians and Israeli security forces and Israeli civilians, including settlers, occurred around Damascus Gate in October, as Israeli forces fired tear gas canisters, stun grenades, rubber bullets and skunk water, while Palestinians threw stones and other objects. Some 64 of the total Palestinian injuries over the reporting period occurred in the context of these events. On 9 October alone, 17 Palestinians were injured by rubber-coated bullets and stun grenades fired by Israeli forces, while one Israeli police officer and one Israeli child were injured by stone-throwing.

21. Across the occupied West Bank, clashes between Israeli forces and Palestinians continued. On 5 November, a 13-year-old Palestinian child from Nablus was shot and killed by Israeli forces during a clash near the Elon More settlement, east of Nablus. About 842 Palestinians were injured, including 1 by live ammunition, 133 by rubber-coated metal bullets and 708 by tear gas, in clashes that took place during the weekly

demonstrations against settlements in and around Bayta and Bayt Dajan in Nablus Governorate, and Kafr Qaddum, near Qalqilyah.

22. On 30 September in the Old City of Jerusalem, a Palestinian woman allegedly tried to stab Israeli police officers, who shot and killed her. On the same day, Israeli forces shot and killed a Palestinian man in the village of Birqin in the northern West Bank. Israeli forces said that the man had fired at Israeli soldiers as they were conducting an arrest operation. Palestinian Islamic Jihad claimed him as one of their members.

23. On 14 October, Israeli forces shot and killed a 14-year-old Palestinian boy and wounded another after they allegedly threw Molotov cocktails at civilian vehicles west of Bethlehem. On the same day, a Palestinian man drove his vehicle into an Israeli soldier and injured him near the Qalandiya checkpoint. Israeli forces fired on the vehicle and injured and arrested the driver.

24. On 16 November, Israeli forces shot and killed a Palestinian man during a search operation and subsequent clashes in Tubas. Israeli authorities stated that Palestinians had fired shots and thrown an improvised explosive device towards Israeli soldiers, who had returned fire. Palestinian Islamic Jihad claimed the man as one of its members.

25. On 17 November, a 16-year-old Palestinian stabbed and injured two Israeli security forces personnel in the Old City of Jerusalem. He was subsequently shot – first by an Israeli civilian, believed to be a settler, and then by Israeli security forces – and killed. According to eyewitness accounts, the perpetrator was being restrained by the Israeli security forces when he was first shot by the civilian, while Israeli police stated that they were struggling with the boy when he was shot. The civilian has not been arrested.

26. On 21 November, a Palestinian man shot and killed an Israeli civilian and injured two others in the Old City of Jerusalem. Israeli forces killed the attacker. Two Israeli security personnel were also lightly injured in the incident. Hamas claimed the attacker as a member of its political wing.

27. On 4 December, a Palestinian man attacked an Israeli civilian and a police officer with a knife in the Old City of Jerusalem and was killed after being shot multiple times by Israeli security forces. Footage shows the man being shot and subdued on the ground before Israeli forces shot him twice again, apparently killing him.

28. On 6 December, a 15-year-old Palestinian boy reportedly carried out a car-ramming attack against Israeli security forces at the Jubara checkpoint near Tulkarm and was subsequently shot and killed by the security forces. An Israeli security forces officer was seriously injured in the incident.

29. On 8 December, a 14-year-old Palestinian girl reportedly stabbed and injured an Israeli civilian woman in the Shaykh Jarrah neighbourhood of East Jerusalem. The girl and her female friend were arrested and are currently in detention. Both have denied all charges.

30. Settler violence and violence between Palestinians and Israeli settlers and other civilians in the occupied West Bank, including East Jerusalem, intensified during the reporting period in the context of the annual olive harvest and continued settlement expansion.

31. On 28 September, some 70 Israeli settlers attacked the Palestinian villages of Um Faggarah, Rakeez, and Tuwani in the south Hebron hills. A total of eight Palestinians were injured, including a three-year-old child, who suffered a critical head injury. The settlers also killed livestock and damaged homes and infrastructure.

In related clashes, 20 Palestinians and one Israeli soldier were injured. The Minister for Foreign Affairs of Israel, Yair Lapid, condemned the attack and said that Israel had “a responsibility to bring [the attackers] to justice”. Israeli authorities arrested at least six Israelis in relation to the incident, as well as three Palestinians. While four of the Israelis were released on 1 October, two Israeli children, a 15-year-old and a 17-year-old, were indicted on 21 October for participating in the attack.

32. Many settler-related incidents were recorded in relation to the annual olive harvest. Since the start of the harvest season on 4 October, at least 38 incidents have been recorded, in which 11 Palestinian harvesters were injured, and over 3,300 olive trees were damaged or had their harvest stolen. Harassment, theft and vandalism were also reported. Some Palestinian farmers also faced challenges in accessing olive groves located behind the separation barrier or in the vicinity of settlements, which requires Israeli approval.

33. On 28 September, Israelis from the Yitzhar settlement attacked employees of the International Committee of the Red Cross with pepper spray during a visit by the Committee to olive groves in Burin, south of Nablus. Israeli forces subsequently provided an escort and first aid. Israeli police have launched an investigation.

34. On 10 November, Israeli settlers erected a tent in Khalleyt Athaba’ in southern Hebron. Although Israeli forces dismantled the tent, settlers returned to erect it again and Palestinians reportedly threw stones at them. The settlers shot live ammunition at the Palestinians and set a Palestinian tent on fire. Five Palestinians were injured, and five Palestinian vehicles, including two ambulances, sustained damage.

35. Between 16 and 28 November, Israeli security forces and armed settlers repeatedly attacked Palestinian school students and residents in Lubban al-Sharqiyah, Nablus. The attacks included physical assaults and the use of stun grenades, tear gas and rubber-coated metal bullets. At least 83 Palestinians, including 75 students, were injured.

36. On 24 November, a Palestinian man and his 10-year-old son were injured near Al-Mughayer as three men in an oncoming car, who, according to witnesses, appeared to be settlers, threw a large object towards their vehicle, which subsequently overturned. As at 9 December, the man remained in a coma. The incident is under investigation.

37. In Gaza, on 30 September, Israeli forces shot and killed a Palestinian man near the perimeter fence. The Israel Defense Forces stated that he had been carrying a suspicious bag, but relatives of the man disputed this, saying that he was hunting.

38. In Ramallah, 10 hearings were held in the trial against 14 members of Preventive Security Forces accused of killing the critic of the Palestinian Authority and former parliamentary candidate, Nizar Banat.

39. On 22 October, the Ministry of Defence of Israel announced the designation of six Palestinian non-governmental organizations (NGOs) as terrorist organizations. It subsequently accused them of constituting “an inseparable arm” of the Popular Front for the Liberation of Palestine, and the Israel Defense Forces subsequently extended the applicability of the designations to the occupied West Bank through military orders on 7 November. According to Israeli legislation, members of a designated terror organization or any individual who provides material or other support could be criminally prosecuted and imprisoned.

IV. Incitement, provocations and inflammatory rhetoric

40. In its resolution [2334 \(2016\)](#), the Security Council called upon both parties to act on the basis of international law, including international humanitarian law, and their previous agreements and obligations, to observe calm and restraint and to refrain from provocative actions, incitement and inflammatory rhetoric, with the aim, inter alia, of de-escalating the situation on the ground, rebuilding trust and confidence, demonstrating through policies and actions a genuine commitment to the two-State solution and creating the conditions necessary for promoting peace.

41. On 5 October, tensions in the Old City of Jerusalem escalated after the Jerusalem Magistrate Court granted the appeal of a Jewish Israeli who was expelled from the Holy Esplanade for praying there. The decision was condemned by Palestinian, Muslim and Christian leaders and by countries in the region as a violation of the status quo. Israeli police appealed the decision to the Jerusalem District Court, which swiftly reversed the Magistrate Court's decision on 8 October, reinstating the appellant's temporary visitor ban. In response, the Minister of Public Security of Israel reiterated that "the status quo must be observed", adding that any change to the existing arrangements "would endanger public safety and could cause a flare-up". Tensions escalated further after Israeli authorities began construction work on a public park near the Yusufiya Islamic cemetery adjacent to the Old City, in particular after human remains were unearthed on 10 October. A petition by the Islamic Waqf to stop the construction was rejected by an Israeli court on 25 October and the work resumed.

42. Some Palestinian Authority and Fatah officials made remarks denying the Jewish connection to Jerusalem or its holy sites. Fatah social media pages and some Palestinian Authority and Palestine Liberation Organization officials continued to glorify perpetrators of attacks against Israeli civilians. Hamas welcomed and celebrated attacks, including a shooting in the Old City in which an Israeli civilian was killed.

43. Some Israeli officials made racist statements against Arabs and Palestinians. One member of the Knesset repeatedly called Israeli Arab members of the Knesset "terrorists", using derogatory language, and separately threatened to ascend to the holy sites with an Israeli flag. Another member of the Knesset called members of the Knesset from the predominantly Arab joint list "enemies" and "terror supporters" and said that they were in Israel "by mistake" because the first Prime Minister of Israel "did not finish the job and did not throw [Israeli Arabs] out in 1948".

V. Affirmative steps to reverse negative trends

44. In its resolution [2334 \(2016\)](#), the Security Council called for affirmative steps to be taken immediately to reverse the negative trends on the ground that were imperilling the two-State solution. Negative trends persist, despite some positive developments during the reporting period.

45. On 17 November, the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians met in Oslo at the ministerial level and addressed the fiscal crisis facing the Palestinian Authority, the humanitarian and development situation, the need to maintain the fragile calm in Gaza and the fragility across the occupied Palestinian territory. As expressed in the Chair's summary, the meeting called for support for a package of recommended steps for the parties and the donor community focused, inter alia, on progress on outstanding fiscal files and economic and fiscal reforms, as well as other measures such as enhanced trade and the movement of persons and workers, aimed at boosting the Palestinian economy. As Chair of the Committee, the Minister for Foreign Affairs of Norway welcomed the

“practical attitude” during the meeting, while urging participants to “translate this attitude into real change”.

46. At the same time, stepped-up engagement between some senior Israeli and Palestinian officials continued. On 4 October, the President of the State of Palestine, Mahmoud Abbas, met with two Israeli ministers (the Minister of Health, Nitzan Horowitz, and the Minister for Regional Cooperation, Isawi Frej) and a member of the Knesset from the Meretz party. The Minister of Finance of the State of Palestine and Mr. Frej met on 16 November in connection with the meeting of the Ad Hoc Liaison Committee. Additional interministerial contacts also continued, including technical-level discussions about a meeting of the Joint Economic Committee, expected to take place early in 2022.

47. The entry of goods and material into Gaza increased compared with the previous reporting period. Volumes of imports for October and November through the Kerem Shalom crossing were 10 per cent higher than the monthly average before the escalation in May, with the share of construction material increasing significantly. Similarly, import volumes through the Rafah crossing also reached one of the highest levels since the beginning of the year. Exports from Kerem Shalom, however, recorded a decrease of 9 per cent over the average monthly exports in the previous reporting period.

48. Following the destruction resulting from the escalation in May, about 8,500 internally displaced people in Gaza remain with host families or in rented accommodation. To date, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and the United Nations Development Programme have provided transitional shelter cash assistance to about 1,500 households.

49. The United Nations has launched reconstruction efforts for severely damaged housing units, but around 13,000 partially damaged units are still in need of urgent repair. Preparations for the reconstruction of around 1,000 of the 1,600 totally destroyed homes have begun with assistance from Qatar and after the lifting of some restrictions on the entry of construction materials by Israeli authorities.

50. In October, Israeli authorities announced that the total number of permits for Gaza traders would be expanded to 10,000, the highest number in years. To date, around 9,000 have been issued. On 7 November, for the first time, 500 permits were announced for Palestinians in the West Bank working in the high-technology sector. On 19 October, Israel also announced the approval of West Bank residency status for 4,000 Palestinians.

51. During the reporting period, the approval rate for permits for patients from Gaza requiring medical referrals for treatment outside the Gaza Strip reached a three-year low, with just 54 per cent of applications approved in September and 61 per cent in October.

52. On 19 October, to mark the twenty-first anniversary of the adoption of Security Council resolution [1325 \(2000\)](#), the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), in partnership with the General Union of Palestinian Women, brought together Palestinian women and young people in Gaza for a national dialogue on women and peace and security. The event served as a platform for Palestinian women and the international community to reflect on the implementation of the resolution in the occupied Palestinian territory. Participants highlighted the vital role that Palestinian women can play in national reconciliation and peacebuilding processes.

53. On 5 November, Israel began to provide water to Gaza through the new Bani Sa'id connection point, allowing it to increase the amount of water that it sells to

Gaza by 5 million cubic meters per year, as agreed between the parties. The increase in the supply of potable water will reduce the pressure to dig new wells into the aquifer, as well as improve the average quality of the water provided through the municipal water network.

54. In November 2021, for the second consecutive year, UNRWA ran out of funds to sustain its essential services until the end of the year. At the international ministerial conference co-hosted by Jordan and Sweden on 16 November, additional funds were pledged, leaving a \$60 million shortfall to cover all services until the end of the year. Consequently, UNRWA was compelled to defer the payment of November salaries to over 28,000 United Nations teachers, doctors, nurses and other staff until 8 December. UNRWA currently lacks the funds to cover its operations in December and will also carry over important liabilities into 2022, further worsening its financial situation.

55. The Central Election Commission of Palestine finalized preparations to conduct the first phase of local council elections in the occupied West Bank. On 11 December, Palestinians voted in competitive elections for 165 local councils in communities with populations between 4,000 and 8,000 people.

VI. Efforts by the parties and the international community to advance the peace process and other relevant developments

56. In its resolution [2334 \(2016\)](#), the Security Council called upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967.

57. On 16 November, the Government of Belgium agreed that future treaties between Belgium and Israel would contain the European Union territorial clause stipulating that the treaties do not apply to territories brought under Israeli control after 1967. It also agreed, inter alia, that it would tighten controls on goods entering from Israel with a view to determining whether they could be treated preferentially or not, on the basis of European Union trade agreements with Israel, depending upon their place of origin.

58. On 6 December, the European Union and Israel concluded an agreement associating Israel to Horizon Europe, the European Union flagship programme for research and innovation. The agreement replicates a provision from the previous European Union-Israel association agreement (2014–2020), in which it is stated, inter alia, that “in accordance with European Union policy, this agreement shall not apply to the geographic areas that came under the administration of the State of Israel after 5 June 1967”.

59. In its resolution [2334 \(2016\)](#), the Security Council called upon all parties to continue, in the interest of the promotion of peace and security, to exert collective efforts to launch credible negotiations on all final status issues in the Middle East peace process and within the time frame specified by the Quartet in its statement of 21 September 2010. The Council urged in that regard the intensification and acceleration of international and regional diplomatic efforts and support aimed at achieving, without delay, a comprehensive, just and lasting peace in the Middle East on the basis of the relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet Road Map, and an end to the Israeli occupation that began in 1967. The Council underlined that it would not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations.

60. On 14 October, the Middle East Quartet envoys, from the European Union, the Russian Federation, the United States of America and the United Nations, held their regular virtual monthly meeting. On 17 November, they met on the margins of the meeting of the Ad Hoc Liaison Committee in Oslo. In a joint statement, the Quartet expressed its concern regarding negative developments across the occupied Palestinian territory, including ongoing acts of violence in the West Bank, the advancement of new settlement units, the untenable fiscal crisis within the Palestinian Authority and threats of violence from the Gaza Strip. The Quartet also highlighted the need to take constructive steps to advance a two-State solution and called on all parties to help to address the current urgent challenges through fiscal and other reforms, as well as by avoiding unilateral steps that exacerbate tensions and undermine the prospects for peace.

VII. Observations

61. I remain deeply concerned by the significant acceleration of Israeli settlement expansion in the occupied West Bank, including East Jerusalem, and by the continued consideration and advancement by Israel of plans that had been frozen or delayed for years in highly controversial areas that are crucial for the contiguity of a future Palestinian State, including the E1 area, Atarut and Giv'at Hamatos. Settlements further entrench the Israeli occupation, undermine the legitimate right of the Palestinian people to self-determination and sovereignty, encroach on Palestinian land and natural resources, hamper the free movement of the Palestinian people and increase the risk of violent confrontation.

62. The promotion of plans and tenders for housing units in settlements continued during 2021. While the number of plans advanced in Area C declined in 2021 for a second year in a row, with a total of 4,000 housing units – a sharp drop from the 8,400 units advanced in 2020 – the number of tenders announced in 2021 spiked to 3,300, nearly double that of 2020. In East Jerusalem settlements, the number of housing units advanced also declined for a second year, from some 700 units in 2020 to 550 in 2021. However, the strategically located Har Homa E plan was advanced and, if implemented, would help to create a contiguous built-up area of Israeli settlements along the southern perimeter of occupied East Jerusalem. Similarly, the announcement of tenders for East Jerusalem settlements declined sharply in 2021 to some 300 units, compared with 1,700 in 2020, but 80 were in the sensitive area of Giv'at Hamatos.

63. I call on Israel to put a stop to all settlement activities immediately. Israeli settlements in the occupied West Bank, including East Jerusalem, have no legal validity and constitute a flagrant violation of international law and United Nations resolutions. They undermine the prospect of achieving a two-State solution by systematically eroding the possibility of establishing a contiguous, independent, sovereign and viable Palestinian State.

64. I am extremely concerned by the significant rise in settler-related violence against Palestinians and their property. In 2021, settler violence resulting in injury and/or property damage reached its highest level since 2017. So far in 2021, 5 Palestinians have been killed by live ammunition by settlers, while 583 have been injured in settler-related violent incidents, the highest figure recorded in five years. I am particularly disturbed by reports of armed settlers carrying out attacks inside Palestinian communities, sometimes in the proximity of Israeli security forces, and of Israeli forces attacking Palestinians alongside settlers. Settlers are rarely held accountable for these attacks, increasing the level of threat to Palestinians and their property. Attacks continue despite reports of some steps being taken by the Israeli

authorities to address the issue. Israel, as the occupying power, has an obligation to protect Palestinians and their property there.

65. I remain deeply concerned by the continued demolitions and seizures of Palestinian structures, which have included internationally funded humanitarian projects. For the second consecutive year, demolitions are approaching the worrying level of 2016, which was the highest since the United Nations began systematically recording them in 2009. As at 6 December, the Israeli authorities had demolished 835 Palestinian structures for lack of building permits in the occupied West Bank, including East Jerusalem. In 2020, and now in 2021, there was a 40 per cent increase over the average annual rates of demolition over the past decade. The number of people displaced so far in 2021 is 1,044, the highest since 2016. Israeli authorities are increasingly using military orders in Area C to execute demolitions or confiscations without, or with very little, prior notice, further limiting opportunities for legal recourse. In 2021, 56 per cent of the structures demolished or confiscated were the result of military orders, compared with approximately 30 per cent between 2018 and 2020.

66. I welcome the advancement of plans for some housing units for Palestinians in the occupied East Jerusalem neighbourhood of Issawiya and in Area C, which include some pre-existing units that will no longer be subject to demolition. I urge Israel to continue to regularly advance such plans and to issue building permits for all previously approved plans for Palestinians in Area C and East Jerusalem to help to meet critical housing needs.

67. I remain disturbed by the possible eviction of some Palestinian families from their homes in the Shaykh Jarrah and Silwan neighbourhoods of occupied East Jerusalem. I call on the Israeli authorities to end the demolition of Palestinian property and the eviction and displacement of Palestinians, in line with the country's obligations under international humanitarian and international human rights law and to approve plans that would enable those communities to build legally and address their development needs. Demolitions and forced evictions entail numerous human rights violations and raise concerns about the risk of forcible transfer.

68. I remain gravely concerned by the continuing violence, terrorist attacks and incitement to violence against civilians, which exacerbate mistrust and undermine a peaceful resolution to the conflict. I reiterate that the violence must stop, and all perpetrators must be held accountable.

69. I am particularly appalled that children continue to be victims of violence, arrested in large numbers and held for prolonged periods of time, including in military detention. So far in 2021, at least 341 Palestinian children have been arrested in the occupied West Bank, including East Jerusalem – more than double the number in the same period in 2020. Equally disturbing is the fact that many of these children report persistent patterns of ill-treatment during arrest and detention as well as lack of due process. I reiterate my call for Israel to uphold international juvenile justice standards, including the use of detention as a measure of last resort and for the shortest appropriate period of time, and to end the administrative detention of children and prevent all forms of ill-treatment in detention. I reiterate that children must never be the target of violence or put in harm's way.

70. I am troubled that there are serious concerns that Israeli security forces use disproportionate and excessive force against Palestinians, in particular by using live ammunition, resulting in deaths and injuries. In 2021, in the occupied West Bank, including East Jerusalem, Israeli security forces killed 72 Palestinians, including 17 children, and injured at least 1,047 others with live ammunition compared with 23 Palestinians killed and 154 injured by live ammunition in 2020. The spike notably occurred in the context of increased clashes during the period comprising the

escalation in Gaza in May. I reiterate that security forces must exercise maximum restraint and use lethal force only as a last resort, when it is strictly unavoidable, in order to protect life. Israel must carry out thorough, independent, impartial and prompt investigations into all instances of possible excessive use of force.

71. The fate of two Israeli civilians and the bodies of two Israel Defense Forces soldiers held by Hamas in Gaza remain an important humanitarian concern. I call on Hamas to provide information on their status, as required by international humanitarian law.

72. I also remain concerned by the continued Israeli practice of holding the bodies of killed Palestinians, totalling 91, including 1 woman and at least 9 children. I call on Israel to return withheld bodies to their families, in line with its obligations under international humanitarian law.

73. I remain concerned by the multiple instances in which officials used dangerous and hateful rhetoric with the potential to raise tension and spark violence. Terrorism, violence and incitement must be clearly condemned and unequivocally rejected by all, never celebrated or amplified.

74. I reiterate the call for the status quo at the holy sites in Jerusalem to be upheld in line with the special and historic role of Jordan as custodian of the Muslim and Christian holy sites in Jerusalem.

75. I am concerned about the shrinking space for civil society in Israel and the occupied Palestinian territory. Israel designated six Palestinian NGOs as terrorist organizations, several of which receive a significant portion of their funding from Member States. The legal implications of the designation are wide-ranging and add to increasing pressures on civil society organizations across the occupied Palestinian territory. Since the Israeli announcement, the United Nations has continued to engage with Israeli authorities, the designated NGOs and donors to obtain more information about the allegations and their implications.

76. I am also concerned by the increase in restrictions by Israel and the Palestinian Authority on the rights to freedom of expression, peaceful assembly and association. So far in 2021, Israeli security forces have arrested 64 people in relation to the exercise of those rights, including 19 human rights defenders. This raises serious concerns of arbitrary detention. In occupied East Jerusalem, organizations were searched or closed, and events prevented from taking place on the basis of allegedly conducting activities sponsored by the Palestinian Authority, an act criminalized under Israeli law. Meanwhile, Palestinian security forces have detained at least 101 people, including 10 women, seemingly in relation to their exercise of freedom of peaceful assembly, expression and association; the number also includes at least 11 human rights defenders, 4 of whom are women. The Israeli and Palestinian authorities have an obligation to respect freedom of expression, association and assembly and to facilitate and promote an enabling environment for civil society to function in the occupied Palestinian territory without discrimination.

77. I note that, while the trial for the killing of Nizar Banat is ongoing, members of his family have been subjected to threats, house raids, arrest and detention, raising concerns that they are being intimidated. I appeal to the Palestinian authorities to ensure the protection of members of the Banat family and of witnesses in the case. I call on the Palestinian authorities to put in place measures to ensure that freedom of expression is protected.

78. The deterioration of the security and socioeconomic situation across the occupied Palestinian territory is worrying. It is essential that the parties avoid unilateral steps, reduce flashpoints and violence across the occupied Palestinian territory, solidify the cessation of hostilities and support economic development in

the Gaza Strip. Concerted efforts by the parties are required to maintain calm, strengthen Palestinian institutions and restore hope, or there is a risk of plunging into another deadly escalation of violence.

79. The Palestinian Authority is facing a financial crisis. Economic figures for 2020 and forecasts for 2021 and beyond demonstrate the gravity of the situation. In 2020, per capita gross domestic product declined by 13.5 per cent in the occupied West Bank and by 15 per cent in the Gaza Strip. I was encouraged by the engagement between Israeli and Palestinian officials, including at the meeting of the Ad Hoc Liaison Committee in Oslo. However, more significant steps by all parties are urgently needed to shore up the economic and institutional stability of the Palestinian Authority, including through the implementation of necessary reforms.

80. I urge Member States to continue and to increase their valuable support to UNRWA to safeguard access to critical basic services for the millions of refugees serviced by the Agency. UNRWA remains indispensable for regional stability and must have the resources necessary to fulfil its mandate.

81. I note that the security situation in Gaza remains fragile. For any durable stability, movement into and out of, and access to and from, Gaza must be further improved, including access for Palestinian workers to the Israeli labour market and supply lines of medical goods, relevant equipment and materials, while taking into account security concerns in line with Security Council resolution 1860 (2009). Only by fully ending the debilitating closures in line with the resolution can there be hope that the humanitarian crisis will be sustainably resolved. I reiterate that the Gaza Reconstruction Mechanism remains best placed to enable the entry and accountable delivery of items and materials for projects and private sector development. While constructive measures initiated during the reporting period are encouraging and welcome, further steps are required to meet the needs in Gaza.

82. It is critical that Egyptian-led intra-Palestinian reconciliation efforts continue. The United Nations stands firm in its support for the efforts of Egypt in this regard. I call on all Palestinian factions to redouble efforts to ensure the reunification of Gaza and the West Bank, including East Jerusalem, under a single, democratic, national government. Gaza is, and must remain, an integral part of a future Palestinian State as part of a two-State solution.

83. It is essential to follow through on verbal commitments with concrete actions that will demonstrate the collective resolve to achieve a two-State solution. I urge Israelis, Palestinians, regional States and the broader international community to take practical steps that will enable a return to the path leading towards meaningful negotiations and, ultimately, peace. The Special Coordinator for the Middle East Peace Process is actively engaged in advancing these efforts with his counterparts in the Middle East Quartet, key regional partners and Israeli and Palestinian leaders.

84. I remain committed to supporting Palestinians and Israelis in resolving the conflict and ending the occupation in line with relevant United Nations resolutions, international law and bilateral agreements in pursuit of achieving the vision of two States – Israel and an independent, democratic, contiguous, viable and sovereign Palestinian State – living side by side in peace and security within secure and recognized borders, on the basis of the pre-1967 lines, with Jerusalem as the shared capital of both States.

85. I express my deep appreciation to the Special Coordinator, Tor Wennesland, for his outstanding service in what remains a challenging context. I also pay tribute to all staff working under difficult circumstances in the service of the United Nations.



Security Council

Seventy-seventh year

9000th meeting

Tuesday, 22 March 2022, 10 a.m.

New York

Provisional

President: Mrs. Nusseibeh (United Arab Emirates)

Members:

Albania	Mr. Hoxha
Brazil	Mr. De Almeida Filho
China	Mr. Zhang Jun
France	Mr. De Rivière
Gabon	Mr. Biang
Ghana	Mr. Agyeman
India	Mr. Tirumurti
Ireland	Mr. Gallagher
Kenya	Mr. Kiboino
Mexico	Mr. De la Fuente Ramírez
Norway	Ms. Juul
Russian Federation	Mr. Polyanskiy
United Kingdom of Great Britain and Northern Ireland . .	Dame Barbara Woodward
United States of America	Mrs. Thomas-Greenfield

Agenda

The situation in the Middle East, including the Palestinian question

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The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President (*spoke in Arabic*): In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Tor Wennesland, Special Coordinator for the Middle East Peace Process, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I now give the floor to Mr. Wennesland.

Mr. Wennesland: On behalf of the Secretary-General, I will devote this briefing to presenting his twenty-first report on the implementation of resolution 2334 (2016), covering the period from 10 December to 18 March.

Resolution 2334 (2016) calls on Israel to immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem, and to fully respect all its legal obligations in that regard. No such steps were taken.

On 5 January, Israeli authorities published tenders for some 300 settlement housing units in East Talpiot neighbourhood in East Jerusalem.

On 10 and 24 January, the Jerusalem District Planning Committee advanced plans to build some 800 and 400 housing units, respectively, in the East Jerusalem settlement of Gilo.

On 17 January, the same committee advanced a plan for some 1,200 housing units next to Ramat Rachel, in the southern Jerusalem area, a significant number of which are intended to be constructed in East Jerusalem.

On 1 February, following an official land survey, Israel's Attorney-General published a legal opinion allowing authorities to declare land in the outpost of Evyatar as State land and authorizing accelerated planning procedures for the establishment of a settlement there.

On 28 February, the Jerusalem District Planning Committee advanced a plan for some 700 housing units in the East Jerusalem settlement of Pisgat Ze'ev.

Demolitions and seizure of Palestinian structures continued across the occupied West Bank, including East Jerusalem. Citing the absence of Israeli-issued building permits, which are almost impossible for Palestinians to obtain, 216 structures were demolished or seized by Israeli authorities, or demolished by their owners to avoid costly Israeli demolition fees. Those actions displaced 299 people, including 138 children and 76 women. Of the structures that were demolished or seized, 37 were donor-funded.

In an effort to reduce tension, Israeli authorities reportedly decided to freeze most demolitions in East Jerusalem before and during the month of Ramadan. Tensions were high in the East Jerusalem neighbourhood of Sheikh Jarrah in the run-up to 19 January, when Israeli forces evicted a Palestinian family and demolished their home. Twelve Palestinians were displaced, including two children and three women, with several arrests reported.

The Israeli authorities stated that the demolition was undertaken to build a special-needs school to serve Palestinian children. Tensions mounted further in February over the potential eviction by Israeli authorities of a Palestinian family scheduled for March. Following weeks of numerous violent altercations, protest and property damage in the neighbourhood, the atmosphere calmed somehow after the 22 January decision by the Israeli Magistrate Court to suspend the eviction pending consideration of an appeal submitted by the family.

In developments that further reduced tension, the Israeli Supreme Court ruled on 1 March that four of the families in the neighbourhood would not be evicted and would be recognized as protected tenants, paying their rent, until a determination were made on their claims to ownership. On 3 March the families held a press conference noting the importance of the Supreme Court decision and vowing to continue pressing their claims of ownership of their homes.

Resolution 2334 (2016) calls for immediate steps to prevent all acts of violence against civilians, including all acts of terror, as well as acts of provocation and destruction. Unfortunately, daily violence continued. Overall, 244 Palestinians, including four children, were killed by Israeli security forces during demonstrations, clashes, security operations, attacks, alleged attacks against Israelis and other incidents; 2,966 Palestinians, including five women and 537 children, were injured.

Of those, 2,283 injuries were due to tear-gas, inhalation, while 50 persons were injured by live ammunition. In addition, Israeli settlers or other civilians perpetrated 144 attacks against Palestinians, resulting in 47 injuries and/or damage to Palestinian property.

One Israeli civilian was killed by Palestinians, and 100 Israelis, including five women and one child, were injured by Palestinians in clashes, the throwing of Molotov cocktails, attacks and other incidents. In total, Palestinians perpetrated 277 attacks against Israeli civilians, resulting in injuries and/or damage to Israeli property.

On 5 January, a vehicle under the supervision of the Israeli police hit and severely injured a 70-year-old Palestinian man in Um Al-Khair, south of Hebron. The man later died. Israeli police officers present at the location did not intervene to provide medical assistance to the victim. Police reported that the driver had sustained head injuries from stones thrown at him by other Palestinians present in the area.

On 12 January, an 80-year-old Palestinian-American man died in the context of Israeli security forces operations near Ramallah, where the victim was reportedly handcuffed, blindfolded and assaulted by Israeli security forces. Following an internal investigation on 31 January, the Israel Defense Forces removed two officers from their positions and reprimanded a third. A criminal investigation is ongoing.

On 8 February, Israeli security forces shot and killed three Palestinians in their car in Nablus in Area A. The Fatah-affiliated Al-Aqsa Martyrs Brigades claimed the men as members. According to Israeli authorities, the three were members of a cell that have carried out attacks on Israeli forces, were planning additional attacks and tried to shoot at Israeli security forces during the incident.

On 22 February, a 13-year-old boy died after having been shot by Israeli security forces in the Al-Khader area, near Bethlehem. There are conflicting reports about whether the boy was throwing stones or a Molotov cocktail when he was shot.

On several occasions, Palestinians were shot and killed by Israeli security forces, reportedly in the context of attempted attacks, including on 21 December 2021, near the settlement of Mevo Dotan, south-west of Jenin; on 22 December 2021, near the Al-Amari

refugee camp; on 31 December 2021, near Salfit; and on 17 January near Hebron. Palestinians were also killed during the exchange of fire or clashes with Israeli security forces on 13 December 2021 in Nablus; on 6 January in the Balata refugee camp; on 1 March in Jenin and Bethlehem; and on 15 March in Qalandia.

On 28 February, clashes erupted at Damascus Gate, in the Old City of Jerusalem, where hundreds of Palestinians had gathered to celebrate the Islamic holiday of Al-Isra' wal-Mi'raj. Thirty-seven Palestinians were injured, including a six-month-old infant and an 11-year-old-girl with disabilities. Twenty Palestinians were arrested, most of whom were between the ages of 14 and 17. Israeli police stated that Palestinians had chanted incitement and thrown stones and bottles at police on the scene. On 6 March, a 15-year-old Palestinian was shot by Israeli security forces in Abu Dis, near Jerusalem, reportedly after having thrown Molotov cocktails at Israeli soldiers. The boy later succumbed to his wounds.

On 6 March, a Palestinian stabbed an Israeli police officer in the Muslim Quarter in the Old City of Jerusalem, wounding him, and was subsequently shot dead by Israeli security forces. On 7 March, a Palestinian stabbed and injured two Israeli police officers near the entrance of the holy sites in Jerusalem's Old City, before being shot dead by Israeli security forces. Video of the incident shows a police officer shooting the man while he was on the ground, after already having been shot. Hamas later claimed the man as a member. On 15 March, Israeli security forces shot and killed a 16-year-old Palestinian boy in the Balata refugee camp during clashes that developed following an arrest operation.

Settler-related violence remains significant across the occupied West Bank, including East Jerusalem. On several occasions, Israeli security forces and Israeli settlers clashed, including in the context of the demolition of unauthorized structures in the outposts, which are also illegal under Israeli law. Beita village, near Nablus, remained a flashpoint for clashes amid ongoing Palestinian demonstrations against the nearby Evyatar settlement outpost.

During clashes on 10 December 2021, a Palestinian man was shot and killed by Israeli security forces. On 4 February, 45 Palestinians were injured, including three with live ammunition. Another 26 were injured on 18 February — four by live ammunition, including

a 10-year-old boy shot in the head with a rubber-coated metal bullet.

Areas in and around Burqa village, which is also near Nablus, saw serious confrontations. On 16 December 2021, a 25-year-old Israeli man was shot and killed by Palestinians near the evacuated settlement of Homesh. On 19 December 2021, Israeli security forces arrested six Palestinians in Silat Al-Harithiya, near Jenin, on suspicion of involvement in the attacks and three related charges. That same day, hundreds of settlers attempted to enter Homesh and set up illegal structures, clashing with Israeli security forces and breaking through their barricades. Later, on 1 March, eight Israelis were arrested in connection with those events.

From 23 to 25 December 2021, repeated raids by Israeli settlers on Burqa led to clashes between Palestinians and Israeli security forces, in which 171 Palestinians were injured, including 15 by live ammunition. On 13 February, a 16-year-old Palestinian was shot and killed by Israeli security forces in Silat Al-Harithiya, near Jenin, amid clashes that erupted after Israeli forces entered the village to demolish the family home of one of the suspected perpetrators of the December shooting.

On 21 January, adjacent to Burin village, near Nablus, Israeli settlers injured five Israeli activists involved in a tree-planting activity with local Palestinians. On 7 February, three Israeli settlers from Givat Ronen were arrested, and demolition orders were issued on structures in the settlements. On 24 January, Israeli settlers drove a convoy to Huwwara, near Nablus, throwing stones at Palestinians and their property. Three Palestinians, including a 17-year-old, were injured.

On 16 February, Israel announced the arrest of 17 Israelis in connection with those incidents. On 25 February, Israeli civilians shot and injured two Palestinian men following a car accident near the Yizhar checkpoint

On 2 and 3 March, two Israeli civilians were stabbed and injured in Hizma town, in Jerusalem. The Israel security forces subsequently arrested a Palestinian suspected of carrying out one of the attacks.

In Gaza, Palestinian militants launched two rockets, and there was one instance of launching incendiary balloons towards Israel. No injuries or fires were reported. In response, Israeli forces carried out

three air attacks on what they said were military targets in the Strip, resulting in no injuries. On 29 December, a Palestinian opened fire towards the Gaza perimeter fence, injuring an Israeli civilian. In retaliation, Israeli forces fired several tank shells at what they said were Hamas observation posts in Gaza. Four Palestinians were injured, including a 16-year-old boy.

On 1 January, the Israel Defense Forces said that two rockets had been fired from Gaza and landed off the coast of Israel. In response, Israeli forces conducted air strikes against what they said were militant facilities in Gaza. No injuries were reported.

Resolution 2334 (2016) calls for the parties to refrain from acts of provocation, incitement and inflammatory rhetoric. Some Palestinian and Israeli officials continued to engage in such activity during the reporting period. In a highly provocative move, in Sheikh Jarrah, East Jerusalem, at the height of the tension over the potential eviction, a far-right member of the Israeli Knesset set up a makeshift office in the neighbourhood. Several members of the Knesset visited the neighbourhood, expressing support for him, while others encouraged his inflammatory actions.

In separate statements, the same member of Knesset also expressed hope that Palestinian hunger strikers would die and that any Palestinian who threw a stone would get a bullet in the head. In the wake of the killing of three Palestinians by Israeli security forces in Nablus, Fatah social and media pages encouraged Palestinians to increase confrontation with Israel. Hamas also called for increased clashes with the Israeli forces throughout the occupied West Bank. Some Palestinian Authority officials deny the Jews' connection to the region and to the holy sites in Jerusalem.

Resolution 2334 (2016) reiterates the call on the Middle East Quartet for affirmative steps to be taken immediately to reverse the negative trends on the ground that are imperilling the two-State solution. The reporting period witnessed some progress on civil and economic steps, with instances of high-level official engagement.

On 27 December, the State of Qatar announced that it had signed an agreement with the Palestinian Authority and the Gaza Electricity Distribution Corporation to advance the construction of a natural-gas pipeline from Israel to Gaza. The pipeline aims to increase electricity generation at the Gaza power plant. In Gaza, during the reporting period, the Israeli authorities authorized

the issuance of permits for some 12,000 Palestinian merchants and traders. In January, the daily movement of workers, traders and businesspeople through the Erez crossing was the highest since the tightening of the Israeli closure in Gaza in 2007.

In February, technical bilateral meetings on the Gaza reconstruction mechanism between the Palestinian Authority, the Government of Israel and the United Nations resumed, with steps identified to improve the mechanism. In a welcome development, white cement, long deemed a dual-use material, began entering Gaza without any special monitoring.

There was a marked increase in the movement of goods out of Gaza in recent months, peaking in January with more than 900 truckloads passing through the Kerem Shalom crossing to the West Bank, Israel and other countries. That is the highest monthly figure recorded since 2007; it comes close to the rate that had existed prior to it and is significantly above the pre-May 2021 rates.

The United Nations continues to highlight to the Israeli Government priority items to enter Gaza, largely for United Nations health, water, sanitation and other projects, some requested more than a year ago. Significant delays in approvals, including for dual-use materials under the Gaza Reconstruction Mechanism, impact all aspects of United Nations operations in Gaza, the economy and the lives of ordinary people in the Strip.

With funding from Qatar, the gradual reconstruction of housing units totally destroyed during the May 2021 escalation, to date some 150 households, has begun. Meanwhile, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) has completed the repair of nearly 7,000 housing units and is currently working with 700 families whose homes were totally demolished. On 28 December, UNRWA announced the start of a cash assistance allocation of \$8.2 million to families whose homes were damaged during the May 2021 escalation.

In the occupied West Bank, some actions by the Israeli authorities have contributed to some reductions in tension. On 11 December, the Palestinian Central Election Commission conducted the first phase of local council elections in several hundred small communities in the West Bank, with more than 66 per cent of eligible voters participating.

On 12 January and 17 February, the Commission concluded voter registration and candidate nomination periods for the second phase of the local council elections, scheduled for 26 March. However, on 17 January, the Palestinian Cabinet postponed local council elections in Gaza.

From 6 to 9 February, the Palestinian Central Council (PCC) met for the first time since 2018, electing a new leadership for the Palestinian National Council and new members for vacant positions in the Executive Committee of the Palestine Liberation Organization. In its final statement, the PCC called for a halt to security coordination and the suspension of the recognition of Israel until it recognizes the Palestinian State based on the June 1967 lines and halts settlement activities, reiterating decisions taken at previous meetings of the PCC.

In its resolution 2334 (2016), the Security Council called upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967. No such steps were taken during the reporting period. Resolution 2334 (2016) also called upon all parties to continue, *inter alia*, to exert collective efforts to launch credible negotiations. On 14 January, the envoys of the Middle East Quartet met virtually to discuss the latest political developments and the situation on the ground. On 19 February, the Ministers for Foreign Affairs of Egypt, France, Germany and Jordan met in Munich and expressed their commitment to supporting all efforts to achieve a comprehensive peace on the basis of the two-State solution, in accordance with international law, the relevant United Nations resolutions and agreed parameters.

On 9 March, the Egyptian, Jordanian and Palestinian Foreign Ministers met on the margins of the ministerial meeting of the League of Arab States in Cairo to discuss efforts to launch negotiations aimed at reaching a comprehensive and just settlement of the conflict.

In closing, allow me to share the Secretary-General's observations concerning the implementation of the provisions of resolution 2334 (2016) during the reporting period. I remain deeply concerned by the continued settlement advancement by Israel in the occupied West Bank, including East Jerusalem. Settlement expansion continued to fuel violence in the occupied Palestinian territories, further entrenching the

occupation and undermining the right of the Palestinian people to self-determination and independent statehood and eroding the possibility of establishing a continuous and viable Palestinian State.

Some 670,000 Israeli citizens currently reside in more than 130 illegal settlements and more than 100 outposts in the occupied West Bank, including East Jerusalem. I am particularly concerned about the increasing settlement advancement in and around East Jerusalem. Israeli settlements in the occupied West Bank, including East Jerusalem, have no legal validity and constitute a flagrant violation of United Nations resolutions and international law and are a serious impediment to peace. I urge the Government of Israel to cease all settlement activities immediately.

The continued demolition and seizure of Palestinian-owned structures, including internationally funded humanitarian projects, remain deeply concerning. Demolitions affect not only residential structures, but also those related to income-generation and the provisions of essential services. I call upon the Government of Israel to end the demolition of Palestinian-owned property and the forcible displacement and eviction of Palestinians, in line with its obligations under international humanitarian law and international human rights law.

I remain particularly concerned about the potential eviction of several families from homes in which they have lived for decades in Sheikh Jarrah and in the Silwan neighbourhood of occupied East Jerusalem. Many legal cases initiated by settler organizations invoke an Israeli law by which Israelis, but not Palestinians, may claim land they owned prior to 1948.

I note Israeli court rulings during the reporting period that postponed and suspended such evictions, contributing to a reduction in tensions on the ground. As demonstrated in recent weeks, forced evictions, especially in such politically sensitive areas, can trigger dangerous tensions and violence. Demolitions and evictions entail numerous human rights violations and have raised concerns about the risk of forcible transfers.

I am deeply troubled by the continued loss of life and injuries, including of children, in the occupied Palestinian territories, as well as by the overall deterioration of the security situation, including an apparent increase in shooting attacks during the reporting period. The possible excessive use of force by Israeli security forces, particularly the use of live

ammunition, continues to raise serious concerns. Security forces must exercise maximum restraint and use lethal force only when it is strictly unavoidable in order to protect life. I am particularly appalled by the continued injury and killing of children. Children should never be targets of violence or be put in harm's way. I urge Israeli authorities to conduct thorough, prompt, effective and transparent investigations into those killings and injuries.

I remain deeply concerned about the level of settler-related violence in the occupied West Bank, including East Jerusalem. Israel, the occupying Power, has an obligation to protect the Palestinian population there from all acts of threats and violence and to ensure, as far as possible, public order and life.

I am also deeply concerned about Palestinian attacks against Israeli civilians. I underscore that all perpetrators of violence must be held accountable and swiftly brought to justice. I am particularly alarmed by the high number of arrests by the Israeli security forces of Palestinians, including children, particularly in occupied East Jerusalem. I am concerned that those arrests, particularly of children, may represent a disproportionate response to the offences committed. Under international law, the arrest and detention of children should be used only as a last resort and for the shortest appropriate period of time.

I urge all sides to refrain from actions that could further escalate the situation across the occupied Palestinian territories, and I call upon all politicians and religious and community leaders to help reduce tension, particularly in Jerusalem. I am deeply concerned that, at a highly sensitive moment on the ground, officials on both sides continue to stoke tensions and take actions that have the potential to provoke more deadly violence. Acts of terror, violence and incitement must be clearly and unequivocally condemned by all. Officials on all sides have a responsibility to avoid all actions that could escalate tensions.

Palestinians continue to suffer in Gaza under Hamas rule and continued Israeli closures. I welcome the parties' recent engagement on easing access, including for workers from Gaza and the West Bank, into the Israeli labour market. I am encouraged by the growing volume of goods exiting Gaza, which clearly surpasses previous years. Nevertheless, more significant steps are needed to see durable economic benefits. I hope that the resumption of technical-level trilateral meetings

of the Gaza Reconstruction Mechanism will facilitate reconstruction and the much-needed development projects, leading to reduced aid dependency.

The physical condition of the Palestinian Authority (PA) remains precarious. Revenues are not keeping pace with expenditures, leading to accumulated debt, and investments in important sectors such as health, education and infrastructure are insufficient. In order to address the root causes of recurring financial crises, internal PA reforms and improvements in the economic relationship between Israel and the PA are needed, alongside donor support. To that end, I welcome the current work of the International Monetary Fund mission to support the PA's important work on fiscal stability and reform.

The United Nations is grateful to all donors that continue to support the crucial work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). I am concerned, as UNRWA will already face critical cash-flow challenges in the upcoming three months. Any reduction or disruption of services has the potential to trigger significant humanitarian, political and security consequences, impacting the broader region. As Muslims in the region start the holy month of Ramadan, I appeal to all donors to advance the disbursement of confirmed pledges as much as possible. Preserving UNRWA's services is a joint responsibility of all Member States.

As we endeavour to support the critical needs of the Palestinians across the occupied Palestinian territories, it is also vital that we continue working towards advancing intra-Palestinian unity, as it is central to advancing a two-State solution. The United Nations stands firm in its support of Egyptian-led intra-Palestinian reconciliation efforts. The holding of general elections in the occupied Palestinian territories would be a crucial step towards Palestinian unity, giving renewed legitimacy to national institutions, including a democratically elected Parliament and Government in Palestine.

In conclusion, let me add that it is regrettable that we have seen little progress in the implementation of resolution 2334 (2016) since its adoption in December 2016. On the contrary, the absence of a meaningful peace process to end the Israeli occupation and resolve the conflict is fueling a dangerous deterioration that is destabilizing the situation across the occupied Palestinian territories.

In just one week, as Ramadan begins, thousands of Muslims will come to pray at Muslim holy sites in Jerusalem, with the Jewish and Christian faithful following soon after to mark Pesach and Easter in April. That should be a time of peaceful reflection, prayer and celebration for all religions. Provocation must be avoided. Leaders on all sides have a critical role to play in ensuring calm.

In line with the relevant United Nations resolutions, international law and bilateral agreements, we must keep in sight the vision of an end to the occupation and of two States — Israel and an independent, democratic, contiguous, viable and sovereign Palestinian State living side by side, in peace and security, within secure and recognized borders, on the basis of the pre-1967 lines, with Jerusalem as the capital of both States. I remain actively engaged in advancing those efforts with my counterparts in the Middle East Quartet, key regional partners and Israeli and Palestinian leaders.

The President (*spoke in Arabic*): I thank Mr. Wennesland for his briefing.

I shall now give the floor to those members of the Council who wish to make statements.

Mrs. Thomas-Greenfield (United States of America): I thank Special Coordinator Wennesland for his briefing. We fully support his continued and close engagement with all parties to promote dialogue and peace.

The United States remains committed to widening relations between Israel and its neighbours. One way we can do that is by deepening cooperation among the participants in the Abraham Accords and other countries that have normal relations with Israel. On that front, we are encouraged by Israel Defense Forces Chief of Staff Aviv Kochavi's meetings in Bahrain with his counterpart there, and we welcome the meeting between Turkish President Erdoğan and Israeli President Herzog in Ankara. These visits demonstrate that good faith engagement can build mutual confidence and create a path towards greater security and prosperity.

In addition to these visits, we welcome the efforts of the signatories of recent normalization agreements to bolster their relationships through working groups and initiatives. These will help further develop trade, cultural and people-to-people ties and offer new opportunities and hope for people across the region. The United States also believes that normalization

agreements can enhance regional cooperation. But let me be clear: normalization is not a substitute for serious engagement between Israelis and Palestinians. That is why the Biden Administration has made a point of intensifying dialogue with both Israeli and Palestinian leaders.

Deputy Assistant Secretary of State Hady Amr just visited Israel and the West Bank to discuss Israeli-Palestinian relations. He highlighted the need to improve the quality of life for Palestinians in tangible ways and reaffirmed that Israelis and Palestinians alike deserve equal measures of security, freedom and prosperity. We encourage all those who look for peace in the Middle East to commit to constructive acts that help Palestinians and Israelis coexist and prosper.

While we worked toward long-term peace, we also remained deeply concerned about present-day tensions, including violence in the West Bank and in and around Jerusalem. The United States strongly condemns the recent terrorist attacks in the Old City that injured two Israeli policemen, and once again we deplore continuing attacks by Israeli settlers on ordinary Palestinians. We urge the authorities both to condemn acts of violence and to fairly pursue justice for these acts. Individuals, regardless of who they are or where they come from, who commit unlawful acts of violence, should be held accountable.

As the holy month of Ramadan and the Passover and Easter holidays approach, we must aspire to peace, recognizing the heightened religious sensitivities during this time. All sides must refrain from unilateral actions that exacerbate tensions and undercut efforts to advance a negotiated two-State solution. In that spirit, we welcome the recent meetings between Jordan's King Abdullah II and Foreign Minister Lapid and reiterate the importance of upholding the status quo on the Holy Esplanade.

I will close by noting that the humanitarian situation in Gaza remains serious. Humanitarian relief, reconstruction and recovery needs are acute, and food insecurity could worsen in the coming weeks, owing to the rising price of food, fuel and other commodities. In this dangerous environment of scarcity, we encourage all States Members of the United Nations to provide assistance, including through the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to help meet the needs of vulnerable Palestinians in Gaza.

Ms. Juul (Norway): I thank Special Coordinator Wennesland for his comprehensive briefing. We share his concern about tensions in East Jerusalem and the rest of the West Bank.

With Ramadan, Pesach and Easter coinciding in April, it is imperative to avoid a new escalation of violence. Israelis and Palestinians deserve to live in security. The integrity of the holy sites and the historic status quo in Jerusalem must be upheld and fully respected.

We also call for respect of the rights of Palestinians, including their right to peacefully protest. We are especially concerned about children being victims of violence and threats, as well as the arrests of Palestinian children.

Among the significant drivers of conflict are Israeli settlement activities, house demolitions and evictions. We welcome the decision by the Israeli Supreme Court to terminate eviction orders against four Palestinian families living in Sheikh Jarrah. However, long-term solutions are needed, and all evictions in East Jerusalem must be halted indefinitely.

We would also like to highlight the situation in Masafer Yatta, where Israeli authorities are planning to demolish several Palestinian villages to establish a firing zone for military training. If implemented, this plan would displace around 1,300 individuals who have lived in this area for generations. We urge Israel to refrain from carrying out this plan, and I reiterate that all measures aimed at altering the demographic composition of occupied areas are in violation of international humanitarian law. Let me therefore again highlight that the establishment of Israeli settlements in occupied Palestinian territory, including in East Jerusalem, constitutes a flagrant violation of international law.

With regard to Gaza, we are encouraged to see a more stable situation. The lifting of Israeli restrictions and relative calm from all sides have made a positive contribution. We encourage Israel to continue the easing of restrictions, allowing for more trade and increasing the number of work permits for Palestinians. The ultimate goal must be the total lifting of the blockade.

We look forward to the second round of local elections being held across the West Bank on 26 March. The mobilization around these elections shows that Palestinians want democracy. Norway

will continue our support for the Central Election Commission. Furthermore, the Palestinian Authority must be strengthened, and its governance spread across Palestine. The economy must be allowed to flourish.

Finally, let me affirm Norway's commitment to a political horizon and a negotiated two-State solution. Even while Ukraine dominates the headlines and the agenda of the Security Council — and for a good reason — we cannot abandon other ongoing crises. We must continue to work for a long-term solution, one that will benefit both Israelis and Palestinians. Finding a political solution to the conflict is not only essential for Israel and Palestine, but for the whole region.

Mr. Gallagher (Ireland): I thank Mr. Wennesland for his briefing on the situation in the occupied Palestinian territory, including on the implementation of resolution 2334 (2016).

The Special Coordinator's briefing highlights the increase in violence in the occupied West Bank, including in East Jerusalem, at this particularly sensitive time. Ireland reaffirms its view that violence against civilians must cease. In our last statement to the Council (see S/PV.8973), we expressed our deep concern at continued reports of the use of excessive force by Israeli security forces leading to the killing and injuring of Palestinians, including children. Such acts have continued in the weeks since then. These killings shatter families and communities and take us ever further away from the possibility of a just and lasting peace. There must be accountability for the actions of the Israeli security forces.

Ireland also urges the Palestinian Authority to protect and uphold the human rights of Palestinians under its control and enhance its efforts to prevent terrorism. As Mr. Wennesland has made clear, the Palestinian Authority urgently needs international support in this regard.

In the run-up to the upcoming religious holidays, Ireland calls on all parties to exercise maximum restraint and avoid escalation, so that these holidays can be safely and appropriately marked by all. We echo the Special Coordinator's statement of 8 March, in which he called on political, religious and community leaders from all sides to reject violence and speak up against those who try to inflame the situation.

We welcome the recent visit by Foreign Minister Lapid to Amman, and reiterate our call for the status quo

at the holy sites in Jerusalem to be upheld, bearing in mind the special and historic role of Jordan as custodian of the Muslim and Christian holy sites in Jerusalem.

In keeping with Ireland's consistent position on respect for international law, we reiterate our call on Israel to halt all settlement activity in the occupied Palestinian territory, including in East Jerusalem and in Area C of the West Bank. Such settlement activity is a flagrant violation of international law. Further settlement expansion plans, such as those for E-1, Givat Hamatos and Atarot, would severely undermine the possibility of establishing a viable and contiguous Palestinian State.

Tor Wennesland's report highlights ongoing Israeli demolitions and seizures of Palestinian-owned structures, some funded by donors, including by Ireland and our European Union partners. These acts are contrary to Israel's obligations under international humanitarian law and must cease. Ireland remains particularly concerned about the Palestinian families that remain threatened with eviction from their homes, including in Silwan and Sheikh Jarrah, despite recent positive developments. Israel must also address the enormous difficulties experienced by Palestinians seeking to obtain Israeli-issued building permits.

Children continue to endure the worst of this conflict. We are appalled that four children have been killed by Israeli forces in just over one month and that many others have experienced detention and violence. Israel must uphold international standards of justice for juveniles. We call for an end to the administrative detention of children and any form of ill treatment in detention. Children must never be the target of violence or put in harm's way.

Ireland reiterates our concern at the designation of six Palestinian non-governmental organizations as terrorist organizations. Ireland's support for civil society is steadfast, and we recall the critical role it plays in promoting international law, peace, human rights and democratic values.

As a strong supporter of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), Ireland renews its call on the international community, including countries of the region, to step up efforts to support the agency. This is essential for the provision of vital services to Palestinian refugees, as well as for regional stability. We commend UNRWA and the United Nations family

for their continued work in the Gaza Strip, where the blockade continues to hamper reconstruction efforts. We acknowledge recent positive steps by Israel in this context and commend Egypt and Qatar's ongoing contribution. However, more must be done. We renew our call for Israel to end its illegal blockade of Gaza, in line with resolution 1860 (2009).

Finally, the Security Council must redouble its efforts to address the root causes of the Israeli-Palestinian conflict. The situation on the ground, including ongoing settlement expansion by Israel, continues to erode the basis for an agreed solution. In the absence of meaningful political progress and in the context of a climate of impunity and denial of basic rights, disillusionment is taking hold, especially among young people. The role that youth can play in bringing about a peaceful resolution to the conflict cannot be overstated.

The Security Council must recommit to the imperative of a two-State solution, in line with resolution 2334 (2016), as the only way to guarantee a stable, sustainable peace between Israelis and Palestinians.

Mr. De Almeida Filho (Brazil): I thank Mr. Wennesland for the updates brought to the Security Council. Brazil regrets that, once more, we are hearing reports of daily violence, unilateral actions and heated rhetoric that undermine the prospects for viable and lasting peace in the Middle East. Mounting tensions, especially in the West Bank and Jerusalem, days before the start of Ramadan are very concerning.

Brazil once more echoes the call of the Special Coordinator for the Middle East Peace Process upon all parties to exercise maximum restraint and refrain from actions and provocations that fuel those tensions, particularly near sacred sites during religious holidays. All parties must urgently focus on de-escalation. We also remind all parties of their obligations under international humanitarian law and human rights law. Civilians must never be the deliberate target of attacks. Children, who are particularly vulnerable in any conflict, should always be kept out of harm's way.

Intra-Palestinian reconciliation is essential for peace, and the current economic and fiscal crisis worsens the prospects of political unity and stability. Free, fair and transparent general elections should be held as soon as possible to renew the democratic legitimacy of Palestinian institutions.

International cooperation aimed at the recovery and improvement of basic infrastructure and the economic empowerment of the Palestinian population can also improve the prospects of reconciliation. We must not forget that poverty and political instability constitute fertile ground for extremist forces.

In the meanwhile, humanitarian aid must continue to flow in a predictable, responsible and regular way to cover the basic needs of refugees, who continue to rely heavily on the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). The financial sustainability of the agency is more worrisome in a scenario of competing efforts to help the growing number of refugees worldwide. We continue to be committed to UNRWA's valuable work.

I reiterate Brazil's long-standing commitment to the achievement of a just and sustainable peace in the Middle East, with Israelis and Palestinians living side by side in peace and security, in two democratic, prosperous and sovereign States, within secure and internationally recognized borders.

But without a horizon for direct talks, faith in peace wanes with each passing day. Brazil supports Mr. Wennesland's willingness to re-engage key stakeholders, including the Middle East Quartet, and to try new ideas with the aim of building trust and confidence among the parties in order to advance the implementation of relevant resolutions of the Council. Brazil will support any genuine effort to rethink the peace process and diplomatic initiatives that contribute to moving us away from the current stalemate, as long as they are in line with international law and truly aimed at sustainable peace.

Only a situation that is acceptable to all sides will be able to pave the way for sustainable peace in the Middle East. The Security Council must reflect on the role it should play in reinvigorating the region's peace process and in paving the way for new direct negotiations.

Mr. De Rivière (France) (*spoke in French*): I thank the Special Coordinator for his briefing.

France is very concerned about the high tensions in the occupied Palestinian territories. The approach of the religious holidays is leading to fears of a sharp deterioration in the situation and an escalation similar to that of last May. France echoes the Special Coordinator's call for restraint and avoidance of any incitement to violence.

The measures taken by Israel to reduce tensions are welcome, but must be considerably expanded to prevent a new cycle of violence. That includes a permanent end to demolitions and evictions, in particular in East Jerusalem. It also requires strict respect for the status quo of the holy sites and the proportionate use of force by the Israeli forces. It ultimately requires an end to the expansion of settlements. After several months of the de facto freeze, the resumption of planning and expansion projects since October 2021 has been worrisome. France will never waver in its commitment to Israel's security and firmly condemns all rocket fire against civilian populations and infrastructure.

France calls for the immediate implementation of all provisions of resolution 2334 (2016). There is an urgent need to reverse the negative trends and to create the conditions necessary for the resumption of negotiations between the parties. France calls for increased cooperation between Israel and the Palestinian Authority that will enable the implementation of confidence-building measures for the benefit of the people.

At the same time, we must work to recreate a political horizon to restore hope to the people and prevent violence from becoming their only alternative. To that end, we are counting on the United Nations. The two-State solution, with Jerusalem as the capital of both, is indeed the only one that will allow for a just and lasting peace in the region by responding to the legitimate aspirations of the Israeli and Palestinian peoples.

France will not recognize any change to the 1967 lines other than those agreed by the parties. France recalls the obligation of all States to distinguish between the territory of Israel and the occupied territories with regard to trade, in accordance with resolution 2334 (2016). France implements that policy of differentiation through concrete measures that have been taken at the European level.

France will continue to robustly support Palestinian civil society and the strengthening of the rule of law. It will remain vigilant with regard to the continued deterioration of the human rights situation in the territories controlled by the Palestinian Authority. In particular, it calls for all light to be shed on the death of Nizar Banat and for appropriate measures to be taken to ensure that such incidents do not reoccur.

Furthermore, the designation of six Palestinian non-governmental organizations as terrorist

organizations by Israel is very worrisome. France intends to continue to support them. It will continue to work to preserve the humanitarian space, particularly in Gaza. In that regard, we reiterate our full support for the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

The precariousness of the situation in the Palestinian territories shows once again the importance of the Council remaining ready to act. We encourage Council members to play an active role in supporting the relaunch of the peace process and the implementation of the Council's resolutions. Our credibility depends on it. France will remain firm in upholding the principles of international law that it has consistently promoted. That is the reason for Minister Le Drian's ongoing commitment to supporting the two-State solution, with Jerusalem as the capital of both States.

Mr. Polyanskiy (Russian Federation) (*spoke in Russian*): We thank the Special Coordinator for the Middle East, Mr. Tor Wennesland, for his comprehensive briefing on the situation in the Middle East settlement process in the context of the implementation of resolution 2334 (2016).

We listened with concern to his report on the continued impasse in the settlement process in the Middle East and the unresolved core issue of the Palestinian question. Unfortunately, we must note that there has been no let-up in violence with regard to the Palestinian-Israeli confrontation, leading to casualties on both sides and potentially escalating into the type of full-scale military escalation that we have seen so many times. The situation is further exacerbated by Israel's unlawful unilateral actions, with their potentially dangerous disruptive consequences for the entire Middle East region. They include the confiscation of Palestinian land, forced evictions, the demolition of property, the illegal building of settlements and attempts to change the historical status quo of the holy sites.

The announcement of Tel Aviv's plans to expand settlement activity in the West Bank and East Jerusalem is deeply disturbing. The continuation of settlement construction and the intention to double the number of Israelis living in the Jordan Valley and the Syrian Golan Heights by 2026 can be seen as the de facto annexation of most of the occupied Palestinian territory. Against that background, there has been a sharp increase in settler attacks, as well as the disproportionate use of force by the Israeli military against Palestinians,

resulting in civilian deaths and injuries. One example of such misconduct was the high-profile eviction and demolition of a house in the East Jerusalem neighbourhood of Sheikh Jarrah in January.

In the current circumstances, we believe that the primary goal should be to achieve the long-term stabilization of the situation, avoid provocations and unilateral steps to create irreversible facts on the ground, and restore the political horizon for reinvigorating the peace process within the agreed internationally recognized parameters, including the relevant Security Council resolutions, the Madrid principles and the Arab Peace Initiative. We do not agree with those who believe that framework to be irrelevant. The problem does not lie with the framework itself, as its final details in every instance should be discussed by the Palestinians and Israelis in direct negotiations, but with the factors that are preventing the resumption of the negotiation process.

In that context, we are convinced of the need to step up appropriate multilateral efforts, including within the framework of the Middle East Quartet of international mediators with a view to creating the necessary conditions for the swift resumption of direct Israeli-Palestinian talks. Furthermore, it will be impossible to advance the settlement process without restoring the unity of the Palestinian ranks, based on the authority of the Palestinian Liberation Organization and the holding of elections.

Against that background, we attach great importance to providing comprehensive humanitarian assistance to those in need in the West Bank and the Gaza Strip, as well as Palestinian refugees in the neighbouring Arab countries. We support the efforts of specialized international organizations, first and foremost the United Nations Relief and Works Agency for Palestine Refugees in the Near East, whose activities have not only a humanitarian but also a political dimension in providing an important stabilizing effect in the Palestinian territories and countries of the Middle East. In that regard, we note the Agency's appeal to the international community to help meet financial shortfalls so as to maintain uninterrupted support for the Palestinians this year.

For our part, we will pursue our efforts to build international consensus and coordinate joint action in promoting a just solution to the Palestinian question. We call on our Quartet colleagues to consider our well-

known initiatives, including the holding of a ministerial meeting, as well as consultations in the extended format with the participation of regional States. At the same time, we count on the support of the international community in carrying out those activities.

Mr. Tirumurti (India): I too thank Special Coordinator Tor Wennesland for his briefing.

Resolution 2334 (2016) was adopted by the Security Council to reaffirm the international community's firm commitment to preventing the erosion of the two-State solution. It calls on parties to prevent all acts of violence against civilians and refrain from provocative acts of incitement and inflammatory rhetoric, and stresses that all settlement activities must cease.

We remain deeply concerned about the upward trajectory of the violent attacks and killing of civilians. We have consistently advocated against all acts of violence. We urge all sides to take immediate steps for a complete cessation of violence. The 1 March judgment of the Supreme Court of Israel provides a temporary reprieve to the Palestinian families of Sheikh Jarrah. However, the issue of the potential legal eviction of the families remains.

Tensions have remained high in the Sheikh Jarrah neighbourhood, despite the Court's decision that has ruled against an immediate eviction. It is unfortunate that the provocative actions and statements have continued. Statements by community leaders and public figures should aim to reduce tensions and not incite them. We appeal for calm to be maintained and encourage all parties to exercise maximum restraint.

We call on the parties to refrain from any unilateral action that unduly alters the status quo on the ground and undercuts the viability of the two-State solution. We need to urgently build on the recent positive developments and not slide back. The focus must be on addressing the urgent security and economic challenges, including the precarious financial situation of the Palestinian Authority, and charting a concrete path for discussing key political issues. An early return to the political course by launching credible direct negotiations on all final-status issues is an immediate requirement. The absence of direct talks between the sides on those issues is not conducive to securing long-term peace.

India has consistently called for direct peace negotiations between Israel and Palestine based on the

internationally agreed framework, taking into account the legitimate aspirations of the Palestinian people for statehood and Israel's legitimate security concerns. The United Nations and the international community, in particular the Middle East Quartet, must prioritize the revival of those negotiations.

India has been supporting Palestinian nation-building and capacity-building efforts under the India-Palestine developmental partnership for more than three decades now. We also continue to assist the Palestinian refugee community through the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

Let me conclude by reiterating India's firm and unwavering commitment to the establishment of a sovereign, independent and viable State of Palestine living within secure and recognized borders, side by side and at peace with Israel. There is no other alternative to a negotiated two-State solution.

Mr. De la Fuente Ramírez (Mexico) (*spoke in Spanish*): I thank Special Coordinator Tor Wennesland for his briefing.

Regrettably, a little more than five years after the adoption of resolution 2334 (2016), settlement construction and expansion continue. In December 2016, when the resolution was adopted, approximately 618,000 settlers lived in Israeli settlements on Palestinian territory. Today, the settler population has grown by around 12 per cent. Over the last 18 months, 25 new outposts and satellite settlements were built. In parallel, more than 1,000 structures were demolished in 2021 and 2022. Violent incidents perpetrated by settlers have continued.

The settlements undermine the two-State solution. They impede prospects for peace and affect the human rights of the Palestinian people. Taking over territory by force violates international law. Mexico deplores the expansion of those settlements. We urge the cessation of all settlement-related activities, including confiscation, eviction and the demolition of Palestinian structures.

We take note of the announcement by the Israeli authorities of the implementation of a truce in demolitions during Ramadan and the suspension of evictions of families from Sheikh Jarrah. While that represents a temporary reprieve, it is no substitute for the definitive halting of those activities, which erode the viability of a Palestinian State.

Mexico condemns any act of violence against civilians, including the disproportionate use of force. In accordance with resolution 2334 (2016), we call once again on parties to refrain from provocations, including the use of inflammatory rhetoric.

We wish to express our concern at the fragile nature of the ceasefire and the slow economic recovery in Gaza. Of course, we note the favourable impact of the economic initiatives offered by Israel, which include work permits and an increase in exports from the Strip. However, so long as there is no definitive lifting of the blockade, such initiatives will be limited, and dependency on humanitarian aid will continue.

That backdrop is compounded by the precarious financial situation of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the emergence of new humanitarian needs as a result of conflicts in other parts of the world. Once again, we stress the importance of the Palestinian Authority calling elections as soon as possible. Substantive progress in intra-Palestinian reconciliation is perhaps today more urgent than ever.

Before closing, allow me to reiterate something that should not be forgotten when we consider this issue in the Council: that the only solution to the conflict between Israel and Palestine is a two-State one that addresses Israel's legitimate security concerns and enables the consolidation of a politically and economically viable Palestinian State within safe and internationally recognized borders, as well as the special status of Jerusalem in accordance with international law and the relevant United Nations resolutions.

Mr. Kiboino (Kenya): I thank Special Coordinator Tor Wennesland for his detailed briefing.

Resolution 2334 (2016) addresses decades-old issues, but its objectives, while being of immediate and urgent relevance, remain largely unimplemented. Kenya recognizes and commends the progress made through regional mediation efforts and through the Quartet and Munich formats. However, despite the best intentions of the international community, little has improved in terms of political traction on the ground in line with the resolution. For example, Gaza, despite the much-needed focus and recovery efforts, remains dependent on humanitarian relief.

Kenya continues to support the principles underlying resolution 2334 (2016). Those include

urging the stabilization of the situation and the reversal of negative trends on the ground, which are eroding prospects for a two-State solution whereby two States — Israel and Palestine — live side by side in peace and within secure and recognized borders based on the 1967 lines.

Significant steps are also needed to create the conditions for successful final-status negotiations. In our persistent call for the full implementation of that all-encompassing resolution, the hope is that the desirable and obtainable objectives do not remain a futuristic endeavour.

Also, in line with resolution 2334 (2016), Kenya continues to condemn and call for accountability and strengthened efforts to combat the acts of terror perpetrated by Hamas and other militant groups. Such indiscriminate acts of terror must cease.

We also call for immediate steps to be taken to prevent all acts of violence against civilians, which have tragically claimed both Israeli and Palestinian lives. Once again, we reiterate that no cause can justify the deliberate targeting of innocent civilians.

The trends of the current reporting period, including violent incidents involving children and youth fatalities; the increasing settler population; clashes in the occupied Palestinian territory, including East Jerusalem; and demolitions all point to the need to look beyond the listing of incidents.

As Kenya has stated before, while the quarterly reports remain essential to keeping the Council informed, addressing cycles of conflict will take much more than chronicling incidents and events.

In that regard and as we look to the next written report on the implementation of resolution 2334 (2016) in June, we believe that substantive advice on clear timelines, objectives and frameworks for resolving pending issues from the good offices of the Secretary-General would add value to the implementation of resolution 2334 (2016). That would be in line with paragraph 11 of the resolution, in which the Security Council

“[r]eaffirms its determination to examine practical ways and means to secure the full implementation of its relevant resolutions.”

We take note of the steps taken by the Israeli Supreme Court decision to halt eviction in Sheikh

Jarrah in East Jerusalem. That is a welcome de-escalation move ahead of Ramadan and, more importantly, a recognition of how such unresolved issues can quickly escalate, given the events of May. In the interest of the promotion of peace and security, there is a need for all parties concerned to support the daily dividends of constructive grass-roots efforts to mitigate — practically and consistently — these cycles of conflict.

In conclusion, Kenya urges both parties to exert collective efforts to launch peacebuilding and peacemaking processes that will demonstrate commitment to the desirable and obtainable objectives of resolution 2334 (2016).

Mr. Agyeman (Ghana): I join others in expressing appreciation to the Special Coordinator for the Middle East Process, Mr. Tor Wennesland, for his briefing to the Council, as well as his commitment to the search for lasting peace in the Middle East.

The briefing, as always, gives us much to consider and requires of the Council a substantial engagement in support of the political processes that are required to find peace in the Middle East. The concerns related to the status of implementation of resolution 2334 (2016) remain, as we hear reports of forced evictions, demolitions and expansion of settlements, acts of violence against civilians, settler-related violence and provocative acts by both sides.

However, Ghana welcomes the initiative for the recent high-level diplomatic contacts and dialogue between the Israeli and Palestinian leadership, and we implore both sides to maintain the momentum and engage in meaningful and transparent dialogue that is reflected in significant policy changes on both sides.

Despite the limited but hopeful developments, there are ongoing concerns that grate our collective sensibilities. In that regard, I would like to focus the Council's attention on the dire humanitarian situation in the occupied Palestinian territories, including Gaza and East Jerusalem, and highlight the need for urgent humanitarian relief and economic assistance to the Palestinian people. I also wish to appeal for the further easing of humanitarian access to allow inhabitants in the occupied Palestinian territories to have access to the basic supplies they require and to live a dignified life.

Ghana reaffirms its belief that the path for lasting peace and stability in the Middle East runs through the

two-State solution, with Israel and Palestine living side by side within secure and recognized borders, on the basis of the 1967 lines.

We recognize the inalienable rights of the Palestinian people, as well as the aspiration of the countries of the region to live in peace and harmony and call on the parties to desist from unilateral actions that have the tendency to undermine mutual trust and goodwill, which are vital ingredients if progress is to be made on the peace process.

We urge both parties to resolve all differences through dialogue and negotiations in a comprehensive and mutually acceptable manner and call for the implementation of the provisions and outcomes of the 1991 Madrid Conference, the 1993 Declaration of Principles on Interim Self-Government Arrangements, subsequent agreements and all United Nations resolutions regarding the question of Palestine.

Despite prevailing global dynamics, we encourage the continuing engagement of the Middle East Quartet and the wider international community in helping the parties to implement their obligations for the settlement of the Middle East problem.

In conclusion, I underscore the need for cooperation and unified action within the Council, which is critical to the Israeli and Palestinian peoples, but also to the world at large, and reiterate Ghana's commitment of support to find a lasting solution to the Middle East problem.

Dame Barbara Woodward (United Kingdom): I would like to thank the Special Coordinator for his briefing today.

Let me start by once again reinforcing the need to prevent a return to the violence we witnessed in Israel and the occupied Palestinian territories last year. We share concerns about the escalating tensions in the West Bank, including East Jerusalem. We must all work to take steps to avoid exacerbating tensions. In that regard, we welcome the announcement by the Israeli Police Commissioner that there will be a pause on demolitions in East Jerusalem during Ramadan.

We are concerned about the rise in security incidents and violence in the occupied Palestinian territories, including the death of nine Palestinians this month by Israeli security forces live fire. Where there are accusations of excessive use of force, we advocate swift, transparent investigations. Israel has a legitimate

right to self-defence. In exercising that right, it is vital that all actions are proportionate.

We welcome the dismantling of West Bank outposts by the Israeli authorities, including Maoz Esther, Givat Habaladim and Battir. The violence from settlers against Israeli security forces during the operations is inexcusable. Outposts are illegal under international law and Israeli law and are an obstacle to peace.

As we celebrated International Women's Day this month, we were reminded of the importance of ensuring equitable access to a quality education for all children and the power of educating girls as a tool for peace. We continue to urge the Palestinian Authority to pass the necessary legislation to protect and advance women's rights, and we reiterate our strong support for the United Nations Relief and Works Agency for Palestine Refugees in the Near East and its vital work to help Palestinian refugee children, including girls, fulfil their potential.

The United Kingdom remains focused on work to improve the economic situation in the West Bank and Gaza. We welcome the beginning of the electronic value-added tax pilot and ongoing work between the parties towards a more efficient tax system. The United Kingdom encourages both parties to continue to make progress on other priority fiscal issues and to reconvene the long-stalled Joint Economic Committee in order to enhance dialogue on economic issues.

Finally, as we look towards the convergence of religious holidays next month, the United Kingdom strongly discourages unilateral actions that may increase tensions. We reiterate our support for the historic status quo in the Old City of Jerusalem. That is the best means of preserving the right to peaceful worship for the three Abrahamic faiths.

It is only through dialogue that we can improve stability across the region and build the foundations for peace. The United Kingdom remains firmly committed to a two-State solution, based on 1967 lines and with Jerusalem as a shared capital.

Mr. Biang (Gabon) (*spoke in French*): I thank Special Coordinator Tor Wennesland for his briefing on the latest developments in the Middle East, including with regard to the implementation of resolution 2334 (2016).

This meeting is being held in a particularly tense regional context, with Ramadan, Passover and Easter approaching.

Violence in recent weeks, particularly in the occupied Palestinian territories and in the Old City of Jerusalem, has raised fears of a deadly escalation in the Israeli-Palestinian crisis. Many of these violent incidents are increasingly taking place among civilians, particularly young people, as Tor Wennesland noted in his briefing earlier.

The climate of tension, exacerbated by brutality, the disproportionate use of force against civilians, the expansion of settlements and the actions resulting therefrom are likely to undo any prospect for peace and fuel the cycle of instability. We encourage the Israeli and Palestinian authorities to exercise restraint and invest in peaceful coexistence, while giving peace a greater chance. In this respect, the Israeli Supreme Court's decision to suspend the evictions of four Palestinian families in the sensitive Sheikh Jarrah neighbourhood of East Jerusalem sets the tone for appeasement.

In addition to the worrying security situation, the humanitarian and economic situation in the Palestinian territories remains alarming, owing to the unprecedented financial crisis facing the Palestinian Authority. Without significant financial support, civilian populations risk facing extreme vulnerability, which has a domino effect on the deteriorating security environment, with the consequent loss of access to health-care services, education and food. This situation would only dramatically increase social unrest, violence and poverty on the ground.

The need for trust between Israel and Palestine, as well as the need for dialogue, is therefore imperative, with a view to easing tensions, seeing the renunciation of provocations and preserving human lives. The dialogue between Israel and Palestine must be serious, in good faith and as inclusive as possible. Accordingly, the recent meeting between the Israeli Foreign Minister and a delegation of senior Palestinian Authority officials, the second such public meeting in less than two months, sends an encouraging signal.

The solution to the Israeli-Palestinian conflict requires the rapid resumption of negotiations for a real and lasting peace, based on respect for the principles agreed upon by the parties and on the application of the rules of international law. This solution must also be based on the legitimate aspiration and rights of

the Palestinian people to self-determination and on addressing Israel's security concerns.

We reiterate our vision of a two-State solution, which cannot be achieved without the firm political commitment and will of the parties, as well as the active support of the international community, including regional actors. In this regard, the recent meeting between the King of Jordan and the Israeli Foreign Minister is a step in the right direction. Likewise, the role played by the King of Morocco, in his capacity as Chairman of the Al-Quds Committee of the Organization of Islamic Cooperation, in preserving the special status of the Holy City as a symbol of the common heritage of humankind, of the peaceful coexistence of the three monotheistic religions, and as a place of dialogue and mutual respect, is to be commended.

In conclusion, I would like to reiterate our support for the Special Coordinator, Mr. Tor Wennesland, and for his efforts aimed at reviving the peace process between Israel and Palestine, thereby contributing to stability in the region.

Mr. Hoxha (Albania): Madam President, I am happy to see you back in the chair as President of the Security Council. I thank Special Coordinator Wennesland for his briefing.

Resolution 2334 (2016) represents a milestone in the attempts by the Council to find a way out of the Israeli-Palestinian conflict. What we heard is worrying and goes against what the Security Council is seeking to achieve. Continued violations of core provisions of resolution 2334 (2016) make a bad situation worse and threaten the prospects for peace and stability in the region.

While we believe that the full implementation of resolution 2334 (2016) is important, it may not, in and of itself, be sufficient for the peaceful resolution of the conflict. But it is a necessary step in the right direction. We therefore welcome any step that promotes compliance with the resolution. In the meantime, we oppose all unilateral decisions and actions that prevent its full implementation, including unlawful evictions and demolitions. The decision of the Israeli Supreme Court with regard to four families under the eviction process inspires hope for the law to prevail.

Provocations and acts of violence by either side are unacceptable and must be properly investigated. They add to the grievances that need to be overcome

for Israelis and Palestinians to work for lasting peace with one another. They only exacerbate an already tense situation that can easily provoke another outburst of uncontrolled violence. In this respect, we firmly condemn rocket launches and balloons from Gaza. Israel's response in its right to self-defence must also be proportionate.

We continue to believe that settlements and their further expansions are wrong and illegal under international law, and they threaten the possibility of a future viable Palestinian State at peace with a democratic and secure Israel. What we need instead are concrete, continued and sustained steps that defuse tensions and pave the way for the search for a peaceful resolution of the conflict, which will make a two-State solution, with Jerusalem as a shared capital, not just a distant and dimming hope, but a reality.

We continue to believe that civil society is a vital part and hallmark of a democratic society and a pillar for fostering a culture of mutual understanding. We are convinced that it is also key in the search for a peaceful solution to the conflict, as civil society actors have a vital role to play in fostering a culture of dialogue and mutual recognition. The uncertainty about the designation of six Palestinian non-governmental organizations casts doubt upon the work of other non-governmental organizations and makes donors reluctant to fund their activities. This is part of a disturbing trend of shrinking civil space for civil society, especially in Gaza, but also in the West Bank.

We support the preservation of a status quo with regard to the holy sites in Jerusalem. These sites must serve their function to unite people of all faiths and allow us to find strength in our differences rather than reason for division and conflict. We call on all sides to show self-restraint and mutual respect, especially during the holy month of Ramadan, as well as during Passover and Easter celebrations, and avoid actions that fuel tension and confrontation.

Let me conclude by saying that what we desire is not a secret: we want a negotiated and just solution where Israelis and Palestinians enjoy full and equal rights with complete respect for one another's concerns and aspirations. This would not only benefit the Israelis and the Palestinians, but it would bring about enormous positive ramifications for the region and for the world at large.

Mr. Zhang Jun (China) (*spoke in Chinese*): I wish to thank Special Coordinator Tor Wennesland for his briefing, and we also take note of the Special Coordinator's 8 March statement on the security situation in the West Bank.

Like the Special Coordinator, China is concerned about the recent deterioration of the security situation in the occupied Palestinian territories and is deeply saddened by the casualties on both sides caused by the violence, especially Palestinian children. The protection of children in armed conflict is not an empty slogan but an unshakeable moral responsibility and an international obligation that must be fulfilled. We call for a thorough investigation of the recent violence and for effective accountability.

The upcoming month of April will involve the celebration of important holidays for both Muslims and Jews. We call on all parties concerned to abstain from provocative words and deeds, refrain from incitement to violence, jointly uphold and respect the historical status quo of the holy sites in Jerusalem, make every effort to prevent the situation from escalating out of control and strive not to allow the conflict in Gaza to repeat what happened last year.

Settlement activities in the occupied Palestinian territories violate international law, disrupt the contiguity of the occupied Palestinian territories, squeeze the living space of the Palestinian people and affect the prospects for achieving the two-State solution. We are deeply concerned about the continued expansion of settlements in the occupied territories, the growing number of settlers and their increasing violence. We once again call on Israel to halt the expansion of settlements, stop the eviction of Palestinians, cease the demolition of Palestinian homes and create conditions for the development of Palestinian communities in the West Bank, as called for in resolution 2334 (2016).

The international community should continue to help Palestine alleviate its fiscal crisis, improve its economy and livelihood and fight the coronavirus disease. We support Palestinian-Israeli coordination on economic and civilian matters, and we call on Israel to lift the blockade of Gaza as soon as possible.

China has always been concerned about the well-being of the Palestinian people. Last month, China and Egypt jointly provided 500,000 vaccine doses to the people of Gaza. China's 200,000 vaccine doses for refugees outside Palestine have also been delivered

to the United Nations Relief and Works Agency for Palestine Refugees in the Near East in three batches, arriving in Jordan, Syria and Lebanon.

Ultimately, the Palestinian issue needs a long-term settlement on the basis of the two-State solution. We hope that the two sides maintain the positive momentum of the recent high-level contacts, gradually build up mutual trust and resume dialogue on an equal footing at an early date. We call on the international community to make greater efforts to advance the Middle East peace process on the basis of the relevant United Nations resolutions, the principle of land for peace and other international agreements. The Security Council should heighten its sense of urgency, effectively shoulder its responsibilities and take constructive action towards a just and lasting settlement of the Palestinian-Israeli issue.

The current security situation in Europe is of concern to all sides, but the Palestinian-Israeli issue is just as important. The question of Palestine must not be marginalized, let alone remain unresolved for a long time. Recently, the Special Envoy of the Chinese Government on the Middle East Issue visited the region and engaged extensively with all parties on the Palestinian issue to promote consensus-building for peace. China will continue to work with the international community to make unremitting efforts and to do its part to contribute to a comprehensive, just and lasting settlement of the Palestinian issue.

The President (*spoke in Arabic*): I shall now make a statement as the representative of the United Arab Emirates.

I would like to thank the Special Coordinator for the Middle East Peace Process, Mr. Tor Wennesland, for his comprehensive briefing and for presenting the twenty-first report on the implementation of resolution 2334 (2016).

Our discussion today comes as the region approaches the month of Ramadan, as well as other upcoming holy occasions for the three Abrahamic religions. Such occasions represent an opportunity to promote the values of peaceful coexistence among different religions. As Mr. Wennesland said, we hope that the upcoming period will be one of calm, in contrast to the traumatic events that occurred in the occupied Palestinian territory at this time last year. We also support his call to the parties concerned to work to reduce tensions, especially in the city of Jerusalem,

and refrain from taking any action that may exacerbate tensions and increase escalation. That also requires the parties to make proactive and coordinated efforts to consolidate and preserve the basis of the recent truce.

In that regard, my country appreciates the efforts of Jordan, under the leadership of His Majesty King Abdullah II ibn Al Hussein, to reach a common understanding that ensures calm and peace during the upcoming period. While we call on all parties to exercise restraint, especially in the light of other tensions in the region, we stress the need to respect the freedom of Palestinians to practise their religious rites and the seriousness of violating them or violating the sanctity of the holy Al-Aqsa Mosque. We also commend the efforts of the Arab Republic of Egypt to resume the reconstruction process in the Gaza Strip and to maintain calm there.

With regard to the implementation of resolution 2334 (2016), reports confirm that we have witnessed an upsurge in settlement activities in recent years, which significantly affects the lives of the Palestinian population and constitutes a violation of international law. The continued settler violence in the occupied Palestinian territories is particularly worrisome. We express further concern over the persistent forced displacement of Palestinians and the demolition and confiscation of their homes and properties. Such acts only further worsen Palestinians' humanitarian conditions and undermine development efforts. We support Special Coordinator Wennesland's call to halt all such practices and safeguard the prospect of a two-State solution, whereby Israel must uphold its responsibilities in accordance with international law and the relevant United Nations resolutions.

As part of the presidency's pledge to shed light on the pandemic, which started two years ago, we would like to note that a mere 49 per cent of Palestinians in the occupied Palestinian territories have been vaccinated against the coronavirus disease. That requires addressing the challenges that prevent achieving the desired vaccination rate.

We stress the need to empower Palestinian women in all sectors and support projects and programmes that meet their needs given their important role in promoting stability and development, as well as the conflict's disproportionate impact on them.

Similarly, we emphasize the important role of young people in laying the foundations for peace and

reinforcing the values of peaceful coexistence among the two peoples. Realizing those objectives requires tapping into their potential and investing in their capabilities to enable them to build a brighter future that serves them and their communities.

In conclusion, the United Arab Emirates reaffirms its historic commitment to supporting an independent, sovereign State of Palestine based on the 4 June 1967 borders, with East Jerusalem as its capital, in accordance with the Madrid terms of reference, the Arab Peace Initiative and other agreed international parameters. Genuine efforts are needed to relaunch a

credible peace process that leads to the achievement of a two-State solution, with the State of Palestine living side by side with Israel in peace and security and under mutual recognition.

I now resume my functions as President of the Council.

There are no more names inscribed on the list of speakers. I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 11.50 a.m.



United Nations

PRESS RELEASE

SC/14891
13 MAY 2022

Security Council Press Statement on Killing of Journalist Shireen Abu Akleh

The following Security Council press statement was issued today by Council President Linda Thomas-Greenfield (United States):

The members of the Security Council strongly condemned the killing of Palestinian-American journalist Shireen Abu Akleh and the injury of another journalist in the Palestinian city of Jenin on 11 May 2022.

The members of the Security Council conveyed their sympathy and deepest condolences to the victim's family.

The members of the Security Council called for an immediate, thorough, transparent, and fair and impartial investigation into her killing, and stressed the need to ensure accountability.

The members of the Security Council reiterated that journalists should be protected as civilians.

The members of the Security Council stressed that they continued to monitor the situation closely.

! For information media. Not an official record.



Security Council

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Implementation of Security Council resolution 2334 (2016)

Report of the Secretary-General

I. Introduction

1. The present report is the twenty-second quarterly report on the implementation of Security Council resolution 2334 (2016), covering the period from 19 March to 16 June 2022.

II. Settlement activities

2. In its resolution 2334 (2016), the Security Council reaffirmed that the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, had no legal validity and constituted a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace. The Council reiterated its demand that Israel immediately and completely cease all settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and that it fully respect all of its legal obligations in that regard. No such steps were taken during the reporting period, as settlement activities continued.

3. On 27 March, members of an Israeli settler organization, accompanied by Israeli police, took over the first floor of a historic building in the Old City in occupied East Jerusalem. The settlers' actions occurred amid legal proceedings over ownership of the property between the settler organization and the Greek Orthodox Patriarchate of Jerusalem. In a statement issued on 29 March, the Patriarchate called the move a "threat to the continued existence of a Christian quarter in Jerusalem". On 8 June, the Supreme Court of Israel rejected an appeal filed by the Patriarchate against the ruling of a lower court, which had found that the building and two other properties had been sold legally by the Patriarchate to the settler organization.

4. On 21 March, Israeli security forces evacuated 20 structures in the outposts of Maoz Esther and Habaladim, in the central part of the West Bank. During the evacuation, the settlers who were occupying the structures injured two Israeli police officers and damaged Palestinian vehicles with stones and punctured their tyres. Six settlers were arrested but released the same day. It has been reported that the outpost was later rebuilt.

5. On 12 April, the Israeli authorities proceeded with plans to declare "a nature reserve" on approximately 5,500 acres of land south of Jericho, of which some 1,500



acres are private Palestinian-owned property. Objections to the order declaring the reserve can be filed within 60 days of its issuance. The so-called Nachal Og Nature Reserve is the largest reserve to be declared in 25 years. To date, Israel has declared about 48 nature reserves in the occupied West Bank with a total area of at least 95,000 acres, comprising some 12 per cent of Area C and about 7 per cent of the entire occupied West Bank.

6. On 19 April, thousands of Israeli activists, accompanied by right-wing members of the Knesset, marched to an outpost located at the site of the evacuated Homesh settlement and demanded that the settlement be re-established. Before the march, Israeli security forces temporarily closed the main road and blocked the entrances to several villages, prompting clashes with Palestinians. Israeli security forces injured at least 14 Palestinians with rubber-coated metal bullets during those clashes. On 29 May, the Government of Israel stated that the outpost at Homesh must be evacuated, without specifying a time frame. The Government made that statement as part of its response to a petition lodged with the High Court of Justice by Palestinian landowners and an Israeli non-governmental organization (NGO), who argued that the Government was not fulfilling its legal obligations to evacuate the outpost at the site and permit Palestinians to have access to their lands.

7. On 28 April, the Supreme Court of Israel rejected a petition challenging the construction of 31 settlement housing units in an apartment complex in the heart of the H2 area of Hebron. If built, those units would be the first new settlement construction in the city in nearly two decades, further consolidating the Israeli presence in and reinforcing the existing separation and division of that highly volatile area, where some 500 Israeli settlers live among some 40,000 Palestinians.

8. On 13 May, dozens of settlers took over an uninhabited Palestinian-owned house in Hebron without a permit, claiming that they had purchased the house from its Palestinian owner. The owner subsequently filed a complaint with the police. On 15 May, the settlers were evacuated from the building pending the settlement of the claim. Israeli security forces control access to the property. At the time of reporting, right-wing Israeli activists had set up a makeshift office in front of the building.

9. On 12 May, Israeli authorities advanced some 20 plans for the construction of more than 4,000 housing units in Area C settlements. Some of the plans cover settlements that are located in particularly sensitive areas, including Qiryat Arba' next to Hebron (156 units), Shilo near Nablus (534 units), Dolev near Ramallah (472 units) and Beitar Illit at the southern borders of Jerusalem (800). Two of the plans would retroactively legalize the Mitzpe Dani and Booster outposts as new neighbourhoods of existing settlements; in another plan, the structures covered are for recreational rather than residential purposes and were also retroactively legalized. This is the largest number of settlement units advanced in Area C since October 2020; approximately one third of those would be built in outlying locations that are deep inside the occupied West Bank, further impeding the contiguity of a future Palestinian State.

10. On 15 May, the Supreme Court of Israel rejected four petitions filed by Palestinian residents, Israeli NGOs and academics against a controversial plan to construct a cable car between West Jerusalem and occupied East Jerusalem, including the Old City. Palestinian residents of occupied East Jerusalem, Israeli NGOs and some in the international community have serious concerns that the aim of the plan is to deepen Israeli control over the area and that its implementation could lead to the demolition of Palestinian houses and further evictions in Silwan.

11. During the reporting period, demolitions and seizures of Palestinian-owned structures continued across the occupied West Bank, including in East Jerusalem. Israeli authorities, citing the lack of Israeli-issued building permits, which remain

almost impossible for Palestinians to obtain, demolished, seized or forced people to demolish 133 structures. The demolition of those structures resulted in the displacement of 188 persons, including 94 children, and affected 887 other persons.

12. A total of 6 per cent of the structures were demolished or seized with no or very short prior notice based on military order 1797, which authorizes an expedited process for the demolition of unauthorized “new structures” in Area C and gives owners 96 hours to demonstrate possession of a valid building permit. Another 11 structures were demolished by their owners following receipt of demolition orders. Of the structures that were demolished or seized, some 24 were funded by donors.

13. On 30 March, the Supreme Court of Israel decided to postpone by some six months handing down a ruling on the potential demolition of 38 homes in the Palestinian village of Walajah in occupied East Jerusalem, citing progress in discussions between the Palestinian residents and Israeli authorities on advancing a building and zoning plan for the village. The demolition freeze does not apply to 13 other homes in Walajah, one of which was demolished on 31 May. The other 12 homes remain under threat of demolition.

14. On 25 April, the Jerusalem Magistrate Court accepted the appeal of a Palestinian family concerning the family’s pending eviction from its home in the occupied East Jerusalem neighbourhood of Shaykh Jarrah. The Court ordered that the case be reconsidered by Israeli authorities while an eviction freeze remains in place.

15. On 4 May, the High Court of Justice of Israel rejected petitions seeking to overturn eviction orders issued to 1,200 Palestinian residents, including more 500 children from 12 herding communities in Masafer Yatta, in the southern occupied West Bank. The Court, in its ruling, stated that permanent structures in the area located on some 7,400 acres of privately owned Palestinian land did not exist when it was declared a “firing zone” by the Israeli military in the 1980s. The Palestinian residents disputed that claim, arguing that they had been living there before the establishment of Israel. There are nine settlement outposts located in and near the firing zone. The decision allows the Israeli authorities to enforce the eviction orders.

16. On 7 May, Israeli forces demolished, as a punitive measure, parts of a residential structure in Silat al-Harithiyah, Janin, that served as the home of a Palestinian accused of involvement in the killing of an Israeli civilian on 16 December near the evacuated settlement outpost of Homesh, near Nablus. The demolition displaced two family members of the accused Palestinian.

17. On 1 June, Israeli security forces demolished nine Palestinian structures, of which six were residential tents, in Masafer Yatta for lack of Israeli building permits. Some 38 Palestinians were displaced as a result of the demolitions.

18. Also on 1 June, Israeli security forces demolished, as a punitive measure, a residential structure in the village of Ya‘bad, near Janin. The structure was the home of the suspected perpetrator of the Bnei Brak shooting in March, in which five Israelis were killed.

III. Violence against civilians, including acts of terror

19. In its resolution [2334 \(2016\)](#), the Security Council called for immediate steps to prevent all acts of violence against civilians, including acts of terror, as well as all acts of provocation and destruction, called for accountability in that regard and called for compliance with obligations under international law for the strengthening of ongoing efforts to combat terrorism, including through existing security coordination, and to clearly condemn all acts of terrorism.

20. The reporting period was marked by an increase in daily violence throughout the Occupied Palestinian Territory and Israel, including clashes between Palestinians and Israeli security forces, high levels of settler-related violence, attacks and alleged attacks by Palestinians against Israelis, including three terrorist attacks in Israel, and the use of lethal force by Israeli security forces against Palestinians resulting in a significant number of Palestinians killed and injured.

21. In total, 41 Palestinians, including 9 children, were killed by Israeli security forces during demonstrations, clashes, security operations, attacks and alleged attacks against Israelis, as well as in other incidents. Some 3,665 Palestinians, including 57 women and 261 children, were injured. Of that number, 2,449 were injured owing to tear gas inhalation, while 214 were injured by live ammunition. In addition, Israeli settlers or other civilians perpetrated 195 attacks against Palestinians, resulting in the death of one person. Another 53 persons were injured and Palestinian-owned property was damaged.

22. A total of 10 Israeli civilians, three foreigners and one member of Israeli security forces were killed and 75 civilians, including at least 10 women and 3 children, one foreigner and 10 members of Israeli security forces were injured by Palestinians in attacks, clashes and rock- and Molotov-cocktail-throwing and other incidents. The majority of those were stone-throwing attacks against Israelis, including settlers, that resulted in injuries or damage to Israeli-owned property.

23. Israeli forces conducted 869 search-and-arrest operations, resulting in the arrest of 1,099 Palestinians, including 80 children, and injuries to 280 other persons during subsequent clashes.

24. Israeli authorities significantly reinforced the presence of security forces along the separation barrier and increased military operations inside the occupied West Bank, particularly around Janin, following a wave of terrorist attacks in Israel. Operations were often conducted in densely populated areas, leading to clashes, some with armed Palestinians, including militants, and resulting in casualties.

25. On 22 March, an Arab Israeli killed four Israeli civilians, including two women, in an attack in the Israeli city of Be'er Sheva⁴, before being shot and killed by Israeli civilians.

26. On 27 March, two Arab Israelis carried out a shooting attack in the Israeli city of Hadera, killing two Israeli civilians and injuring four others before being shot and killed by Israeli security forces. Da'esh later claimed responsibility for the incident.

27. On 29 March, a Palestinian man from the occupied West Bank shot and killed three Israelis and two foreign nationals and injured 10 other persons in a shooting attack in the city of Bnei Brak in central Israel. The assailant was shot and killed by Israeli police.

28. On 31 March, Israeli security forces killed two Palestinians, including a 17-year-old boy, in clashes and armed exchanges in Janin when they carried out a search-and-arrest operation. A total of 20 Palestinians were injured in the operation.

29. On 7 April, a Palestinian from the Jenin refugee camp in the occupied West Bank carried out a shooting attack in the centre of Tel Aviv, killing 3 Israeli civilians and injuring 14 others. The assailant was shot and killed by Israeli security forces on 8 April.

30. On 9 April, Israeli security forces shot and injured a 17-year-old Palestinian boy during a vehicle pursuit as part of an arrest operation that involved the use of live ammunition. The boy died of his injuries the next day.

31. On 10 April, Israeli security forces shot and killed an unarmed Palestinian woman with a visual impairment who ran with raised arms towards an Israeli security forces checkpoint near Husan, west of Bethlehem. She was not carrying any suspicious object in her hands, nor did she attempt to engage in violent action against Israeli security forces.

32. On 13 April, a 14-year-old Palestinian boy was shot dead by Israeli security forces during clashes in Husan. The security forces said that the boy had been attempting to throw a Molotov cocktail at their personnel when he was shot. That account is disputed by Palestinian eyewitnesses.

33. Some 16 Palestinians, including 2 children, were killed by Israeli security forces during search-and-arrest operations, exchanges of fire and clashes, including on 1 April in the H2 area of Hebron; 2 April and 9 April in Janin; 10 April in Bethlehem; 13 April in Silwad, near Ramallah, and in Nablus; 14 April in Kafr Dan, near Janin, where a 17-year-old boy and two other Palestinians were killed; 18 April in Yamun, near Janin; 26 April at Aqbat Jabr refugee camp in Jericho; 27 April in Jenin refugee camp; and 2 June in Dheisheh refugee camp in Bethlehem.

34. Four Palestinians, including two women and a child, were shot dead, reportedly during attacks or alleged attacks by Israeli security forces or Israeli civilians. The incidents occurred on 31 March, near the settlement of Newe Daniyyel; on 10 April, in Hebron; on 8 May, in the settlement of Tekoa; and on 1 June, near Arroub refugee camp in Hebron.

35. In March and April, tensions were high at the holy sites and in and around the Old City in occupied East Jerusalem as Muslims, Jews and Christians celebrated the holidays of Ramadan, Passover and Easter. The tensions were exacerbated by inflammatory posts and misinformation circulated on social media.

36. On 15 April, large numbers of Israeli security forces entered the Aqsa Mosque compound as Palestinians gathered for the dawn prayer. Some Palestinians threw stones and fireworks towards Israeli security forces. In response, those forces used stun grenades, sponge-tipped bullets and batons, including against bystanders. Following a standoff, Israeli police entered the mosque and arrested those inside. Some damage was caused to the structure of the mosque during the clashes. About 160 Palestinians were injured, including 4 women, 27 children and at least 1 journalist, while some 400 persons were arrested, most of whom were released later that day. According to Israeli security forces, three police officers were injured. Tens of thousands of worshippers participated in noon prayers later that day without any major incident.

37. In addition to the events of 15 April, some 102 Palestinians were injured by Israeli security forces in other incidents in and around the Old City, including at the holy sites, from the start of Ramadan on 2 April up to and including the Independence Day of Israel on 5 May. Meanwhile, eight Israelis were injured by Palestinians in 14 separate incidents over that period. On 14 May, a 23-year-old Palestinian man died as a result of the injuries that he had sustained on 22 April. During that period of holidays, Israeli security forces arrested over 200 Palestinians in and around the holy sites, including at least 14 children and at least 1 woman.

38. On 30 April, a Palestinian man was shot and killed by Israeli security forces in Azzun, near Qalqilyah. The man reportedly threw a Molotov cocktail at soldiers and, according to video footage of the incident, was shot in the back while running away.

39. On 5 May, two Palestinians from the Janin area killed three Israeli civilians and wounded four others with axes in a terrorist attack in the Israeli city of El'ad. Israeli security forces arrested the perpetrators on 8 May.

40. On 8 May, Israeli security forces shot and killed an unarmed Palestinian attempting to cross the security fence near Tulkarm. The security forces claimed that the man was shot according to their arrest procedure.
41. On 11 May, a Palestinian-American journalist, Shireen Abu Akleh, was shot dead while covering clashes between Israeli security forces and armed Palestinians at Jenin refugee camp. Another journalist was shot and injured in the same incident. Both were wearing press vests and helmets, had approached the area slowly to make their presence visible to the Israeli forces and, according to reports, had not received warnings to stop.
42. Clashes broke out during Abu Akleh's funeral procession on 13 May, when Israeli police entered Saint Joseph Hospital in occupied East Jerusalem and beat pallbearers and other mourners with batons, at one point causing the coffin to fall towards the ground, while firing stun grenades and sponge-tipped bullets to disperse Palestinians who had assembled there to join the procession, injuring 33 persons and arresting another 15.
43. The Attorney General of the State of Palestine, in his preliminary findings of 13 May regarding Abu Akleh's death, said that only Israeli forces were in a position to kill the journalist. The preliminary findings of an Israeli Defense Force military probe, which were published that same day, were inconclusive because a ballistic examination of the projectile had not been conducted.
44. Also on 11 May, Israeli security forces shot and killed a 16-year-old Palestinian boy and injured another in Birah, where, according to eyewitnesses, some 30 Palestinian youths were throwing stones at Israeli security forces. The boy was shot in the chest from a distance of about 100 m, in circumstances in which he did not seem to pose an imminent threat to Israeli security forces.
45. On 13 May, a Palestinian and an Israeli soldier were killed, while at least 14 other Palestinians, including a 16-year-old, were injured during an Israeli security forces arrest operation in Jenin refugee camp that triggered clashes with armed Palestinians.
46. On 16 May, the funeral of a 23-year-old Palestinian, who had died the previous day from injuries sustained on 22 April during clashes with Israeli security forces at the holy sites, also led to confrontations between Israeli police and Palestinians in occupied East Jerusalem. Some 64 Palestinians and two Israeli police officers were injured as a result.
47. On 20 May, during a search operation in Janin in which there was an exchange of fire, Israeli security forces shot and killed a 17-year-old Palestinian as he was reportedly throwing a Molotov cocktail.
48. On 24 May, Israeli security forces shot and killed a 16-year-old Palestinian and injured more than 20 others in Nablus during clashes near Qabr Yusuf. According to Israeli security forces, the Palestinian who was shot dead had reportedly thrown a Molotov cocktail at security forces and Jewish Israelis at the site.
49. On 27 May, Israeli security forces shot and killed a 14-year-old Palestinian boy near Khidr, Bethlehem Governate, during clashes. There are conflicting accounts as to the boy's involvement in the events. Palestinians and Israeli security forces clashed during the boy's funeral; three Palestinians, including a child, were shot with live ammunition and injured.
50. On 29 May, approximately 70,000 Israelis took part in a controversial flag march through the Old City of Jerusalem to celebrate the capture by Israel of East Jerusalem in 1967. Some demonstrators shouted anti-Arab racist chants, including "death to Arabs". In one incident, which was widely publicized on social media, a

young Israeli man spat on and kicked an old Palestinian woman. During the event, scuffles broke out between Palestinians, on the one hand, and Israeli demonstrators and Israeli security forces, on other, throughout occupied East Jerusalem, including in the Old City. Some 87 Palestinians were injured, as were an Israeli civilian and a member of the Israeli security forces, and 72 Palestinians were arrested. On 29 and 30 May, in other parts of the occupied West Bank, Israeli security forces shot and injured 53 Palestinians, including 21 who were injured with live ammunition, in clashes that erupted during demonstrations, many of which were held as a response to the flag march.

51. Earlier on 29 May, a record 2,600 Jewish Israeli visitors had entered the Holy Esplanade, with some flying the Israeli flag and performing prayers, triggering violent confrontations between Palestinians and the Israeli police. Israeli forces fired rubber bullets, stun grenades and tear gas canisters at Palestinians and arrested at least 20 Palestinians, including 3 women.

52. On 1 June, a punitive demolition in Ya'bad, near Janin, triggered clashes with local residents during which Israeli security forces shot and killed a Palestinian with live ammunition and injured six other Palestinians. A second Palestinian died on 11 June, succumbing to the wounds that he had sustained in those clashes.

53. On 2 June, Israeli security forces shot and killed a 17-year-old Palestinian in Midyah, Ramallah, in unclear circumstances

54. On 9 June, Israeli security forces shot and killed a Palestinian man during clashes that erupted during a search operation in Halhul, near Hebron. Four other Palestinians, including two children, were wounded by live ammunition.

55. During the reporting period, arrests of Palestinians, including children, continued to increase. As at 31 May, 4,700 Palestinians, including 170 children, were being held in Israeli prisons. Of that number, 640 Palestinians, including a child, were being held in administrative detention without charge or trial.

56. Against the backdrop of continued settlement advancements and ongoing pressure on Palestinian communities in the occupied West Bank, settler-related violence increased, in particular following the terrorist attacks in Israel.

57. On 10 April, dozens of Palestinians vandalized and set fire to a Jewish holy site located in the city of Nablus before being dispersed by Palestinian security forces.

58. On 17 April, in the Old City of Jerusalem, Palestinians assaulted three Jewish worshippers who were on their way to the Western Wall, and several buses were stoned, injuring seven Israelis, including a 13 year-old girl. Some nine Palestinians were arrested for those attacks.

59. On 23 April, Israeli security forces and settlers fired live ammunition at a Palestinian family on agricultural land near Surif, Hebron Governorate, injuring three persons, including a 16-year-old boy. The persons who were injured have submitted a complaint to the Israeli police.

60. On 26 April, Israeli settlers erected a tent on private Palestinian-owned land near the Ma'ale Adummim settlement. When asked to leave, the settlers attacked and injured four Palestinians, including a 68-year-old who sustained multiple fractures.

61. On 29 April, armed Palestinians shot and killed an Israeli civilian guard in the settlement of Ari'el. Israeli security forces arrested two suspects on 30 April.

62. On 8 May, Israeli settlers, accompanied by Israeli security forces, entered the Palestinian town of Haris, west of Salfit, and clashed with local youths. A young Palestinian was injured by live ammunition, reportedly fired by one of the settlers, and two others were shot by Israeli security forces with rubber-coated metal bullets.

63. Between 20 and 26 May, Israeli settlers and Israeli security forces clashed with Palestinians in Huwwarah, Nablus, in a series of incidents in which Israeli settlers took down Palestinian flags in the village. At least 54 Palestinians were injured in the clashes.

64. On 22 May, Israeli settlers entered Qusrah, south of Nablus, and threw stones at two Palestinian boys, resulting in one of the boys being hospitalized with a head injury.

65. On 27 May, Israeli settlers attacked Palestinian houses and vehicles with stones in the Ra's area of the H2 area of Hebron, sparking clashes with Palestinians. Three Palestinians, including a child, were injured in the clashes.

66. During the reporting period, Palestinian armed groups in Gaza launched five rockets and three mortar shells towards Israel, one of which fell in the Israeli town of Sderot, causing property damage. In retaliation, the Israel Defense Forces conducted eight air strikes and fired 21 missiles against what it said were Hamas targets in Gaza, with no injuries reported.

67. Following the rocket launches, Israeli authorities closed the Erez crossing between Gaza and Israel to Palestinian workers and traders on 24 and 25 April. The Israeli authorities closed the crossing again, from 3 to 14 May, except for humanitarian cases. The closure led to significant economic losses, as workers were unable to enter Israel. The decision to close the crossing was taken after the terrorist attack in El'ad in Israel and calls by senior Hamas leaders for Palestinians to carry out further attacks against Israelis.

68. In the period from 25 to 27 April, Israeli security forces arrested 11 fishers, among whom were three children, injuring three of the fishers in the process, and confiscated four boats off the Gaza coast for allegedly breaching the fishing limit, currently set by Israel at 15 nautical miles. Between 25 May and 9 June, Israeli security forces arrested 16 fishers, including a child, off the Gaza coast, injuring six of the fishers with rubber-coated metal bullets, and confiscated five boats. To date, Israeli security forces had arrested 41 Gaza fishers in 2022, injuring 15 of them, compared with only 11 in 2021. According to the Israeli military, on 8 April, naval forces thwarted an attempt to smuggle arms by sea and arrested three Palestinians.

69. On 15 June, the Be'er Sheva' District Court convicted the former director for Gaza of World Vision, Mohammad el-Halabi, on 13 charges of terrorism, including membership of a terrorist organization and diverting humanitarian funds to finance the terrorist activities of armed groups in Gaza. Halabi, who has consistently denied the charges, and his defence team announced that he would appeal against the ruling. He was arrested by Israeli authorities in 2016 and remained in detention during the court proceedings, which spanned six years and were postponed multiple times.

IV. Incitement, provocations and inflammatory rhetoric

70. In its resolution [2334 \(2016\)](#), the Security Council called upon both parties to act on the basis of international law, including international humanitarian law, and their previous agreements and obligations, to observe calm and restraint and to refrain from provocative actions, incitement and inflammatory rhetoric, with the aim, inter alia, of de-escalating the situation on the ground, rebuilding trust and confidence, demonstrating through policies and actions a genuine commitment to the two-State solution and creating the conditions necessary for promoting peace.

71. Tensions around the holy sites in occupied East Jerusalem were further heightened during the convergence of various religious holidays when some Fatah

and Palestinian Authority officials denied the Jewish connection to Jerusalem and claimed that the Israeli authorities intended to allow Jewish extremists to “storm the Aqsa Mosque in the Old City of Jerusalem to slaughter sacrifices”, a claim that Israeli police and other Israeli officials denied several times. Fatah and Hamas officials praised and glorified the perpetrators of recent terrorist attacks inside Israel, despite the clear condemnations of the attacks that were issued by the President of the State of Palestine, Mahmoud Abbas. In addition, Hamas leaders called for additional attacks against Israelis, with one saying that “everybody who has a gun should take it, and those who don’t have a gun should take a butcher’s knife or any knife they can get”.

72. Exacerbating the tensions in occupied East Jerusalem during Ramadan, a far-right Israeli member of the Knesset visited the holy sites twice during the reporting period after receiving police approval. He also attempted to lead a nationalist march through the Damascus Gate and the Muslim quarter of the Old City. The police did not authorize the march, which the Israeli authorities ultimately blocked. A separate, inflammatory annual flag march through the Damascus Gate and the Muslim quarter was approved by Israeli authorities and went ahead on 29 May.

73. Actions taken by Israeli authorities during the funeral of Shireen Abu Akleh, with police entering a hospital and beating pallbearers and other mourners with batons, were also highly offensive and inflammatory. A member of the Knesset criticized the decision of the Commissioner of the Israel Police to investigate those incidents, saying that Abu Akleh was part of the “Arab war machine against Israel”.

74. In remarks made at a religious school in a settlement in the occupied West Bank, an Israeli military commander said that the “army and the settlements are one and the same”. He was later reprimanded by his superiors for the remarks. At a high school in another West Bank settlement, a deputy minister in the Government of Israel said that “if there were a button you could press that would make all the Arabs disappear ... I would press that button”.

75. Speaking at a plenary session of the Knesset, a member of the Knesset threatened Israeli Arab students who flew Palestinian flags at Israeli universities, telling them to “remember ... your Nakbah” in 1948, adding that, “if you don’t calm down, we will teach you a lesson that will not be forgotten”.

V. Affirmative steps to reverse negative trends

76. In its resolution [2334 \(2016\)](#), the Security Council called for affirmative steps to be taken immediately to reverse the negative trends on the ground that were imperilling the two-State solution. Negative trends on the ground continued during the reporting period.

77. On 26 March, the Central Election Commission of the State of Palestine conducted the second phase of local council elections, which were held in the largest communities of the occupied West Bank. Nearly 54 per cent of the approximately 715,000 eligible voters cast their ballots in 50 competitive elections. Independent lists won 64.4 per cent of contested council seats, while, in accordance with a quota system, women were elected to 18 per cent of contested council seats. In January, the Cabinet of the State of Palestine postponed local elections in Gaza after Hamas demanded guarantees that presidential and legislative elections would be held in addition to local elections and raised concerns about the impartiality of the electoral courts.

78. On 27 March, the Government of Israel announced that it had increased to 20,000 the approved quota of permits available for Palestinian workers from Gaza

who wish to enter Israel. As at 9 June, some 9,900 economic needs permits had been issued. That number is in addition to some 2,500 existing permits for traders and businesspeople. In a related development, the Government allocated some \$12 million to improving the crossings between Gaza and Israel, as the amount of goods exiting Gaza remained at a relatively high level. In a separate decision, the Israeli authorities approved the import into Gaza of essential medical equipment, such as mobile x-ray machines, and eased restrictions on the import into Gaza of 56 communications items, many of them routine.

79. On 10 May, the Palestinian Central Bureau of Statistics released the labour force statistics for the first quarter of 2022, which showed that the number of Palestinians working in Israel had risen by approximately 33 per cent, from some 130,000 workers at the end of 2021 to about 173,000 workers at the end of the first quarter of 2022. The Palestinian economy continued to recover from the impact of the coronavirus disease (COVID-19) crisis, as the labour force participation rate in the first quarter of 2022 increased in both the occupied West Bank and the Gaza Strip compared with the fourth quarter of 2021.

80. In Gaza, the United Nations continued to deliver vital humanitarian and development assistance. It also continued to engage in diplomatic efforts, with a view to encouraging Israel to further ease restrictions on the movement of people and goods into and out of the Gaza. Following an agreement by the Palestinian Authority and Israel, plans have been put in place to support the revitalization of the fishery sector in Gaza, including by facilitating entry of dual-use items under the Gaza Reconstruction Mechanism. To improve oncology services in Gaza and reduce the debt burden on the Palestinian Authority arising from medical referrals, the United Nations is supporting preparations for a five-year operational plan for oncology that will include prevention, treatment and palliative care.

81. The reconstruction of homes that were fully or partially damaged during the May 2021 escalation continued, albeit slowly, owing largely to lack of funds. The volume of goods, the majority of which are agricultural products, exiting Gaza through the Kerem Shalom crossing increased by 34 per cent compared with the average volume of goods exiting prior to the escalation. The volume of materials and goods entering Gaza through Kerem Shalom declined by 19 per cent when compared with the pre-escalation period, while there was a slight increase in the volume of materials and goods moving through the Rafah crossing, with some 3,000 tons of rebar entering Gaza.

82. Rising prices and market disruptions, which have been amplified by the war in Ukraine, threaten the food security of vulnerable families in the Occupied Palestinian Territory and the ability of the United Nations to maintain services. The quarterly distribution costs of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in Gaza, where the United Nations accounts for nearly 60 per cent of food supply, have increased by 42 per cent compared with the Agency's average distribution costs in 2021. Meanwhile, the impact of the assistance provided by the World Food Programme e-voucher has been diminished by soaring food prices.

83. On 10 May, the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians met in Brussels and addressed key economic issues, including Palestinian Authority fiscal reforms, enhancing Palestinian Authority revenues, trade, water and energy. The Palestinian Authority committed itself to engaging with international partners, including the International Monetary Fund, in order to improve overall public financial management and begin implementation of important reforms by the third quarter of 2022 that would safeguard financial viability. Meanwhile, the Government of Israel highlighted its

determination to strengthen the Palestinian Authority and take additional economic steps in the coming months. While many participants noted some of the positive steps that Israel had taken in recent months in relation to the movement of persons and goods, they emphasized the need for such steps to be anchored within a broader political discussion and horizon.

84. On 31 May, hundreds of Palestinian and Israeli civil society activists met in Jerusalem for one of the largest-ever conferences of organizations engaged in peacebuilding, organized by the Alliance for Middle East Peace. During the conference, which was attended by representatives of the United Nations and diplomats from some 30 countries, participants discussed, inter alia, ways to increase the impact of their work and how to use peacebuilding initiatives as a tool for policy change.

85. On 14 June, the European Commission announced a renewed financial support package of €224.8 million for the Palestinian people, including €145.35 million in direct support to the Palestinian Authority for the payment of salaries and pensions of civil servants, allowances to vulnerable families and financial support for referral services to the East Jerusalem hospitals and for COVID-19 vaccines. The support package also includes earmarked funding for the Gas for Gaza and the Gaza Central Desalination Plant infrastructure projects.

VI. Efforts by the parties and the international community to advance the peace process and other relevant developments

86. In its resolution [2334 \(2016\)](#), the Security Council called upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967.

87. On 13 May, the Canadian Food Inspection Agency ruled that “product of Israel” labels, without any additional clarifying information, affixed to two wines produced in Israeli settlements in the occupied West Bank were considered “false” and therefore not in compliance with applicable Canadian federal statutes concerning food labelling. The Agency made its determination following a decision in the matter that was handed down by the Federal Court of Appeal of Canada in May 2021 and earlier related court proceedings in Canada, which the Special Coordinator for the Middle East Peace Process and my Personal Representative to the Palestine Liberation Organization and the Palestinian Authority addressed when he briefed the Security Council on my eleventh quarterly report (see [S/PV.8625](#)).

88. On 10 June, the Ministry of Foreign Affairs of Norway announced that “foodstuffs originating in the territories occupied by the State of Israel must bear the indication of their territory of origin, accompanied, where those foodstuffs come from an Israeli settlement within that territory, by the indication of that provenance”, indicating that such a requirement would be in line with the December 2019 ruling of the European Court of Justice concerning the interpretation of European Union Regulation 1169/2011 (also known as the European Union regulation on the provision of food information to consumers). I had reported on that ruling in my twelfth quarterly report ([S/2019/938](#)). The Ministry added that the regulation was incorporated into the Agreement on the European Economic Area and its implementation was therefore part of the country’s obligations under that Agreement.

89. In its resolution [2334 \(2016\)](#), the Security Council also called upon all parties to continue, in the interest of the promotion of peace and security, to exert collective efforts to launch credible negotiations on all final status issues in the Middle East peace process and urged in that regard the intensification and acceleration of

international and regional diplomatic efforts and support aimed at achieving, without delay, a comprehensive, just and lasting peace in the Middle East on the basis of the relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet Road Map, and an end to the Israeli occupation that began in 1967. The Council underlined that it would not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations. No such steps were taken during the reporting period.

VII. Observations

90. I remain deeply troubled by the continued Israeli settlement expansion in the occupied West Bank, including East Jerusalem, with the highest number of settlement units advanced since October 2020. Settlements further entrench the military occupation of Israel, undermine the right of the Palestinian people to self-determination and sovereignty, encroach on Palestinian land and natural resources, and hamper the free movement of the Palestinian population.

91. Israeli settlements in the occupied West Bank, including East Jerusalem, have no legal validity and constitute a flagrant violation of international law and United Nations resolutions. They undermine the prospect of achieving a two-State solution by systematically eroding the possibility of establishing a contiguous, independent, viable and sovereign Palestinian State. I urge the Government of Israel to cease all settlement activity immediately, in line with its obligations under international law.

92. Settlement activity, alongside Israeli restrictions on land, also undermines Palestinian economic potential. The municipal boundaries of settlements cover approximately 10 per cent of the occupied West Bank. Approximately 18 per cent of Area C of the occupied West Bank has been designated as a closed military zone for training, with some 50 per cent more designated as State lands, nature reserves or under settlement council jurisdiction, effectively closing it off to Palestinian construction, economic activity and development.

93. In an increasing number of locations across the Occupied Palestinian Territory, settlers have cut off access to grazing land long used by Palestinian pastoralists and built informal structures, effectively denying Palestinian access to the lands. Such restrictions on Palestinian access to the productive assets in Area C further limit Palestinian economic potential.

94. I am particularly disturbed by reports of armed settlers carrying out attacks inside Palestinian communities, sometimes in the proximity of and with the support of Israeli security forces. Settlers are rarely held accountable for these attacks, increasing the level of threat to Palestinians and their property. Israel, as the occupying Power, has an obligation to protect Palestinians and their property in the Occupied Palestinian Territory.

95. I am deeply concerned by the potential implications of the High Court's ruling on Masafer Yatta and the humanitarian toll on the communities in question if eviction orders are enforced. International humanitarian law allows only for the temporary evacuation of civilian populations for their own security or for an imperative military reason. The continued demolitions and seizures of Palestinian-owned structures, including internationally funded humanitarian projects, as well as structures related to income-generation and the provision of essential services, remains disturbing. I call upon the Government of Israel to end the demolition of Palestinian-owned property and prevent the possible displacement and forced eviction of Palestinians, in line with the obligations of Israel under international humanitarian and

international human rights law and to approve plans that would enable those communities to build legally and address their development needs. Demolitions and forced evictions entail numerous human rights violations and raise concerns about the risk of forcible transfer.

96. I remain gravely concerned by the continuing violence against civilians, which exacerbates mistrust and undermines a peaceful resolution to the conflict. The violence must stop, and all perpetrators must be held accountable. I condemn all terrorist attacks carried out against civilians in Israel. These attacks, the deadliest in years, must be clearly rejected by all.

97. I also condemn the continued killings of Palestinians, including children, by Israeli security forces, including in incidents in which they did not appear to present an imminent threat to life. The frequency of these incidents raises significant questions over the compliance of the rules of engagement of the Israeli security forces with international law, including international human rights standards regulating the use of firearms. I reiterate that security forces must exercise maximum restraint, use lethal force only when it is strictly unavoidable in order to protect life and carry out thorough, independent, impartial and prompt investigations into all instances of possible excessive use of force.

98. I am appalled by the killing of journalist Shireen Abu Aqleh. The outpouring of sympathy from thousands of Palestinian mourners during the funeral procession was moving. The confrontations between Israeli security forces and Palestinians gathered at St. Joseph Hospital, and the behaviour of some police present at the scene, was disturbing. I echo the Security Council's unanimous condemnation of her killing and its call for those responsible to be held accountable. I reiterate my call for an independent and transparent investigation into her killing. I condemn all attacks and killings of journalists; they must never be the target of violence. A free press is essential for peace, justice, sustainable development and human rights.

99. I reiterate that the indiscriminate launching of rockets towards Israeli population centres is prohibited by international humanitarian law and must stop immediately.

100. I am particularly dismayed that children continue to be victims of violence, arrested in large numbers and detained for prolonged periods of time, including in military detention. Children are entitled to special protection, while primary consideration should be given to their best interest in every action concerning them, including in the context of law enforcement operations. I reiterate my call upon Israel to use detention as a measure of last resort and for the shortest appropriate period, end the administrative detention of children and prevent all forms of ill-treatment in detention. Children must never be the target of violence or put in harm's way.

101. I am concerned that the number of Palestinian administrative detainees, held in Israeli detention without trial or charge, is, according to the Israel Prison Service, at its highest since 2016. All detainees should be promptly charged and ensured fair trial guarantees or released.

102. The fate of two Israeli civilians and the bodies of two Israel Defense Forces soldiers held by Hamas in Gaza remain an important humanitarian concern. I call upon Hamas to provide information on their status, as required by international humanitarian law, and to return the withheld bodies to their families.

103. I also remain concerned by the continued Israeli practice of holding the bodies of killed Palestinians, totalling 103, including 3 women and at least 10 children. I call upon Israel to return withheld bodies to their families, in line with its obligations under international humanitarian law.

104. I remain concerned by the multiple instances in which officials used dangerous and hateful rhetoric that has raised tensions and sparked violence in the reporting period. Terrorism, violence and incitement must be clearly condemned and unequivocally rejected by all, never celebrated or amplified. I welcome the clear condemnations by Mr. Abbas of the brutal attacks against Israeli civilians in Tel Aviv, Bnei Brak and El'ad, as well as the strong rejection by senior ministers of the Government of Israel of the blatant racism displayed by members of extremist groups towards Palestinians in the Jerusalem Day flag march.

105. During the reporting period, once again, the volatility surrounding developments at the holy sites in Jerusalem was clearly witnessed. I reiterate and amplify my call for the parties to respect and uphold the status quo, taking into account the special and historic role of Jordan as custodian of the Muslim and Christian holy sites in Jerusalem. It is critical that all relevant actors maintain open channels of communication so that crises and further violence can be avoided.

106. I remain concerned about the fragility of the current political and security dynamics, particularly in the occupied West Bank, including East Jerusalem. The persistence of conflict drivers and the absence of a political horizon have empowered extremists and are eroding the perception among Palestinians and Israelis that a resolution of the conflict is achievable. These dynamics are becoming increasingly dangerous.

107. The financial crisis faced by the Palestinian Authority – compounded by the constraints of the occupation, the absence of serious Palestinian reforms and unclear prospects for donor support – requires urgent attention. Full salaries have not been paid to its civil servants since October 2021. Economic productivity has not returned to pre-pandemic levels, particularly in the Gaza Strip, where the unemployment rate is about 47 per cent and the poverty rate is 60 per cent. While Palestinian Authority revenues have improved in recent months, expenditures continue to grow and adequate budget support from donors has not been forthcoming. Taken together, these factors make it increasingly difficult for the Palestinian Authority to meet minimum recurrent expenditures, let alone address outstanding arrears and make critical investments in the economy and the Palestinian people. The parties, as well as regional and international partners, must work collectively to move the Palestinian Authority onto a firmer fiscal footing, while addressing broader systemic issues. In this regard, I welcome the renewed financial support from the European Union, which will give critical temporary relief to the Palestinian Authority.

108. While we have seen some encouraging initiatives and Israeli-Palestinian cooperation to address economic challenges in recent months, I encourage leaders on both sides to make crucial decisions that will help to de-escalate the situation. While immediate steps to reverse negative trends and support the Palestinian people are essential, a better coordinated and strategic approach by the parties and the international community is needed. Economic relief must be expanded and more sustainable. An agreed and updated regulatory framework for the Israeli-Palestinian economic relationship is not only vital to bringing about meaningful economic dividends for the Palestinians but would add a tangible political perspective to these advances.

109. This approach must be combined with political and security steps that address core conflict drivers and ultimately lead towards an end to the occupation and the achievement of a negotiated two-State solution. Regrettably, positive Israeli economic measures towards the Palestinians are regularly undermined by parallel negative steps, such as settlement advancement, demolitions and continued violence. This approach will not enable progress towards creating an environment conducive to a return to negotiations.

110. I remain seriously concerned about the financial situation of UNRWA, which is putting the delivery of essential services – including education and health – to

Palestine refugees in the Occupied Palestinian Territory and in the region at risk. This includes a projected funding gap of \$72 million to sustain food assistance for over 1 million people in Gaza. Any service interruption could exacerbate an already tense situation on the ground. I reiterate my urgent call to provide UNRWA with the funds needed to fully deliver on its mandate from the General Assembly and strongly appeal to all Member States to come forward with new or increased contributions at the pledging conference for UNRWA on 23 June.

111. In Gaza, the situation remains fragile, and the risk of escalation persists. Efforts by the United Nations and international partners to improve Palestinian lives and measures by Israel to ease pressure and facilitate more economic activity have enabled the fragile ceasefire to continue. However, increasing international prices for construction materials and fuel will impact recovery and reconstruction efforts in Gaza and could have consequences for stability. It will be vital to ensure that United Nations agencies will be able to continue to deliver critical support for the most vulnerable. Maintaining the calm, however, is neither enough nor sustainable. Despite efforts made over the past months, more needs to be done to alleviate the humanitarian situation, improve the economy, and lift the Israeli debilitating closures, in line with Security Council resolution [1860 \(2009\)](#). Only sustainable political solutions will restore hope to Gaza's long-suffering population.

112. While local elections were successfully held in the occupied West Bank, it has now been over a year since Palestinian legislative elections and, consequently, ensuing Presidential elections were postponed. It is crucial that efforts are intensified to resume the process as the holding of elections in the occupied West Bank, including East Jerusalem, and Gaza would be a crucial step towards Palestinian unity, giving renewed legitimacy to national institutions, including a democratically elected Parliament and Government in Palestine.

113. It is critical that intra-Palestinian reconciliation efforts continue. The United Nations stands firm in its support of Egyptian efforts in that regard. I call upon all Palestinian factions to redouble efforts to ensure the reunification of Gaza and the occupied West Bank, including East Jerusalem, under a single, democratic, national government. Gaza is, and must remain, an integral part of a future Palestinian State as part of a two-State solution.

114. I remain committed to supporting Palestinians and Israelis in resolving the conflict and ending the occupation in line with relevant United Nations resolutions, international law and bilateral agreements in pursuit of achieving the vision of two States – Israel and an independent, democratic, contiguous, viable and sovereign Palestinian State – living side by side in peace and security within secure and recognized borders, on the basis of the pre-1967 lines, with Jerusalem as the capital of both States.

115. There is no substitute for a legitimate political process that will resolve the core issues driving the conflict. I urge Israelis, Palestinians, regional States and the broader international community to take steps that will enable the parties to re-engage on the path towards meaningful negotiations and, ultimately, peace. The United Nations remains actively engaged in advancing these efforts with key regional partners and Israeli and Palestinian leaders.

116. I express my deep appreciation to Special Coordinator for the Middle East Peace Process, Tor Wennesland, for his outstanding service in what remains a challenging context. I also pay tribute to all United Nations personnel working under difficult circumstances in the service of the Organization.



Security Council

Seventy-seventh year

9139th meeting

Wednesday, 28 September 2022, 10 a.m.

New York

Provisional

<i>President:</i>	Mr. De Rivière/Mrs. Jarraud-Darnault	(France)
<i>Members:</i>	Albania	Mr. Hoxha
	Brazil	Mrs. Espeschit Maia
	China	Mr. Zhang Jun
	Gabon	Mrs. Koumba Pambo
	Ghana	Mr. Agyeman
	India	Mrs. Kamboj
	Ireland	Mr. Mythen
	Kenya	Mr. Kiboino
	Mexico	Mr. De la Fuente Ramírez
	Norway	Ms. Juul
	Russian Federation	Mr. Polyanskiy
	United Arab Emirates	Mrs. Alhefeiti
	United Kingdom of Great Britain and Northern Ireland . .	Dame Barbara Woodward
	United States of America	Mrs. Thomas-Greenfield

Agenda

The situation in the Middle East, including the Palestinian question

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The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President (*spoke in French*): In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Tor Wennesland, Special Coordinator for the Middle East Peace Process, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I give the floor to Mr. Wennesland.

Mr. Wennesland: Today's briefing is devoted to the twenty-third report of the Secretary-General on the implementation of resolution 2334 (2016). The reporting period is from 17 June to 20 September.

Paragraph 2 of resolution 2334 (2016) calls on Israel to,

“immediately and completely cease all settlement activity in the occupied Palestinian territory, including East Jerusalem, and ... fully respect all of its legal obligations in this regard”.

Settlement activity nevertheless continued during the reporting period. Between 19 and 21 July, Israeli settlers erected tents across the occupied West Bank in a widely publicized campaign by a settlement organization to establish new outposts. Israeli authorities subsequently removed the encampments because they were illegal under Israeli law.

On 25 July, Israeli authorities advanced plans for the construction of 1,215 housing units at the Lower Aqueduct site, adjacent to Kibbutz Ramat Rachel and the Palestinian neighbourhood of Umm Tuba. Some units are intended for construction across the Green Line in occupied East Jerusalem.

On 27 July, Israel's Supreme Court reversed its ruling ordering the evacuation of settlers from the illegal outpost of Mitzpe Kramim, near Ramallah. The Court accepted the Government's argument that the Palestinian land had been allocated to the settlers in good faith and that the principle of so-called market regulation should be applied.

On 28 July, Israeli settlers, accompanied by Israeli security forces, moved into an empty Palestinian-owned house in the H-2 Area of Hebron. That is the second takeover of a Palestinian home in the H-2 Area this year.

On 5 September, Israeli authorities advanced plans for 700 units in the planned East Jerusalem settlement of Givat Hashaked, adjacent to the Palestinian neighbourhoods of Beit Safafa and Sharafat.

Demolitions and seizures of Palestinian-owned structures continued across the occupied West Bank, including East Jerusalem. Israeli authorities, citing the lack of Israeli-issued building permits — which are almost impossible for Palestinians to obtain — demolished, seized or forced people to demolish 316 structures. Those actions displaced 237 people, including 116 children; 41 of those structures were donor-funded.

On 21 July, Israel's Supreme Court partially accepted the appeal of a Palestinian family under threat of eviction in the East Jerusalem neighbourhood of Silwan, freezing the eviction order until proceedings are completed in a lower court.

On 25 July and 8 August, Israeli security forces demolished four homes belonging to family members of Palestinians accused of or indicted for killing Israelis in April and May, displacing 31 people, including 13 children.

Israeli pressure on two Palestinian communities to leave their homes in Area C continued to mount. On 12 July, 16 of the 35 households comprising the herding community of Ras Al-Tin left the Area after facing settler-related violence, demolitions and confiscations.

In Masafer Yatta, movement restrictions continued, including for humanitarian access, and the arrests of Palestinian residents also continued. On 8 September, Israel's Supreme Court upheld the military commander's decision to reject the planning permission requested by the Masafer Yatta community. The Court ordered a stay on demolition orders until 29 September.

On 12 July, Israeli authorities announced that they would advance six plans for Palestinian construction in Area C.

Paragraph 6 of resolution 2334 (2016) calls for,

“immediate steps to prevent all acts of violence against civilians, including acts of terror, as well as all acts of provocation and destruction”.

Unfortunately, daily violence continued.

Overall in the West Bank, 29 Palestinians, including six children, were killed and 1,813 Palestinians, including 27 women and 194 children, were injured by Israeli security forces during security operations, demonstrations, clashes, stone-throwing incidents, attacks and alleged attacks against Israelis, and other incidents. Of those injuries, 1,206 were caused by tear gas inhalation and 202 by live ammunition. In addition, Israeli settlers or other civilians perpetrated some 128 attacks against Palestinians, resulting in one death and 51 injuries and/or instances of damage to Palestinian property.

In Gaza, during the August escalation between Israel and Palestinian armed groups, 49 Palestinians were killed, of whom at least 26 were civilians, including four women and 17 children. According to the Gaza Ministry of Health, 360 Palestinians were injured, including 151 children and 58 women. Israeli officials reported that two Israelis were moderately injured and at least 62 lightly injured, including nine children. Ten houses in Gaza were completely destroyed, and 48 were severely damaged and rendered uninhabitable. According to the Gaza authorities, more than 600 housing units were damaged, displacing 84 families.

One Israeli civilian and one member of the Israeli security forces were killed, while 50 Israelis and eight Israeli security forces personnel were injured by Palestinians in clashes, rock-throwing and Molotov cocktail-throwing attacks, and other incidents. The majority of those were stone-throwing attacks on Israelis, including settlers, which resulted in injuries and damage to Israeli-owned property.

Israeli security forces carried out 906 search-and-arrest operations in the West Bank, resulting in the arrest of 1,528 Palestinians. On 19 June, Israeli security forces shot and killed an unarmed 53-year-old Palestinian while he was attempting to enter Israel, reportedly for work, through a breach in the separation barrier near Qalqilya. On 24 June, a 16-year-old Palestinian was killed by Israeli security forces while throwing stones in Silwad village near Ramallah.

In the village of Jaba'a, near Jenin, on 2 July, Israeli security forces shot and killed a 17-year-old Palestinian

after he reportedly threw Molotov cocktails, and in a separate incident, on 6 July, killed another Palestinian as he was running away during a search operation. On 5 July, an Israeli man was seriously injured after being stabbed in Bnei Brak in central Israel. Israeli security forces arrested a Palestinian man under suspicion of carrying out the attack. On 19 July, an Israeli was stabbed and injured by a Palestinian on a bus in Jerusalem. The assailant was subsequently shot and injured by an Israeli civilian. On 26 July, Israeli security forces shot an unarmed 59-year-old Palestinian man with a mental disability at Huwwara checkpoint, south of Nablus. The man subsequently died of his injuries.

On 9 August, four Palestinians, including a senior militant commander and a 16-year-old, were killed by Israeli security forces in Nablus, while 76 people were injured with live ammunition during a search operation and subsequent clashes. The same day, a 16-year-old was killed by Israeli security forces in Hebron while throwing stones. On 14 August, a Palestinian opened fire at a group of Jewish worshippers in Jerusalem's Old City. Eight civilians, including a pregnant woman, were injured, two seriously. The assailant was arrested. On 15 August, Israeli security forces shot and killed a Palestinian during a search operation and subsequent clashes in Kufr Aqab, north of Jerusalem. Israeli security forces said that the man was attempting to stab officers, but an eyewitness denied that allegation. On 17 August near Joseph's Tomb, in Nablus, Israeli security forces shot and killed a Palestinian and injured three others with live ammunition in clashes after Palestinians threw stones and reportedly fired on buses transporting Jewish worshippers to the site, in accordance with established procedures. On 30 August, Palestinians opened fire at a car with five Jewish worshippers inside, injuring two, as it entered Area A without prior coordination, which is illegal under Israeli law. On 19 August, an unarmed 58-year-old Palestinian man — an apparent bystander in an armed exchange — was shot and killed in Tubas during an Israeli security forces search operation.

On 6 September, Israeli security forces shot and killed a Palestinian man live-broadcasting a punitive demolition and related clashes in Jenin. Sixteen other Palestinians were injured with live ammunition during the clashes. One of them subsequently died. On 8 September, a 16-year-old Palestinian attacked and likely injured a member of Israeli security forces with a hammer before being shot and killed by Israeli security forces. On 13 September, an Israeli security forces

officer and two armed Palestinian men were killed in an exchange of fire near Jalama crossing in Jenin. One of the Palestinians killed was an intelligence officer in the Palestinian security forces. On 15 September, Israeli security forces shot and killed a 17-year-old Palestinian attempting to launch a Molotov cocktail during clashes in Kafr Dan, near Jenin.

The President (*spoke in French*): Mr. Wennesland, would it be possible for you to give us your remaining account of these incidents in written form and to move on to the substance of your briefing?

Mr. Wennesland: I can definitely do that, but it is outside the normal procedures for an oral presentation. On the basis of your request, Mr. President, I will revert to the Secretary-General's observations, but I would like that to be noted in the record.

In conclusion, I would like to share the Secretary-General's observations concerning the implementation of the provisions of resolution 2334 (2016) during the reporting period.

"I remain deeply troubled by continued Israeli settlement expansions in the occupied West Bank, including East Jerusalem, and attempts by some Israelis to further expand the settlement footprint through the establishment of outposts, which are also illegal under Israeli law. I am also concerned about the possibility that the Supreme Court's Mitzpe Kramim decision could set a precedent for the legalization of additional outposts under Israeli law. I reiterate that Israeli settlements have no legal validity and constitute a flagrant violation of international law and the relevant United Nations resolutions. I call on the Government of Israel to cease all settlement activity immediately.

"Demolitions and seizures of Palestinian-owned property remain a serious concern. I am particularly concerned about the ongoing situation in Masafer Yatta, where more than 1,000 Palestinians, including 569 children, are at imminent risk of eviction. I urge Israeli authorities to immediately cease the demolition of Palestinian-owned property and the forcible displacement and eviction of Palestinians, in line with Israel's obligations under international humanitarian and human rights law, and to approve plans that would enable Palestinians to build legally and address their development needs.

"I am deeply concerned about the tragic civilian deaths and injuries, including of children, caused by the latest escalation in Gaza. Israel must abide by its obligations under international humanitarian law, including the proportional use of force, and take all feasible precautionary measures to spare civilians and civilian objects during military operations. Furthermore, I condemn the indiscriminate launching of rockets by Palestinian armed groups from highly populated neighbourhoods in Gaza into civilian population centres in Israel, which also resulted in casualties and violates international humanitarian law, putting the lives of civilians at risk.

"I am gravely concerned about the deteriorating security situation in the occupied West Bank, including the increase in attacks and armed exchanges between Israelis and Palestinians. The high number of Palestinians killed and injured by Israeli security forces in the occupied West Bank, including East Jerusalem, remains deeply troubling, particularly in the light of reports that some did not appear to pose a threat. The possible excessive use of force by the Israeli security forces continues to raise serious concerns, particularly their use of live ammunition. Security forces must use lethal force only when it is strictly unavoidable in order to protect life and must promptly and thoroughly investigate all instances of death or injury resulting from its use and hold those responsible to account.

"I am particularly appalled that children continue to be killed and injured in large numbers. Children must never be the target of violence or put in harm's way.

"I remain deeply concerned about the high levels of settler-related violence against Palestinians in the occupied West Bank, which often occurs in the presence of Israeli security forces. I urge Israel to abide by its obligations under international law to protect the Palestinian population from all acts or threats of violence, to ensure that all attacks are investigated promptly and transparently and to hold perpetrators to account.

"I condemn all acts of terrorism against civilians, including the 14 August attacks targeting Jewish worshippers near Jerusalem's Old City. The glorification of such acts is unacceptable and

further undermines the possibility of a peaceful future for Israelis and Palestinians alike.

“I am deeply troubled by the Israeli security forces’ search and closure of the offices of seven Palestinian non-governmental organizations. I remain concerned about the shrinking space for civil society in Israel and in the occupied Palestinian territory.

“I reiterate my call for the parties to respect and uphold the status quo, taking into account the special and historic role of Jordan as custodian of the Muslim and Christian holy sites in Jerusalem.

“The absence of intra-Palestinian unity continues to undermine Palestinian national aspirations and prevent a common Palestinian approach towards resolving the conflict and addressing the needs of the population. I call on all Palestinian factions to redouble efforts to reunite Gaza and the occupied West Bank under a single, democratic, national Government. “Gaza is, and must remain, an integral part of a future Palestinian State, as part of a two-State solution. It is also crucial that Palestinians hold elections — not only as a key step towards Palestinian unity, but also as a means to renew the legitimacy of national institutions.

“I welcome United States and regional support pledged to East Jerusalem hospitals, which are vital Palestinian institutions. Israel’s commitment to improving movement and access for Palestinians at the Allenby Bridge and the transition to 4G technology to support economic growth are also important and welcomed. I call on the Member States to support the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) with sustainable funding sources to protect the delivery of vital services to millions of Palestine refugees. That is crucial to upholding their rights and supporting the stabilizing role of the Agency in the region.

“In Gaza, the humanitarian and economic situation remains dire, although some important improvements have taken place in access and movement, particularly the increase in the number of permits for Palestinians from Gaza to work in Israel. The limited availability of key materials and equipment, coupled with cumbersome protocols and restrictions, continues to impede private sector development, job creation and economic growth. I

encourage the parties to solidify the ceasefire and enable further economic development. Ultimately, the debilitating Israeli closures should be lifted, in line with resolution 1860 (2009).

“The current negative trajectory puts at great risk the socioeconomic and institution-building that has prepared the Palestinian Authority for statehood. There must be a bridge between those immediate challenges and the longer-term objective of achieving the vision of two States — Israel and an independent, democratic, contiguous, viable and sovereign Palestinian State — living side by side in peace and security, within secure and recognized borders, on the basis of the pre-1967 lines, with Jerusalem as the shared capital of both States.

“I welcome the four strategic elements put forward in the report of the Office of the United Nations Special Coordinator in the Occupied Territories to the Ad Hoc Liaison Committee, on 22 September, for a comprehensive package of incremental, durable and meaningful steps that the parties and their partners should take to address the current situation, strengthen the Palestinian Authority and advance the goal of sustainable peace: first, address the continuing drivers of conflict and instability; secondly, strengthen Palestinian institutions and address the challenge of Palestinian governance; thirdly, improve access, movement and trade, thereby creating space for the Palestinian economy to grow; and fourthly, better align the framework of economic and administrative relationships with the economic transformations of the past decades.”

Before concluding, I wish to note a few important developments during the opening of the seventy-seventh session of the General Assembly, just after the closure of the reporting period.

First, I commend Prime Minister Yair Lapid’s reaffirmation of support for the two-State solution in his statement delivered on 22 September (see A/77/PV.8). I also wish to acknowledge the continued commitment of President Mahmoud Abbas to a peaceful resolution of the conflict, as well as his urgent appeal for the re-establishment of a political horizon, in his statement delivered on 23 September (see A/77/PV.10).

A number of important meetings were held on the margins of the Assembly’s general debate, including a meeting on the Arab Peace Initiative co-hosted by the

Kingdom of Saudi Arabia and the European Union; a ministerial meeting of the Munich format; a Jordanian and Swedish co-hosted event in support of UNRWA; and a meeting of the Norwegian-chaired Ad Hoc Liaison Committee, which focused on preserving the viability of the two-State solution and moving the State-building process forward.

Returning to my conclusion, we continue to see little progress in the implementation of resolution 2334 (2016) since its adoption in December 2016. The absence of a meaningful peace process to end the Israeli occupation and resolve the conflict fuels a dangerous deterioration across the occupied Palestinian territory, particularly in the West Bank, driving the perception that the conflict is unresolvable.

Israelis and Palestinians must determine how they envision the future. Negotiations can no longer be put off indefinitely. The current course is leading us towards a perpetual state of violence and conflict. Meaningful initiatives are needed to turn the current trajectory around, and they are needed quickly. Ending the occupation and realizing the two-State solution must drive those collective efforts. I remain actively engaged in advancing those objectives with Israeli and Palestinian leaders and with key international and regional partners.

The President (*spoke in French*): I thank Mr. Wennesland for his briefing.

I shall now give the floor to those members of the Council who wish to make statements.

Ms. Juul (Norway): I too would like to thank Special Coordinator Wennesland for his briefing.

Last week, Norway chaired the annual ministerial meeting of the donor group for Palestine — the Ad Hoc Liaison Committee — here in New York. The Committee urged Israelis, Palestinians and international partners to take steps to restore a political horizon for peace as a matter of urgency. The need to improve cooperation and the situation on the ground and the need to strengthen Palestinian institutions were emphasized. While some recent progress has been made on trade issues, work permits and Palestinian reform plans, it is clear that the situation is challenging, and more concrete progress is needed.

Norway welcomes Prime Minister Lapid's support for the two-State solution expressed in his statement to the General Assembly last week (see A/77/PV.8).

We also welcome the fact that, from the same rostrum, President Abbas recognized that statement as a positive step and reiterated the same commitment from Palestine (see A/77/PV.10). We are convinced that a two-State solution based on the 1967 borders is the best way to ensure the rights and safety of both Palestinians and Israelis.

Since we previously met (see S/PV.9107), there has been little progress in the implementation of resolution 2334 (2016). As the Special Coordinator noted, settlement-building, demolitions and evictions have continued apace. Let me underline that the illegal settlement activity not only erodes trust but also fuels and deepens tensions and undermines the two-State solution.

We are particularly concerned about plans to legalize dozens of farm outposts in the West Bank. Settlements and outposts remain violations of international humanitarian law. They destroy the fabric of communities and break apart territorial continuity for a Palestinian State. We condemn any and all settler violence against and harassment of Palestinians.

Norway would also like to reiterate its deep concern about the situation in Masafer Yatta. Movement restrictions impede children's access to education. Teachers are denied access to their classrooms, and children must walk long distances to reach school safely. That is unacceptable. We encourage the Israeli authorities to remove restrictions and revoke all eviction and demolition orders, in accordance with international humanitarian law.

We are also troubled by the deteriorating security situation in the West Bank and the clear risk that it could spiral out of control. Earlier today in Jenin, several people were killed and many more were injured. According to the Office for the Coordination of Humanitarian Affairs, more than 80 Palestinians have been killed by Israeli security forces in the West Bank to date this year. While we recognize Israel's legitimate security concerns, we call for restraint and proportionality. Force must be used only when necessary and in a manner that minimizes harm against civilians, including children, and preserves life.

I would also like to draw attention to the five prisoners executed in Gaza, on 4 September. The use of the death penalty is cruel and fails to provide deterrence. Let me underline that this practice is simply unacceptable and must be stopped immediately.

There is also a need to end the internal Palestinian divisions and strengthen the Palestinian Authority, including by ensuring democratic renewal and stronger institutions.

Finally, let me reaffirm Norway's strong commitment to a two-State solution. We will continue to work for that goal.

Mr. Zhang Jun (China) (*spoke in Chinese*): At the outset, I would like to thank Special Coordinator Wennesland for his briefing.

During the general debate of the General Assembly last week, Heads of State and Government frequently brought up the Palestinian issue, showing that the plight of the Palestinian people has not been forgotten. A speedy, comprehensive, just and lasting settlement of the Palestinian question continues to be a shared aspiration of the international community. The Security Council bears the primary responsibility for the maintenance of international peace and security and is duty bound on the question of Palestine. It must take more robust action to support the Palestinian people in restoring and exercising their inalienable rights and achieving lasting peace in the Middle East.

First, we must advance a two-State solution, and it is the international consensus that a long-term solution to the Palestinian-Israeli issue must be based on the concept of two States living side by side. That is the bottom line in terms of fairness and justice and must be firmly adhered to. We noted that in his address to the General Assembly at its general debate, Prime Minister Lapid stated that

“[a]n agreement with the Palestinians, based on two States for two peoples, is the right thing for Israel's security, for Israel's economy and for the future of our children”, and that “a large majority of Israelis support the vision of this two-State solution” (see A/77/PV.8).

We also noted that President Abbas recognized that statement as positive and emphasized that

“[t]he real test of the seriousness and credibility of this position is for the Israeli Government to sit at the negotiating table immediately, to implement the two-State solution on the basis of the relevant United Nations resolutions and the Arab Peace Initiative and to stop all unilateral measures that undermine the two-State solution” (see A/77/PV.10).

China hopes that the parties concerned can translate their political will into constructive policies and actions and make concrete efforts to realize a two-State solution on the basis of the relevant United Nations resolutions, the principle of land for peace, the Arab Peace Initiative and other international consensus and norms.

Secondly, common security must be promoted. In the past two years the war in Gaza has claimed hundreds of Palestinian lives, violence in the West Bank has been steadily increasing and the peace and tranquillity at the religious holy sites in Jerusalem have been repeatedly broken. Israel and Palestine are neighbours that cannot relocate, and their security is independent and indivisible. If the security of one side is based on the insecurity of the other, the cycle of violence will continue and security will never be achieved. The international community should attach equal importance to the security concerns of both sides and encourage them to find their greatest common denominator, through dialogue and cooperation, in order to achieve common security. At the same time, the occupying Power should earnestly fulfil its obligation under international law to ensure the safety of the people in the occupied territories.

Thirdly, the rule of law at the international level must be upheld. Settlement activities violate international law and the provisions of resolution 2334 (2016). They encroach on Palestinian land, expropriate Palestinian resources and squeeze the living space of the Palestinian people. I have noted that the Special Coordinator mentioned that there has been little progress in implementing the resolution. We urge Israel to immediately cease all settlement activities. We support resolving the issue of the occupied territories in the West Bank in accordance with United Nations resolutions and delimiting the final Palestinian-Israeli borders through peaceful negotiations.

Fourthly, fairness and justice must be upheld. What is lacking in resolving the Palestinian issue is not a grand plan but a willingness to uphold justice. Whether the Security Council is fit for purpose depends not on grand pronouncements but on actual deeds. In his address at the general debate of the General Assembly, President Abbas once again asked the Council to take measures to implement its resolutions on the question of Palestine. The Council should perform its duties objectively and impartially, in accordance with international consensus, and promote a resumption of Palestinian-Israeli talks without delay, instead of

waiting for the so-called conditions for dialogue to mature. On issues concerning the future and the fate of the Palestinian people, no one has a right to a veto.

China supports the just cause of the Palestinian people in restoring their legitimate national rights and establishing an independent Palestinian State with full sovereignty, on the basis of the 1967 borders, with East Jerusalem as its capital. We are ready to work with all parties to encourage the Council to play its role in breaking the current stalemate and transforming the consensus on a two-State solution into action and its vision into reality, so as to realize peaceful coexistence between Palestine and Israel, harmony between the Arab and Jewish peoples and lasting peace in the Middle East.

Mr. Mythen (Ireland): I thank Mr. Wennesland for his sobering report. Ireland shares his concerns about the implementation of resolution 2334 (2016) on settlements and other issues.

First of all, we are alarmed by the spike in violence today in Jenin following incursions by the Israeli security forces, with further loss of life and injuries to Palestinians. Along with the clashes in Nablus last week, those events clearly demonstrate that the fragile situation on the ground in the West Bank is continuing to deteriorate. Ireland is appalled at the level of casualties in the occupied West Bank, including East Jerusalem. So far this year, according to the Office for the Coordination of Humanitarian Affairs (OCHA), Israeli forces have killed more than 80 Palestinians and injured more than 7,400 in the West Bank. We are particularly concerned about the level of civilian casualties, since the protection of civilians is of paramount importance and is required under international law. Israel has a right to defend itself. However, in doing so, it must respect its obligations under international law. Long-term security for both Palestinians and Israelis cannot be achieved through the use of excessive force or by acts of violence by anyone. Such actions by the Israeli military in the occupied Palestinian territory undermine the capacity and effectiveness of the Palestinian Authority, which needs to be empowered and supported.

We continue to see Israel's relentless expansion of new settlements and outposts, in flagrant violation of resolution 2334 (2016) and international law. Ireland again joins other members of the Security Council and the wider international community in calling on Israel to cease all settlement activities. This year has

witnessed a continued increase compared with previous years in plans for settlement construction in the West Bank, including East Jerusalem. Current Israeli plans for settlement establishment and expansion in the Nablus and Ramallah governorates, and on the outskirts of Jerusalem and Bethlehem, pose the greatest threat to the territorial contiguity of a future Palestinian State. We are particularly concerned about plans in Area E-1 and the Givat Hamatos, Atarot, Lower Aqueduct, Givat Hashaked and Har Gilo West areas, which would effectively encircle East Jerusalem, disconnecting it from the major urban areas in the rest of the West Bank.

Ireland is gravely concerned about the alarming increase in settler violence, with OCHA reporting a 34 per cent increase this year compared with last year in the monthly average of incidents causing injury or property damage and an 83 per cent increase compared with 2020. We call on Israel not to proceed with demolitions in the village of Khallet Athaba in Masafer Yatta. Forced evictions resulting from demolitions give rise to violations of human rights. The forcible transfer of the civilian population of an occupied territory is also prohibited under international humanitarian law.

I recently had the opportunity to meet with Lina Abu Akleh, the niece of the renowned Palestinian-American journalist Shireen Abu Akleh. Ireland supports Lina's call for accountability and an independent investigation into the death of her aunt. Shireen deserves nothing less.

Last week's meeting of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians recalled the colossal economic and social challenges facing the Palestinian people. The ongoing restrictions on movement and access are compounding those challenges. Economic and social assistance is urgently required.

I am pleased that Ireland was able to increase its support to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) by €2 million, bringing its total support to €8 million this year. We urge all Member States, including those of the region, to step up their support for UNRWA.

Ireland is deeply concerned by the humanitarian crisis in Gaza, exacerbated by the ongoing Israeli blockade, in contravention of resolution 1860 (2009). While incremental increases in the quota of work permits granted to Gazans by Israel is welcome, the total number of permits is less than 1 per cent of the

population and has decreased significantly over the past years

The human rights situation in Gaza is also of great concern. We condemn in the strongest terms the execution by Hamas of five prisoners on 4 September. We call on Hamas to immediately end the practice of executions and to return captured Israelis, including human remains, to their loved ones.

Actions on the ground, particularly Israeli settlement expansion, in violation of resolution 2334 (2016), continue to undermine a political horizon. The Security Council must step up to discharge its obligations under the Charter of the United Nations to maintain international peace and security and to reaffirm the right of the Palestinian people to self-determination. We must move beyond talking about the need for a two-State solution and take real steps towards a just, inclusive and lasting peace. Progress is possible, but it requires political will.

Mr. Polyanskiy (Russian Federation) (*spoke in Russian*): We thank Tor Wennesland for his briefing on the implementation of resolution 2334 (2016).

The escalation in the Palestinian-Israeli conflict zone in August once again showed that the situation in the occupied Palestinian territories will remain volatile until the parties reach mutually acceptable compromises on all final-status issues, based on the universally recognized international legal framework for a Middle East settlement.

From 5 to 7 August, the Israel Defense Forces (IDF) conducted another military operation in the Gaza Strip. As a result of the bombing of the enclave, according to United Nations reports, hundreds of houses and facilities were destroyed or seriously damaged, killing at least 26 civilians, including 17 children.

We note the alarming regularity of such eruptions of violence in the West Bank and the Gaza Strip. We attribute those renewed tensions primarily to the stagnation of the peace process, while the Israelis continue their unilateral actions to create facts on the ground and a *carte blanche* to use force against the Palestinians.

Mass arbitrary detentions of Palestinians occur on a daily basis, with more than 700 being held in Israeli prisons without charge. Provocative violations of the status of Jerusalem's holy sites by Israeli ultra-Orthodox groups and the violent suppression of Palestinian

protests continue, with more than 130 people killed in such clashes since the beginning of the year. We are concerned about reports of possible provocations at the Al-Aqsa Mosque compound in the approaching autumn, which marks three key Jewish holidays, as well as a new Israeli election campaign cycle. The legal space is also rapidly shrinking. Press freedom has been restricted, even to the point of killing reporters, and the activities of human rights organizations are severely limited.

In the context of the Special Coordinator's briefing on the implementation of resolution 2334 (2016), we reaffirm the principled position reflected in that document, according to which the establishment of Israeli settlements in the Palestinian territory occupied since 1967, including East Jerusalem, is a violation of international law and a major obstacle to achieving a settlement based on the two-State solution.

Of particular concern is Israel's creation of irreversible facts on the ground — the increase in illegal settlement construction, while continuing the practice of the forcible eviction of Palestinians, the destruction of homes and the confiscation of property. In August alone, more than 100 people lost their homes, including 50 children.

At the same time, Israel's arbitrary illegal actions go beyond the West Bank and the Gaza Strip, affecting neighbouring Arab countries through numerous incidents of the violation of their sovereignty. I refer primarily to attacks launched against the territory of Syria and Lebanon. We oppose such methods of protecting national security, which provoke threats to other States and risk exacerbating the situation in the region as a whole.

We believe that the international community should play a constructive role, both in resolving the Palestinian-Israeli conflict and in alleviating the severe humanitarian and socioeconomic problems in the occupied territories, especially in the Gaza Strip. We attach great importance to the ongoing effective work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, which provides support to Palestinians, both in the occupied territories and in neighbouring Arab countries.

We believe that it is not possible to achieve the long-term stabilization of the situation without restoring the political horizon and reviving the peace process on a universally recognized international legal basis with a key element — the two-State solution, which we

consistently support. We are convinced that there is no alternative to direct negotiations between Palestinians and Israelis on all parameters of a final settlement.

We carefully listened to the addresses of the Palestinian and Israeli leaders during the general debate of the General Assembly at the start of the seventy-seventh session (see A/77/PV.10 and A/77/PV.8, respectively). We noted the reaffirmation of the readiness of both sides to seek a settlement based on the two-State solution. We support that approach on the understanding that a solution to the Palestinian question is possible only if all the parameters of the well-known international legal framework are met. We are ready to provide the necessary assistance to achieve those goals, including in joint formats in cooperation with regional actors.

In that regard, we believe that the actions of Washington are counterproductive. It has effectively blocked the activities of the Quartet of international mediators and seeks to replace meeting the legitimate aspirations of the Palestinians to establish an independent State by forcing them to an economic peace.

Mrs. Koumba Pambo (Gabon) (*spoke in French*): I thank Special Coordinator Tor Wennesland for his informative briefing.

The resolution of the Israeli-Palestinian conflict remains an ongoing challenge for the Security Council and the international community as a whole. The recent general debate of the General Assembly again provided an opportunity for various delegations to express their concerns about the lack of progress on the Palestinian issue.

Instead of progress, we continue to see violence, with its toll of destruction and loss of life, as well as a deterioration of the humanitarian situation, particularly in the occupied Palestinian territories.

Gabon reaffirms its commitment to the two-State solution, living side by side on the basis of the 1967 borders, with Jerusalem as its capital.

We therefore call on the parties to resume negotiations in good faith, with a view to restoring trust and for the good of the Palestinian and Israeli peoples, who legitimately aspire to live in peace. To that end, we believe the role of the countries of the region and of the Quartet to be crucial in assisting the resumption of peace talks.

We are encouraged by the address of the Israeli Prime Minister, Mr. Yair Lapid, at the seventy-seventh session of the General Assembly, in which he spoke in favour of an agreement with the Palestinians based on two States for two peoples, conditional on respect for the security of Israel (see A/77/PV.8). We also welcome the efforts of the Quartet and other partners, such as France, Germany, Egypt, Jordan and the Organization of Islamic Cooperation, aimed at achieving the broadly supported two-State solution.

In conclusion, we reiterate our full support for the Special Coordinator's tireless efforts aimed at achieving peace in the Middle East. Diplomatic efforts must continue to be made to revive the peace process. This is the only way to stop the violence.

Mr. Agyeman (Ghana): I would like to begin by thanking Special Coordinator Tor Wennesland for his monthly briefing on the situation of the Middle East peace process.

Ghana takes note of the positive and deliberate attempts by Israel to improve ties with countries of the region, following upon the Abraham Accords. We also welcome the encouraging statement made by the Prime Minister of Israel during the general debate of the General Assembly at its seventy-seventh session (see A/77/PV.8), which was positively reciprocated by President Abbas. We believe that it takes bold leadership to invest in peace. We therefore encourage all efforts made in favour of good-neighbourliness and the sustenance of the two-State solution in the interest of peace in the Middle East, a region with strategic geopolitical and economic importance but engulfed in protracted conflict.

As we have stated in the past, we condemn all incidents of terrorism against Israel. We do not believe that violence can help resolve the Israeli-Palestinian conflict, and we urge all militant groups to channel their energies towards a robust political process that can deliver the much-needed peace.

Mindful of the security concerns of Israel, we continue to be equally concerned about the insecurity and dire humanitarian situation in parts of Palestine as well as the incidence of human right abuses, violations and detentions without charge or trial perpetrated against Palestinians, especially in the West Bank, Gaza and East Jerusalem. We believe that the growing insecurity in the West Bank and Gaza does not augur well for a peaceful resolution of the conflict. Rather,

it jeopardizes prospects for realizing the generally accepted two-State solution. We therefore urge the parties to de-escalate tensions and generate the required political momentum for direct negotiations.

I reiterate Ghana's request that all parties comply fully with international humanitarian law, the United Nations Charter and the many relevant Security Council resolutions, including resolution 2334 (2016). We urge Israel, to respect the inalienable rights of Palestinians and abide by its legal obligations and responsibilities under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War.

In concluding, we reiterate our strong conviction that the path for lasting peace and stability in the Middle East can run only through the two-State solution, with Israel and Palestine living side by side on the basis of the pre-1967 borders. However, realizing the goals of the Middle East peace process requires that the Council and the wider international community be constructive by sustaining the engagement of the parties whose good-faith efforts are required to resolve this decades-long conflict.

Mr. Hoxha (Albania): Last week, at the General Assembly, the Prime Minister of Israel highlighted in very clear terms the strong and unambiguous commitment of his Government in favour of the two-State solution (see A/77/PV.8). For the first time in more than a decade, an Israeli Prime Minister recommitted to a formula that the international community finds to be the most promising one to end the ongoing conflict in the Middle East, a statement welcomed by President Abbas as well.

A two-State outcome that protects Israel's security and provides sovereignty and dignity for Palestinians with a Palestinian State that is democratic and viable is the only way forward in securing peace with Israel as a democratic State while fulfilling Palestinians' legitimate aspirations. While we spend most of the time in this Chamber expressing worry about the trends of violence and tensions, which we always regret and condemn, this is the kind of message we expect from leaders, as it will to inspire, I hope, both Israelis and Palestinians to engage in efforts to resolve the never-ending tragic conflict.

This land has always known violence in all forms and intensity. Violence has caused only victims, mostly civilians, from both sides. It has brought pain and suffering while reminding everyone that an endless

cycle of violence always ends up being a zero-sum game. This is why we highlight the crucial importance of upholding the ceasefire between Israel and Palestinian militants as critical to safeguarding the gains made through tireless efforts, because such important gains are fragile and easily reversible. Violence can never be conducive to fulfilling dreams; it is just a treacherous road of false promises that are never realized.

Every effort must now therefore be made to bring the parties closer together to meet, talk and seek solutions. This is how the Oslo Accords happened. This is how future accords may and should happen. The country is losing time — time that has been and will always be regretted.

We look forward to the resumption, at the next best opportunity, of dormant peace talks within the legal framework created by the United Nations in order to find a lasting and just solution to the conflict with a democratic, as I mentioned before, and secure Israel and a viable and democratic Palestinian State living at peace with each other, with Jerusalem as a shared capital. Any positive step or measure, even small steps, helps in the process. The growing number of work permits issued to Palestinians from the Gaza Strip to work in Israel contributes to improving the well-being of thousands of families living in poverty. They also help build trust among communities, becoming promoters of better understanding on a much greater scale.

We will never tire in reiterating our categorical rejection and condemnation of every terrorist attack against Israel or anywhere else. We abhor terrorism in all its forms and oppose and denounce it vigorously and unreservedly. We support Israel's right to defend itself, acting proportionately and based on law.

The value of life is the same for Palestinians and Israelis. As my own country was recently victim of an unprovoked massive and large-scale cyberattack that aimed to destroy critical Government infrastructure, sponsored and carried out by groups affiliated with Iran, we better understand the security concerns of other countries, Israel in particular, which is faced with an ongoing threat from a State that calls openly and continuously for its destruction and sponsors proxies in its backyard with the sole aim of harming, killing and destroying.

We have said it many times and deem it important to reiterate: building peace in post-conflict situations requires not only efforts but also genuine goodwill and

especially trust — a lot of trust. This is why, if truly committed, parties should refrain from actions that go against efforts to promote the peace process. In this respect, we will continue to highlight our position that settlements and their expansion go against international law and constitute an obstacle to the two-State solution, the cornerstone of the peace process. They are wrong and must be stopped.

We also urge all sides to refrain from inflammatory rhetoric that escalates tensions and endangers the peace process. We see no other way to move ahead than through peace talks. The negotiation table is the only place where a viable and just solution lies and can and should be found.

Mr. Kiboino (Kenya): I also thank Special Coordinator Tor Wennesland for presenting the Secretary-General's periodic report.

My delegation takes note of the discussions and outcomes of the high-level meetings that took place on the sidelines of the general debate at the General Assembly at its seventy-seventh session, including the 21 September Munich format meeting, the 22 September meeting of the Ministerial Committee of the Non-Aligned Movement on Palestine, the 22 September meeting of the Ad Hoc Liaison Committee, and the 23 September Ministerial meeting hosted by Jordan and Sweden on sustainability of funding for the United Nations Relief and Works Agency for Palestine Refugees in the Near East. All of that attests to the continued engagement, commitment and focus on the Israel-Palestine issue, and rightfully and urgently so. They also reflect efforts to fill the gap of an elusive genuine Israel-Palestine political peace process underpinned by direct dialogue and a pacific settlement as provided for in the United Nations Charter. Unfortunately, the lack of meaningful progress in the implementation of resolution 2334 (2016) contributes to widening this gap

The objectives of resolution 2334 (2016) are comprehensive. They speak to the urgency of stabilizing the situation and reversing the negative trends on the ground, which are undermining the prospects of a two-State solution along the 1967 lines, and the creation of conditions for successful final-status negotiations.

As my delegation stated during the most recent quarterly Council meeting on this agenda item (see S/PV.9077), the uniqueness of resolution 2334 (2016) lies in the fact that it is propositional, not prescriptive. Indeed, beyond rhetoric, its implementation requires

the political will of both the Israeli and Palestinian authorities to operationalize the commitments if it is to succeed. That is the only way to create immediate — not future — political traction on the ground.

More important, while recognizing the importance of direct negotiations and irrespective of the existence or resumption of those negotiations, Kenya, in line with paragraph 11 of resolution 2334 (2016), continues to call for the presentation of clear objectives, timelines and feasible solutions to resolving pending issues in a way that the Council will be better positioned to “examine practical ways and means to secure the full implementation of its relevant resolutions” on this protracted conflict.

In the meantime, Kenya welcomes progress made through practical cooperation between the Israeli and Palestinian authorities in Gaza, in recognition of the positive impact of strengthened economic conditions and the right of Palestinians to humanitarian relief and economic empowerment and integration. Prime Minister Lapid's recognition of two States for two peoples during his 22 September General Assembly address (see A/77/PV.8) is also an important confidence-building measure.

This morning we listened to the report on the evolving situation on the ground, including the deteriorating security situation, the escalation of violence in the Holy Esplanade and around the Old City and the loss of life in the West Bank, including the clashes in Nablus, in the past couple of weeks. We urge leaders on all sides to help calm the situation to prevent further escalation and affirm the need for the status quo at the holy sites in Jerusalem to be upheld and respected.

Settlements, demolitions and evictions continue to increase in the occupied Palestinian territory, including East Jerusalem, in violation of international law.

Today we also heard about disturbing statistics from violent incidents and fatalities involving children and youth, as well as acts of violence against civilians that have tragically claimed both Israeli and Palestinian lives.

This is a normalization that should not be acceptable. It is a normalization that continues to distance us from the important vision embodied by resolution 2334 (2016), of

“a region where two democratic States, Israel and Palestine, live side by side in peace within secure and recognized borders” (resolution 2334 (2016), ninth preambular paragraph).

In line with resolution 2334 (2016), Kenya continues to condemn and call for accountability and strengthened efforts to combat terrorist attacks perpetrated by Hamas, Palestinian Jihad and other militant groups in Israel.

Kenya also reiterates the need for all the parties concerned, including communal, political and religious leaders, to practically and consistently support the daily dividends of constructive grass-roots efforts to mitigate against cycles of conflict, in the interest of the promotion of peace and security.

In conclusion, Kenya once again urges both parties to exert collective efforts and demonstrate political commitment to the desirable and obtainable objectives of resolution 2334 (2016).

Mrs. Alhefeiti (United Arab Emirates) (*spoke in Arabic*): I thank Special Coordinator Tor Wennesland for his briefing and for presenting the Secretary-General’s most recent report on the implementation of resolution 2334 (2016), which paints a bleak picture of the current situation on the ground.

The Middle East region urgently needs a fundamental positive transformation that will spare its people from the hardships of conflicts and crises. That would make it contribute effectively to supporting development and addressing global shared challenges, thereby in turn contributing to the maintenance of regional and international peace and security.

Achieving total regional stability is not possible without reaching a just and comprehensive solution to the Palestinian question, in accordance with the legitimate international terms of reference, so that an independent Palestinian State is established based on the borders of 4 June 1967, with East Jerusalem as its capital, living side by side with Israel in peace, security and mutual recognition. In that spirit, the United Arab Emirates will continue to support all peaceful initiatives aimed at realizing those aspirations. We also welcome the reference made by the Prime Minister of Israel, during his statement at the high-level week of the General Assembly, regarding his support for the vision of the two-State solution (see A/77/PV.8).

We look forward to seeing intensified efforts to create a suitable political environment that paves the way for the resumption of serious political negotiations between the two parties on final-status issues.

We also emphasize the need for the parties to act urgently, prioritize dialogue and engage in good faith in order to prevent the situation from spiralling out of control. Today’s meeting provides an opportunity for the Council to send a critical message about the need for self-restraint and the importance of refraining from unilateral measures that may inflame the precarious situation, especially in the Holy City of Jerusalem.

Recent reports refer to Israel’s announcement of a plan to build 560 new settlement units in the southern part of East Jerusalem, specifically on lands considered by UNESCO to be an archaeological area. We reiterate here our firm position that settlement activity undermines the two-State solution and constitutes a flagrant violation of both international law and the relevant resolutions of the Council. We also stress the need to stop attacks carried out by settlers against Palestinian communities. That includes attacks on agricultural crops, which many families depend on as a primary source of income. We take particular note of the approach of the olive harvest season — a period that witnessed an unprecedented upsurge in attacks last year.

As students return to school this month, we stress the right of Palestinian children to access education without obstacles or intimidation. In conflict settings, educational institutions are particularly important for empowering generations to effectively contribute to building and advancing their communities. The maintenance of educational facilities is equally important on occupied Palestinian territory. According to reports by the Office for the Coordination of Humanitarian Affairs, as of August there were 56 pending demolition orders for schools in the West Bank and East Jerusalem that provide educational services to more than 6,000 children.

We also stress the need to continue responding to the humanitarian needs of the Palestinian people, and we welcome last week’s meeting of the Ad Hoc Liaison Committee, chaired by Norway, in that regard.

In conclusion, the United Arab Emirates reaffirms its firm commitment to support the brotherly Palestinian people. We will continue to provide education and

health assistance, and we hope that future Palestinian generations will enjoy long-awaited security and peace.

Mrs. Espeschit Maia (Brazil): As we just heard from the detailed briefing presented by the Special Coordinator, tensions keep escalating on the ground, especially in the West Bank. The agreed ceasefire is at continuous risk, and the situation can easily deteriorate if calm is not restored.

Last week, the General Assembly formally opened for the seventy-seventh time. The question we are addressing here today has been on the agenda of the United Nations since 1947, year of the second session of the General Assembly, when the two-State solution was first put to paper. We therefore wonder — what efforts are we making today, as representatives on the Security Council, to re-establish the path to a much-awaited solution to this long-lasting conflict?

Seventy-six years have passed, and Brazil remains convinced that a two-State solution, within the framework of international law and the resolutions of the Council, is still the only way to meet the aspirations of the Israeli and Palestinian peoples and to ensure security for all. We welcome the words expressed last week by the Israeli leadership to the General Assembly (see A/77/PV.8), and we hope that will encourage a resumption of negotiations on the establishment of two States for two peoples. In that regard, we agree with the Special Coordinator that unless fundamental issues are addressed, the cycle of acute crises followed by short-term fixes will persist. Concerted efforts are needed to restore a political horizon and resume meaningful negotiations.

Brazil urges the parties, first of all, to maintain their ceasefire and exercise maximum restraint. Unilateral actions, including extremist rhetoric, only add fuel to the fire. Confidence between the parties must be restored for negotiations to flourish. All the parties must comply with international humanitarian law. Investigations should be conducted to clarify all the alleged violations and hold those responsible accountable. The safety and security of religious sites, an essential component of freedom of religion or belief, should also be preserved — and that means preserving the status quo of holy sites.

The Special Coordinator recently presented a report on measures that could contribute to strengthening the Palestinian economy and addressing the challenge of Palestinian governance. We should not underestimate

the roles that poverty, food insecurity and hopelessness play in preparing the ground for extremist forces to flourish. Some promising measures have been taken over the past year, particularly an easing of restrictions on the movement of people and goods into and out of the Gaza Strip. Economic growth may also contribute to intra-Palestinian reconciliation, which is another step needed to promote stabilization and a resumption of genuine dialogue. We encourage continued cooperation between the Palestinian Authority and Israeli officials. Collaboration on all matters, including the security sector, can happen only in the presence of strengthened Palestinian institutions and a viable Palestinian economy, which would in turn help reinvigorate the efforts to realize a two-State solution.

The Secretary-General stated during his opening speech to the General Assembly at its seventy-seventh session (see A/77/PV.4) last week that the funding gap for the global humanitarian appeal is the largest ever recorded. That does not come as a surprise. We know that global price increases for key commodities have strained the resources of humanitarian agencies. However, Palestinian refugees must not be forgotten amid the many ongoing humanitarian crises. For as long as it has existed, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) has played an important role in providing relief and assistance to millions in many countries. In that regard, Brazil echoes the calls for renewed efforts to restore UNRWA's capabilities, since its chronic underfunding continues to risk leaving people unassisted.

In conclusion, Brazil would like to once more affirm its support for the work of the Special Coordinator. We thank Mr. Wennesland for being open and frank with the Security Council and for his engagement with all the parties. We also commend the efforts of the countries, especially those in the region, that have been working ceaselessly to bring some calm and de-escalate the situation on the ground.

Dame Barbara Woodward (United Kingdom): I would like to thank Special Coordinator Wennesland for his helpful but sobering briefing.

Let me start by welcoming both Prime Minister Lapid and President Abbas's support for a two-State solution during their speeches to the General Assembly last week (see A/77/PV.8 and A/77/PV.10, respectively). The United Kingdom firmly believes

that a two-State solution, based on the 1967 lines, with Jerusalem as a shared capital, and a just solution for refugees, is the best way to deliver long-term peace. However, the challenges facing a two-State solution remain significant. We share deep concerns about the deteriorating security situation in the West Bank. We urge all the parties to reduce tensions and refrain from taking destabilizing unilateral actions.

We urge Israel not to proceed with demolitions at Masafer Yatta, which would cause unnecessary suffering and are against international law in all but the most exceptional circumstances. We unequivocally condemn the execution of five Gazans by Hamas this month. The United Kingdom opposes the death penalty in all circumstances. In the West Bank in 2022 alone, more Palestinians were killed by Israeli forces than the total recorded since the United Nations began documenting fatalities in 2005. The United Kingdom remains fully supportive of Israel's right to self-defence, but where there are accusations of excessive use of force, we advocate swift, transparent investigations. We are also appalled by the terrorist attacks on Israeli citizens, which cannot be justified.

We appreciate Norway's leadership in convening the Ad Hoc Liaison Committee this month. We welcome the progress on economic measures, including the electronic payment of Palestinian workers in Israel, and the work on ensuring the continued success of the e-VAT portal. However, bolder and faster action is needed to deliver real economic change in the occupied Palestinian territories. The United Kingdom is committed to supporting another meeting of the Joint Economic Committee as soon as possible.

We also thank Jordan and Sweden for hosting a ministerial meeting in support of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). The United Kingdom is a long-standing financial and political supporter of UNRWA and welcomes its continued support to Palestinian refugees across the region. We encourage further dialogue among partners to ensure that UNRWA can deliver on its mandate.

In conclusion, peace will be achieved only through meaningful dialogue between the parties that tackles the drivers of instability and violence in the immediate term. We encourage further and deeper engagement towards that goal.

Mr. De la Fuente Ramírez (Mexico) (*spoke in Spanish*): I thank Special Coordinator Wennesland for his very extensive briefing.

I would like to begin today by wishing our Jewish friends and colleagues *chag sameach* — a very happy new year. The briefing we just heard once again demonstrates the very limited progress that has been made in the implementation of resolution 2334 (2016). Unfortunately, the reality is one of reversals and setbacks, three of which I will focus on today.

The first is settlement expansion, which undermines the viability of a two-State solution. The construction and expansion of settlements and all that entails, such as the transfer of settlers, the confiscation and demolition of properties and the displacement of the Palestinian population, as is happening in Masafer Yatta and Sheikh Jarrah, among other places, constitute violations of international law and a number of United Nations resolutions. Mexico therefore calls once again for all activities related to settlement expansion to cease.

The second is the constantly increasing violence. We are very concerned about the increasing frequency of violent incidents and deplore the attack that occurred a few days ago in Holon in which an Israeli woman died. As the Special Coordinator noted, the fragile situation in East Jerusalem is also alarming. The provocations that have taken place in the courtyards of the Al-Haram Al-Sharif/Al-Aqsa Mosque are unacceptable, given the fact that as we have seen on other occasions, they can have disastrous consequences. We call for restraint and for avoiding any measure that undermines the historical, demographic, religious or cultural character of the city.

We also note that the security situation in the West Bank continues to deteriorate. According to statistics from the United Nations Office for the Coordination of Humanitarian Affairs, this year has been the deadliest since 2005. Frequent raids and operations by the Israel Defense Forces have resulted in the deaths of more than 80 Palestinian civilians, and nearly 7,500 injured to date in 2022. Israel's law-enforcement agencies must observe the principles of necessity, proportionality and distinction.

Thirdly, with regard to the political process, we acknowledge confidence-building measures such as permits for Palestinian workers and easing the movement of people and goods in Gaza. However, such efforts should also come with an inclusive and

far-reaching political process in which Israel and Palestine engage constructively, with the shared goal of addressing the structural causes of the conflict. In that regard, we welcome meetings such as that of the Munich Group, discussions on the Arab Peace Initiative and the ministerial meeting of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, which was held during the high-level week of the General Assembly, the purpose of all of which is to encourage measures to rebuild trust and promote a two-State solution.

The support of the international community and particularly the commitment of both President Abbas and Prime Minister Lapid to a two-State solution deserve special recognition. That is the way forward. It is time to resume the political process under the auspices of the international community, and hopefully under more active leadership by the Security Council.

Mrs. Kamboj (India): I thank Special Coordinator Tor Wennesland for his briefing on the implementation of resolution 2334 (2016).

India is concerned about the unfortunate loss of civilian lives and reiterates its call for a complete cessation of violence and attacks on civilians, especially women and children. Likewise, we are concerned about the recent acts of terror and incidents of violence in Israel and the West Bank. We are also aware of the tensions around Jerusalem's holy sites owing to provocative action and rhetoric. The historical and legal status quo at Jerusalem's holy places must be respected and upheld. Actions that the Special Coordinator identified in his briefing are also continuing. They need to stop.

Palestinians continue to face severe economic and humanitarian hardships. The unhindered delivery of humanitarian assistance to the Palestinian civilian population must be prioritized. For its part, India continues to support the Palestinian people through its bilateral development partnership, which covers wide-ranging sectors such as health, education, women's empowerment, entrepreneurship and information technology. Palestinian students and officials of the Palestine Authority are provided with scholarships every year for education and training in premier educational institutions. The scholarships are also open to Palestinian refugees through the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and we are supporting grass-roots Palestinian institutions in their development

initiatives. Our support also extends to UNRWA for its humanitarian services. In recognition of the current financial situation of UNRWA, we have advanced the disbursement of our 2022 contribution of \$5 million to the Agency.

In conclusion, I want to say that the developments in Palestine only confirm the urgent need for political dialogue between Israel and Palestine through a resumption of direct negotiations aimed at establishing a sovereign, independent and viable State of Palestine living within secure and recognized borders, side by side and at peace with Israel. We believe there is no alternative to a negotiated two-State solution, and in that context, we welcome the statement by Israel's Prime Minister at the General Assembly last week (see A/77/PV.8) supporting such a solution. India stands ready to support all diplomatic efforts to strengthen the international community's collective commitment to resuming the negotiations and facilitating the peace process for achieving a two-State solution.

Mrs. Thomas-Greenfield (United States of America): I thank Special Coordinator Wennesland for his informative briefing.

From day one, the Biden Administration has been unequivocal in its support for a two-State solution. That has not changed. As President Biden made clear to the General Assembly last week,

[A] negotiated two-State solution remains [...] the best way to ensure Israel's security and prosperity for the future and give the Palestinians the State to which they are entitled" (see A/77/PV.6).

We are not alone in pushing for such a peace. In fact, the Hall of the General Assembly was filled with calls for a two-State solution during the high-level week. Prime Minister Lapid made a courageous and impassioned speech (see A/77/PV.8) that articulated his vision of two States for two peoples. The significance of his appeal for peace between Israelis and Palestinians should not be underestimated. I also want to acknowledge President Abbas's statement (see A/77/PV.10) and his stated commitment to non-violence and affirmation of his support for a two-State solution. Now it is time to turn those words into action and to make real, sustained progress. It is incumbent on both the parties to work in good faith to arrive at two States for two peoples. There are no shortcuts to statehood.

In that regard, we strongly oppose unilateral actions that exacerbate tensions and move us further away from a two-State solution, which in turn moves us further away from peace. That includes terrorist attacks and incitement to violence against Israelis. It includes the plans to develop Har Gilo West, which would further fragment the West Bank, and the possible demolitions in Masafer Yatta. It also includes the violence inflicted on Palestinians in their neighbourhoods by Israeli settlers, who in some cases are escorted by Israeli security forces. I will also note that the United States is concerned about increasing tensions and violence in the West Bank among Palestinians, including the recent clashes in Jenin and Nablus. We are troubled by the overall trend of growing violence.

Instability in the West Bank is in the interests neither of Israel nor the Palestinian people. We call on both sides to work for peace without delay. The United States is doing its part to help. In July, while he was in the region, President Biden announced a number of measures to improve conditions for the Palestinian people in the West Bank and Gaza, including additional funding for the United Nations Relief and Works Agency for Palestine Refugees in the Near East. We are now working to expand fourth-generation digital connectivity to Gaza and the West Bank and improve accessibility to the Allenby Bridge. We encourage the Government of Israel to move those projects forward quickly. But we cannot do it alone. We strongly urge countries that espouse support for the Palestinian people to translate that conviction into concrete improvements on the ground. We call on the Palestinian Authority to ensure respect for human rights and refrain from making payments to those who harm Israelis. A strong and legitimate Palestinian Authority is in the interest of the entire region.

Before I conclude, I would like to take note of the historic visit to Israel earlier this month made by the Foreign Minister of the United Arab Emirates. The United States will continue working with Israel and its neighbours to expand relationships across the region, and we will strive to ensure that those new relationships also benefit the Palestinians.

Even if the current circumstances do not lend themselves to negotiation, we must not retreat into

cynicism. The international community can and must take steps to achieve conditions conducive to negotiating the two-State solution. That will be a real challenge, but it is a challenge that we must take on together. The United States will not hesitate to work with its partners to build a brighter and more peaceful future.

The President (*spoke in French*): I shall now make a statement in my capacity as the representative of France.

I thank Mr. Wennesland for his briefing and reiterate that he has France's full support.

Ending unilateral measures remains the priority. Colonization, which is at variance with international law, undermines any possibility for the resumption of the peace process and beyond that for a two-State solution. France therefore requests Israel to end the current process of expanding or establishing new settlements. The demolitions and evictions must stop. We also recall the importance of respecting the status quo of holy sites.

Inaction is no longer a solution. A political horizon must be re-established. France is determined to work to that end and will support all initiatives aimed at bringing the parties to the negotiating table. Direct negotiations must be resumed as a matter of urgency. Only a solution involving two States living side by side in peace and security, with Jerusalem as the capital of both, will bring just and lasting peace to Israelis and Palestinians and the entire region. We welcome the open-mindedness demonstrated by the Israeli Prime Minister at the recent general debate of the General Assembly (see A/77/PV.8). Indeed, we hope that his words will be translated into action.

France calls on the Security Council to take steps towards resuming peace negotiations as soon as possible.

I now resume my functions as President of the Council.

There are no more names inscribed on the list of speakers.

The meeting rose at 11.30 a.m.



Security Council

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Implementation of Security Council resolution [2334 \(2016\)](#)

Report of the Secretary-General

I. Introduction

1. The present report is the twenty-fourth quarterly report on the implementation of Security Council resolution [2334 \(2016\)](#), covering the period from 21 September to 7 December 2022.

II. Settlement activities

2. In its resolution [2334 \(2016\)](#), the Security Council reaffirmed that the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, had no legal validity and constituted a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace. The Council reiterated its demand that Israel immediately and completely cease all settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and that it fully respect all of its legal obligations in that regard. No such steps were taken during the reporting period, as settlement activities continued.

3. On 23 November, the Supreme Court of Israel rejected a petition by an Israeli non-governmental organization and Palestinian landowners against the allocation of land, which has been declared by Israel as “State land”, for a new settlement known as Givat Eitam, near the existing settlement of Efrat. The decision allows the process planning for the new settlement to begin. If built, the settlement will impede the contiguity between Bethlehem and the southern occupied West Bank, further undermining the territorial integrity of a future Palestinian State, as well as Palestinian development in the area.

4. Demolitions and seizures of Palestinian-owned structures continued across the occupied West Bank, including in East Jerusalem, throughout the reporting period. Israeli authorities, citing the lack of Israeli-issued building permits, which remain almost impossible for Palestinians to obtain, demolished, seized or forced people to demolish 199 structures. The demolition of those structures resulted in the displacement of 196 persons, including 106 children, and affected 700 other persons.

5. A total of 6 per cent of the structures were demolished or seized with no or very short prior notice on the basis of military order 1797, which authorizes an expedited process for the demolition of unauthorized “new structures” in Area C and gives



owners 96 hours to demonstrate possession of a valid building permit. Another 10 structures were demolished by their owners following receipt of demolition orders. Of the structures that were demolished or seized, some 20 were funded by international donors.

6. On 2 October, the High Court of Justice of Israel rejected a petition for an additional hearing on its 4 May ruling on Masafer Yatta allowing for the eviction of 12 Palestinian herding communities, which comprised more than 1,150 residents, including more than 500 children, in the southern occupied West Bank. The rulings authorized the Israeli military to train in the “firing zone” located on some 7,400 acres of privately owned Palestinian land.

7. On 3 October, the High Court of Justice granted the Government of Israel a postponement until 1 February 2023 for its response to a petition aimed at compelling Israeli authorities to implement their previous decisions to evacuate the Bedouin village of Khan al-Ahmar, in Area C of the occupied West Bank.

8. On 23 November, Israeli authorities demolished a donor-funded school in Masafer Yatta. Construction of the school had recently been completed for children who previously had to walk several kilometres through settlement areas to attend school.

9. On 13 November, the Jerusalem District Court announced that it had rejected an appeal by a Palestinian family to cancel eviction orders seeking to remove the family from its homes in the Batan al-Hawa section of Silwan in favour of a settler organization. The family is one of 85 in Batan al-Hawa facing displacement.

10. Overall, in occupied East Jerusalem, at least 218 Palestinian households comprising 970 people, including 420 children, are facing eviction cases in Israeli courts. Most cases were initiated by Israeli settler organizations and are based on the application of Israeli laws that allow for properties in East Jerusalem that were owned by Jews prior to 1948 to be reclaimed. No similar law allows Palestinians to reclaim their property in Israel.

III. Violence against civilians, including acts of terror

11. In its resolution [2334 \(2016\)](#), the Security Council called for immediate steps to prevent all acts of violence against civilians, including acts of terror, as well as all acts of provocation and destruction, called for accountability in that regard, and called for compliance with obligations under international law for the strengthening of ongoing efforts to combat terrorism, including through existing security coordination, and to clearly condemn all acts of terrorism.

12. Violence increased significantly and continued on a daily basis during the reporting period, including clashes between Palestinians and Israeli security forces, high levels of settler-related violence, attacks and alleged attacks by Palestinians against Israelis, and operations by Israeli security forces, including the use of lethal force.

13. In total, 56 Palestinians, including 12 children, were killed by Israeli security forces during demonstrations, clashes, security operations, attacks and alleged attacks against Israelis, as well as in other incidents. Some 1,830 Palestinians, including 75 women and 168 children, were injured. Of that number, 239 were injured by live ammunition, while 1,275 were injured owing to tear gas inhalation. In addition, Israeli settlers or other civilians perpetrated some 264 attacks against Palestinians, resulting in 103 cases of injury and/or damage to Palestinian-owned property.

14. A total of seven Israeli civilians, including one child, as well as two members of Israeli security forces, were killed. In all, 46 civilians, including 3 women and 3 children, as well as 19 members of Israeli security forces, were injured by Palestinians in attacks, clashes, rock- and Molotov cocktail-throwing, and other incidents. The majority of them were stone-throwing attacks against Israelis, including settlers, that resulted in injuries or damage to Israeli-owned property.
15. Israeli security forces conducted more than 765 search-and-arrest operations, resulting in the detention of more than 826 Palestinians, including some 54 children.
16. On 28 September, five Palestinians, including a 12-year-old-boy, were killed by Israeli security forces, and more than 50 Palestinians were injured by live ammunition in the context of an exchange of fire during an Israeli arrest operation in the Jenin refugee camp.
17. On 3 October, Israeli security forces opened fire on a Palestinian vehicle near the Jalazone refugee camp, near Ramallah, killing two Palestinian men and injuring another. The three were workers who regularly commuted along the route. Israeli security forces said that they had shot at the vehicle after an attempted ramming attack. The injured man, who was released without charges from Israeli custody on 13 October, said that the Israeli personnel shot at them from various directions as the vehicle was turning around.
18. On 8 October, Israeli security forces shot and killed a 17-year-old Palestinian and injured another 17-year-old in al-Mazra'a al-Gharbiyah, near Ramallah. The shooting occurred after the boys threw stones at Israeli security forces in the context of a protest against a settlement outpost.
19. Amid a spate of shooting attacks against Israelis, in October, Palestinians shot and killed two Israeli soldiers. On 8 October, an Israeli soldier was killed at a checkpoint outside the Shu'fat refugee camp, in occupied East Jerusalem. The Al-Aqsa Martyrs Brigade claimed the attacker as a member. On 19 October, the suspected perpetrator was shot and killed in an exchange of fire with an Israeli guard at the entrance of Ma'ale Adummim settlement. On 11 October, a second Israeli soldier was killed in a drive-by shooting near Nablus. The Lions' Den Brigades, a group of armed Palestinians based in Nablus, claimed responsibility for the attack.
20. On 23 October, an explosive device placed in a motorcycle killed a senior member of the Lions' Den. On 25 October, four Palestinians, including two unarmed bystanders, were shot and killed during an Israeli military operation in the Old City of Nablus. Israeli authorities said that they had been targeting an explosives workshop belonging to the Lions' Den and that a senior member of the group was among those killed. During the operation, another Palestinian was killed when his car exploded; Israeli authorities denied responsibility. Subsequently, thousands of Palestinians in Nablus and across the occupied West Bank protested against the deaths of the five Palestinians. During one related clash, a Palestinian man was shot and killed by Israeli security forces in Nabi Salih village.
21. On 25 October, a Palestinian stabbed an Israeli civilian, who later died of his injuries, in Funduq village, near Qalqilyah, in the occupied West Bank.
22. On 28 October, Israeli security forces shot and killed two Palestinian men, later identified as members of the Palestinian civil defence, and injured two others at Huwwarah checkpoint, near Nablus. Israeli authorities said that their personnel had returned fire after one of the men shot towards the checkpoint. The circumstances of the incident remain unclear.
23. On 29 October, a Palestinian shot and killed an Israeli civilian and injured three others near the Qiryat Arba' settlement in Hebron. According to video footage, the

assailant was subsequently rammed with the vehicle of a settlement guard and then shot and killed by an off-duty Israeli soldier. One Palestinian was injured by live ammunition fired by Israeli security forces during the incident.

24. On 30 October, a Palestinian conducted ramming attacks at two different junctions near Jericho, injuring five Israeli soldiers. The man was subsequently killed by Israeli security forces.

25. On 2 November, a Palestinian rammed and injured an Israeli soldier at Bayt Awr al-Fawqa checkpoint, near Ramallah. The man then exited his vehicle and wielded an axe before being killed by an Israeli soldier.

26. On 3 November, during a search-and-arrest operation in Janin, Israeli security forces shot and killed a Palestinian suspected of involvement in the earlier killing of a member of Israeli security forces. The man was later claimed as a commander by Palestinian Islamic Jihad. Amid a subsequent armed exchange, a 14-year-old boy was shot and killed by Israeli security forces, reportedly after having fired at Israeli security forces personnel, and three other Palestinians were injured by live ammunition.

27. On 3 November, a 20-year-old Palestinian man stabbed and injured two Israeli security forces personnel in the Old City of Jerusalem. The man was subsequently killed by Israeli security forces. That same day, Israeli security forces shot and killed a Palestinian man during confrontations in the context of a search-and-arrest operation in Bayt Duqqu village, near Jerusalem.

28. On 5 November, Israeli security forces shot and killed an 18-year-old Palestinian and seriously injured a 16-year-old Palestinian boy after the Palestinians threw stones towards Israeli vehicles near Sinjil village, in Ramallah.

29. On 9 November, a 15-year-old Palestinian boy was killed, reportedly while placing an explosive device that detonated, and 60 others were injured by Israeli security forces – 57 by tear gas and 3 by rubber bullets – during armed clashes between Palestinians and Israeli security forces in Nablus. The clashes began after Palestinians reportedly threw stones and explosive devices towards a group of Israelis, including members of Knesset, who were visiting the nearby Joseph's Tomb, accompanied by Israeli security forces.

30. On 14 November, Israeli security forces killed a 15-year-old Palestinian girl with autism and injured a Palestinian man in a search-and-arrest operation in Baytunya, near Ramallah. Israeli security forces said that they had opened fire towards a suspicious vehicle that was accelerating towards them. Palestinian witness accounts and video footage indicated that the car was moving slowly when Israeli security forces opened fire. The injured Palestinian man was taken to the hospital and released on 17 November without charges being pressed.

31. On 15 November, a 19-year-old Palestinian stabbed and killed two Israeli civilians and injured another near the Ariel settlement, stole the car of one of his victims, using it to ram and kill a third Israeli civilian, and then stabbed and injured another person. The man was subsequently killed by Israeli security forces.

32. On 21 November, a 17-year-old Palestinian boy was killed, reportedly a bystander, and three others were injured by Israeli security forces during a search-and-arrest operation near the Jenin refugee camp, in which Israeli security forces reportedly launched a shoulder-fired missile and exchanged fire with armed Palestinians.

33. On 23 November, two bombs exploded at separate bus stops in Jerusalem. Two Israeli civilians were killed, including a 16-year-old Israeli-Canadian boy, and 13 others were injured, 3 seriously. According to Israeli authorities, the explosions were caused by explosives planted at the sites.

34. On 23 November, Israeli security forces killed two Palestinians, including a 16-year-old boy, and injured 210 others during clashes in Nablus. The clashes occurred after Palestinians reportedly threw stones and other projectiles towards a group of Israelis who were visiting Joseph's Tomb.
35. On 28 November, Israeli security forces killed a Palestinian man in the context of armed clashes in Bayt Ummar, near Hebron. Twenty-one Palestinians were injured by live ammunition. At the time that he was killed, the man was videorecording the clashes.
36. On 29 November, Israeli security forces shot and killed a Palestinian man in Mughayyir, near Ramallah. Israeli authorities stated that the man had thrown a petrol bomb at them. Video footage and eyewitness accounts indicated that the man was running away when he was shot.
37. Also on 29 November, Israeli security forces shot and killed two Palestinians in Kafr Ayn, near Ramallah, one of whom was reportedly carrying a Molotov cocktail.
38. On 1 December, Israeli security forces shot and killed two Palestinian men with live ammunition during armed clashes in Janin.
39. On 2 December, a Palestinian man was shot and killed in Huwwarah. Video footage appeared to indicate, and eyewitnesses stated, that the man was unarmed and resisting arrest at the time that he was shot. Israeli authorities stated that the man was armed with a knife while attempting to break into a civilian vehicle in which there were two Israelis and that he subsequently stabbed a member of Israeli security forces.
40. On 5 December, Israeli security forces shot and killed a Palestinian man and injured six others with live ammunition during a search-and-arrest operation in the Dheisheh refugee camp, in Bethlehem, in the context of stone-throwing at Israeli security forces.
41. Settler-related violence increased twofold over the same period in 2021 against the backdrop of the olive harvest in the occupied West Bank.
42. On 12 October, a group of Israeli settlers, reportedly accompanied by Israeli security forces, set fire to Palestinian agricultural structures in Qusra, killing approximately 30,000 chickens. Subsequently, Israeli security forces clashed with Palestinians in the area; two Palestinians were injured with live ammunition.
43. On 18 November, a group of Israeli settlers, accompanied by Israeli security forces, attacked Palestinians whose livestock were grazing near Badiw al-Mu'arrajat Centre, a Bedouin community east of Ramallah. A 14-year-old Palestinian was injured.
44. On 18 and 19 November, approximately 35,000 Israelis, many of them settlers, visited Hebron to attend a religious festival. During the event, hundreds marched through the Palestinian-administered H1 area of Hebron, chanting nationalistic slogans and flying Israeli flags. Tensions escalated in the H2 area of Hebron as settlers threw stones, attacked Palestinian houses and businesses and smashed the windows of two mosques. One Palestinian was injured by settlers, and six were injured by Israeli security forces. One member of Israeli security forces was injured in clashes with settlers.
45. Since the start of the harvest season, at the beginning of October, at least 60 incidents have been recorded, in which 49 Palestinian harvesters have been injured, and more than 3,600 olive trees have been damaged or had their harvest stolen. Some Palestinian farmers have also faced challenges in gaining access to their groves behind the separation barrier or in the vicinity of settlements, which requires Israeli approval.

46. On 19 October, some 50 Israeli settlers attacked Palestinian farmers and Israeli activists gathering olives near the Ma'ale 'Amos settlement, south-east of Bethlehem. One 70-year-old Israeli woman was beaten and injured, and more than 300 olive trees were destroyed.

47. On 3 November, some 30 Israeli settlers attacked a Palestinian family with stones, batons, steel pipes and dogs as the family was harvesting olives on their land near the Asfar settlement, south of Bethlehem. Six Palestinians, including an older man and woman, were injured.

48. In and around the holy sites in the Old City of Jerusalem, which saw increased numbers of Israeli visitors to mark the Jewish High Holidays in October, tensions remained. In advance of the holidays, Israeli authorities imposed strict security measures around the sites, arresting dozens of Palestinians. Israeli police also arrested several Israeli activists who had sought to hold Jewish prayers at a cemetery adjacent to the holy sites, citing the potential for such actions to lead to violence. Sporadic clashes erupted between Israeli security forces and Palestinians in the area throughout the holidays, but no major outbreaks of violence were reported.

49. In the Gaza Strip, Palestinian armed groups launched five rockets from Gaza towards Israel, three of which fell short within the Strip and one of which was intercepted by the Israeli air defence system. In retaliation, the Israel Defense Forces conducted 11 air strikes against what it said were militant targets in Gaza, with no injuries reported.

IV. Incitement, provocations and inflammatory rhetoric

50. In its resolution [2334 \(2016\)](#), the Security Council called upon both parties to act on the basis of international law, including international humanitarian law, and their previous agreements and obligations, to observe calm and restraint, and to refrain from provocative actions, incitement and inflammatory rhetoric, with the aim, *inter alia*, of de-escalating the situation on the ground, rebuilding trust and confidence, demonstrating through policies and actions a genuine commitment to the two-State solution, and creating the conditions necessary for promoting peace.

51. Some Fatah officials and social media pages praised and glorified perpetrators of previous attacks against Israelis, while Hamas and Palestinian Islamic Jihad issued statements praising the deadly terrorist attacks in Jerusalem of 23 November, in which two Israeli civilians were killed. Some Palestinian Authority officials denied the right of Israel to exist, as well as the historical and religious connection of Jews to the land and its holy sites.

52. An Israeli Minister called members of Israeli Arab Knesset parties “terrorists in suits”, saying that they should be banned from the Knesset, while another senior member of Knesset called the Israeli Arab parties “terrorism supporters”. Another member of Knesset called upon the Government of Israel to use live fire against Palestinians protesting and clashing with the Israeli security forces in occupied East Jerusalem, calling them “terrorists”, and in another incident brandished a gun against Palestinian protestors, some of whom had thrown stones, calling upon Israeli police to shoot them. Another member of Knesset called for changing the status quo at the holy sites in Jerusalem, saying, “we are going return to the days when the Temple Mount was truly in our hands”.

V. Affirmative steps to reverse negative trends

53. In its resolution 2334 (2016), the Security Council called for affirmative steps to be taken immediately to reverse the negative trends on the ground that were imperilling the two-State solution. Notwithstanding some positive steps, negative trends on the ground continued during the reporting period.

54. On 13 November, an important step was taken in support of the fishing sector in Gaza as dual-use materials for the repair of fishing boats entered the Gaza Strip for the first time since 2007. This development, facilitated by the United Nations and Palestinian and Israeli authorities, will support the revitalization of a decimated fishing sector, contributing to the employment of and income generation for a vulnerable population in Gaza.

55. Some easing of movement restrictions on people and goods between Gaza and Israel continued. Since the end of the escalation of May 2021, Israeli authorities have issued a total of 18,200 permits for Gaza residents to work and do business in Israel, the highest number since 2007. The daily average of truckloads of goods, excluding fuel, entering and exiting Gaza through the Kerem Shalom crossing during the reporting period – 298 and 17, respectively – represents a 23 per cent and a 13 per cent decline compared with during the same reporting period in 2021. However, overall, for 2022, the total volume of goods exiting Gaza through Kerem Shalom increased by nearly 50 per cent. Through the Rafah Crossing to Egypt, the reporting period witnessed a 148 per cent increase in the daily average of trucks entering and a 3 per cent decline in the daily average of goods exiting Gaza compared with the same reporting period in 2021.

56. Notwithstanding some improvements, access restrictions continued, affecting the delivery of humanitarian and development programming in Gaza. Currently, nearly 300 staff of the United Nations and implementing partners have either been denied their permit applications or have not yet received a response thereto. Access restrictions also continued to affect patients in Gaza in need of medical care. During the reporting period, there were 4,544 permit applications of patients to reach health facilities outside the Gaza Strip. The approval rate was 70 per cent, with just under 1 per cent denied and 29 per cent delayed, meaning that patients received no definitive response to their application by the date of their hospital appointment.

57. Since the most recent escalation of violence in Gaza, on 5 August, which resulted in the total destruction of 26 houses and damage to 1,543 housing units, only 121 damaged units have been repaired owing to a lack of funding. As a result, 150 families – a total of 850 individuals, including nearly 400 children and 200 women – remain displaced. Approximately \$3 million is needed for the reconstruction and repair of those houses.

58. In addition, little progress has been made towards construction and the repair of damages incurred during the escalation of 2021, with only 213 of 1,688 destroyed housing units rebuilt. While work to rebuild 831 totally destroyed units is in progress, the complete reconstruction of another 644 units faces a funding gap of \$39 million, and \$10 million is needed for the repair of 12,031 partially damaged units. Meanwhile, 600 units, which were totally destroyed in the 2014, 2018 and 2019 conflicts, await reconstruction.

59. In the occupied West Bank, on 20 October, Israeli authorities began to implement a pilot phase of new regulations governing the entry of certain foreign passport holders into the occupied West Bank, formally differentiating between travellers visiting only the Occupied Palestinian Territory and those visiting Israel as well.

60. On 5 November, in Ramallah, the Palestinian security forces prevented the holding of a civil society conference to discuss reform of the Palestine Liberation Organization and detained two organizers. On 8 November, the Palestinian security forces halted a follow-up event and threatened to use force against the organizers.

61. Between 6 and 10 November, the Israeli authorities opened the Allenby Bridge border crossing between the occupied West Bank and Jordan 24 hours a day in a pilot programme that was meant to lead to the permanent opening of the crossing at all hours. This step, announced during the recent visit of the President of the United States of America, Joseph Biden, to the region, was intended to reduce delays that Palestinians faced when entering or leaving the occupied West Bank through Jordan.

62. On 29 November, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) stated that it had identified a human-made cavity underneath the grounds of one of its schools in Gaza. The Agency immediately took measures to render the school safe, including by permanently sealing the cavity, and condemned the presence of such a structure to the relevant authorities in Gaza. The presence of such a cavity was a serious violation of the inviolability of United Nations premises and a breach of international law. It exposed children and United Nations staff to significant security and safety risks.

VI. Efforts by the parties and the international community to advance the peace process and other relevant developments

63. In its resolution [2334 \(2016\)](#), the Security Council called upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967. No such steps were taken during the reporting period.

64. Also in its resolution [2334 \(2016\)](#), the Security Council called upon all parties to continue, in the interest of the promotion of peace and security, to exert collective efforts to launch credible negotiations on all final status issues in the Middle East peace process, and urged in that regard the intensification and acceleration of international and regional diplomatic efforts and support aimed at achieving, without delay, a comprehensive, just and lasting peace in the Middle East on the basis of the relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet road map, and an end to the Israeli occupation that was begun in 1967. The Council underlined that it would not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations.

65. On 21 September, on the margins of the general debate of the General Assembly, the Ministers for Foreign Affairs of Egypt, France, Germany and Jordan met in the presence of the High Representative of the European Union for Foreign Affairs and Security Policy, Josep Borrell, and the United Nations Special Coordinator for the Middle East Peace Process. As noted in the joint ministerial statement issued after the meeting, the Ministers met “with a view to advancing the Middle East peace process towards a just, comprehensive and lasting peace on the basis of the two-State solution”. They also, *inter alia*, called for the resumption of “direct, serious, meaningful and effective negotiations between the parties at the earliest possible point in time” and for “an immediate and complete cessation of all unilateral actions”.

66. On 13 October, following an interfactional dialogue hosted by the Government of Algeria, 14 Palestinian factions, including Fatah and Hamas, signed the Algiers declaration, in which the factions agreed, *inter alia*, to “resolve differences in the Palestinian arena with the aim of full national affiliation with the Palestine Liberation

Organization as the sole legitimate representative of the Palestinian people”. The participants also called for “the holding of presidential and legislative general elections in the Gaza Strip and the West Bank, including Jerusalem ... within a period not to exceed one year from the date of signature of this declaration”.

67. In Algiers, on 1 and 2 November, the League of Arab States held its first Summit since 2019. In their final statement, Arab leaders affirmed, inter alia, the “centrality of the Palestinian cause, including their right to freedom, self-determination and the establishment of the independent and fully sovereign State of Palestine on the lines of 4 June 1967, with East Jerusalem as its capital”. It was noted in the statement, that the Israeli-Palestinian conflict should be resolved “on the basis of land for peace”, and support was expressed for the 2002 Arab Peace Initiative.

VII. Observations

68. I remain deeply concerned by continued illegal Israeli settlement activity in the occupied West Bank, including East Jerusalem. Settlements have no legal validity and constitute a flagrant violation of international law and United Nations resolutions. They further entrench Israel’s military occupation of Palestinian territory, undermine the legitimate rights of the Palestinian people to self-determination and sovereignty, encroach on Palestinian land and natural resources, and hamper the free movement of the Palestinian population. They undermine the prospect of achieving a two-State solution by systematically eroding the possibility of establishing a contiguous, independent, sovereign and viable Palestinian State. I call upon the Government of Israel to cease all settlement activity immediately, in line with its obligations under international law.

69. The reporting period saw no advancements of housing units in the occupied West Bank, including East Jerusalem. However, the total number of settlement housing units advanced in 2022 remains high, albeit slightly lower than in 2021. Overall, during the year, in Area C, some 4,800 units were advanced compared with some 5,400 in 2021, while tenders decreased, from 1,800 in 2021 to 150 in 2022. However, in occupied East Jerusalem the number of housing units that were advanced tripled from the previous year – from some 900 units in 2021 to some 3,100 units in 2022, with tenders also doubling, from 200 to 400.

70. I remain deeply concerned by the continued demolitions and seizures of Palestinian structures, in particular the demolition of a school in Masafer Yatta and the stated intention of Israeli authorities to demolish additional structures in the herding communities of Masafer Yatta, which would exact a significant humanitarian toll if implemented. Demolitions and forced evictions entail numerous human rights violations and raise concerns about the risk of forcible transfer. I call upon the Government of Israel to immediately end the demolition of Palestinian-owned property and prevent the possible displacement and forced eviction of Palestinians, in line with its international obligations, and to approve plans that would enable those communities to build legally and address their development needs.

71. I am increasingly concerned about several consequential settlement-related legal developments in 2022. They include the legal opinion of the Attorney General of Israel enabling the advancement of settlement plans in the partially evacuated outpost of Evyatar and the potentially precedent-setting reversal by the Supreme Court of Israel of its 2020 ruling ordering the evacuation of settlers from the illegal outpost of Mitzpeh Kramim. In addition, two rulings by the Supreme Court postponed the eviction of Palestinian families from their homes in the Shaykh Jarrah and Silwan neighbourhoods of occupied East Jerusalem. The rulings may also help to delay dozens of other eviction cases in these neighbourhoods.

72. All figures point to an inevitable conclusion that there has been a sharp increase in violence against civilians on both sides. I remain gravely concerned by this trend, which risks a further deterioration of the security situation on the ground and undermines a peaceful resolution of the conflict. The violence must stop, and all perpetrators must be held accountable. I condemn all acts of terrorism and violence against civilians, which must end and be rejected and condemned by all. I call upon political, religious and community leaders on all sides to help to calm the situation, to avoid spreading inflammatory rhetoric and to speak up against those seeking to incite and escalate the situation.

73. The high levels of settler-related violence over the past year, in particular reports of armed settlers carrying out attacks against Palestinians, sometimes in proximity of Israeli security forces, is alarming. In 2022, four Palestinians were killed in settler-related violence, the same number as in 2021. Settlers are rarely held accountable for such attacks, increasing the level of threat to Palestinians and their property. I urge Israel, as the occupying Power, to ensure the safety and security of the Palestinian population and to investigate and hold the perpetrators of the attacks accountable.

74. The year 2022 has been the deadliest for Palestinians in the West Bank since the United Nations began to track fatalities, in 2005. I condemn the killing of Palestinians by Israeli security forces in incidents in which they did not appear to present an imminent threat to life, raising concerns regarding the possible excessive use of force. Approximately 58 per cent of Palestinian fatalities across the occupied West Bank in 2022 occurred during military operations or search-and-arrest operations, in many cases involving armed exchanges with Palestinians. Security forces must use lethal force only when strictly unavoidable to protect life and must promptly and thoroughly investigate all instances of death or injury resulting from its use and hold those responsible accountable.

75. I also condemn the killing of Israeli civilians by Palestinians, including in terrorist attacks. The year 2022 has been the deadliest since 2015 for Israeli civilians killed in attacks in Israel and the occupied West Bank. An increase in the use of small arms by Palestinians against Israeli security forces and civilians has also been witnessed.

76. I am particularly appalled that children continue to be victims of violence. The year 2022 has tragically witnessed the killing of 42 Palestinian children and 1 Israeli child. Children must never be the target of violence or be put in harm's way. I am also concerned that Palestinian children continue to be arrested in large numbers and held for prolonged periods of time, including in administrative detention. To date, 6,085 Palestinians, at least 452 of whom are children, have been arrested by Israeli forces in 2022 – the highest number of detainees since 2008 – and the number of those held under administrative detention has more than doubled in the past two years. I reiterate my call for Israel to use detention as a measure of last resort and for the shortest appropriate period, to prevent all forms of ill-treatment in detention and to end the administrative detention of children, who are entitled to special protection.

77. I condemn the indiscriminate launching of rockets, including from highly populated residential neighbourhoods in Gaza, towards Israeli population centres, which is prohibited under international humanitarian law and must stop immediately.

78. The fate of two Israeli civilians and the bodies of two Israel Defense Forces soldiers held by Hamas in Gaza remain an important humanitarian concern. I call upon Hamas to provide information on their status, as required under international humanitarian law, and to return the withheld bodies to their families.

79. I remain concerned by the continued Israeli practice of holding the bodies of killed Palestinians, totalling 119, including 2 women and at least 12 children,

according to available data. I call upon Israel to return the withheld bodies to their families, in line with its obligations under international humanitarian law.

80. In Gaza, a fragile calm is being maintained, but the risk of escalation persists. Efforts by the United Nations and international partners, including Egypt and Qatar, to improve Palestinian lives, as well as measures by Israel to ease pressure and facilitate more economic activity, have enabled the ceasefire to hold. While progress has been made, restrictions and delays continue to affect humanitarian and development efforts, as well as important sectors of the economy. Much more remains to be done. Notwithstanding efforts made over the past months, more needs to be done to alleviate the humanitarian situation, improve the economy and lift the debilitating Israeli closures, in line with Security Council resolution 1860 (2009). Only sustainable political solutions will restore hope to the long-suffering population of Gaza.

81. I remain seriously concerned about the financial situation of UNRWA, which is putting the delivery of essential services, including education, health and social protection, to Palestine refugees in the Occupied Palestinian Territory and the region at risk. This includes a projected funding gap of between \$50 million and \$80 million. As the West Bank witnesses the highest level of violence in years, UNRWA remains one of the few stabilizing elements in the lives of thousands of Palestinians. I reiterate my urgent call to provide UNRWA with the funds needed to fully deliver on its mandate from the General Assembly.

82. While needs across the board are on the rise and require a scaled-up humanitarian response, the World Food Programme is facing a significant decline in bilateral financial support, putting at risk its ability to maintain critical food and cash assistance to some 435,000 of the most vulnerable food-insecure people across the occupied West Bank, including East Jerusalem, and the Gaza Strip. The World Food Programme needs \$35 million over the next six months to be able to continue this support, with urgent funding needed to prevent the imminent suspension of electronic food voucher assistance to 180,000 people.

83. The multiple instances in which officials have used dangerous and hateful rhetoric, which has the potential to increase tensions and spark violence, are disturbing. Terrorism, violence and incitement must be clearly condemned and unequivocally rejected by all, never celebrated or amplified.

84. I reiterate and amplify my call to the parties for the status quo at the holy sites in Jerusalem to be respected and upheld, taking into account the special and historic role of Jordan as custodian of the Muslim and Christian holy sites in Jerusalem.

85. The actions taken by the Palestinian authorities in the occupied West Bank and Gaza to restrict freedom of expression and assembly are worrying. I call upon the authorities to halt any measures that infringe on these freedoms, which are critical to ensuring effective public participation.

86. I am increasingly concerned by the fragility of the current political and security dynamics, in particular in the occupied West Bank, including East Jerusalem. The deepening occupation, the increase in violence and terrorism, and the absence of a political horizon have empowered extremists and are eroding hope among Palestinians and Israelis that a resolution of the conflict is achievable. These dynamics are fuelling an already dangerous situation. Simultaneously, the Palestinian Authority is facing mounting economic and institutional challenges, which have been compounded by the constraints of the occupation, the absence of serious reforms by the Palestinian Authority and unclear prospects for donor support.

87. The United Nations and its partners have been engaged in extensive efforts to improve the dynamics on the ground while encouraging the parties to take concrete

steps towards improving the current conditions and establishing a political horizon. My Special Coordinator for the Middle East Peace Process, Tor Wennesland, has continued to hold discussions with a range of Palestinian and Israeli officials and regional and international partners to address the dangerous dynamics in the occupied West Bank, including East Jerusalem.

88. I welcome the signing on 13 October of the Algiers declaration by 14 Palestinian factions as a positive step towards intra-Palestinian reconciliation. I encourage all factions to overcome their differences through dialogue and urge them to follow up on the commitments included in the declaration, including the holding of elections. I reiterate the importance of Palestinian reconciliation for a politically stable, economically viable, sovereign and independent State of Palestine. Gaza is, and must remain, an integral part of a future Palestinian State as part of a two-State solution.

89. There is no substitute for a legitimate political process that will resolve the core issues driving the conflict. Israelis, Palestinians, regional States and the broader international community must take steps to enable the parties to re-engage on the path towards meaningful negotiations and, ultimately, peace. I remain committed to supporting Palestinians and Israelis in resolving the conflict and ending the occupation in line with international law, relevant United Nations resolutions and bilateral agreements in pursuit of the vision of two States – Israel and an independent, democratic, contiguous, viable and sovereign Palestinian State – living side by side in peace and security within secure and recognized borders, on the basis of the pre-1967 lines, with Jerusalem as the capital of both States.

90. I express my deep appreciation to my Special Coordinator for his outstanding service in what remains a challenging context. I also pay tribute to all United Nations personnel working under difficult circumstances in the service of the Organization.



Security Council

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20 February 2023

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Statement by the President of the Security Council

At the 9263rd meeting of the Security Council, held on 20 February 2023, in connection with the Council's consideration of the item entitled "The situation in the Middle East, including the Palestinian question", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council reaffirms the right of all States to live in peace within secure and internationally recognized borders, and stresses that both the Israeli and Palestinian people are entitled to equal measures of freedom, security, prosperity, justice, and dignity.

"The Security Council reaffirms its unwavering commitment to the vision of the two-State solution where two democratic States, Israel and Palestine, live side by side in peace within secure and recognized borders, consistent with international law and relevant UN resolutions.

"The Security Council expresses deep concern and dismay with Israel's announcement on February 12, 2023, announcing further construction and expansion of settlements and the "legalization" of settlement outposts.

"The Security Council reiterates that continuing Israeli settlement activities are dangerously imperiling the viability of the two-State solution based on the 1967 lines.

"The Security Council strongly underscores the need for all parties to meet their international obligations and commitments; strongly opposes all unilateral measures that impede peace, including, inter alia, Israeli construction and expansion of settlements, confiscation of Palestinians' land, and the "legalization" of settlement outposts, demolition of Palestinians' homes and displacement of Palestinian civilians.

"The Security Council condemns all acts of violence against civilians, including acts of terrorism, and calls for the strengthening of ongoing efforts to counter terrorism in a manner consistent with international law, and for all parties to clearly condemn all acts of terrorism and refrain from incitement to violence, and reiterates the obligation of all parties regarding the pursuit of accountability for all acts of violence targeting civilians, and recalls the obligation of the Palestinian Authority to renounce and confront terror.

"The Security Council calls on all parties to observe calm and restraint, and to refrain from provocative actions, incitement and inflammatory rhetoric, with the aim, inter alia, of de-escalating the situation on the ground, rebuilding trust and confidence, demonstrating through policies and actions a genuine



commitment to the two-State solution, and creating the conditions necessary for promoting peace.

“The Security Council emphasizes the importance of the safety and well-being of all civilians, and calls for full respect for international humanitarian law, including the protection of the civilian population, and also calls for facilitating access of humanitarian workers to populations in need, and reiterates the need to take appropriate steps to ensure the safety and well-being of civilians and their protection.

“The Security Council notes with deep concern instances of discrimination, intolerance and hate speech motivated by racism or directed against persons belonging to religious communities, in particular cases motivated by Islamophobia, antisemitism or Christianophobia,

“The Security Council calls for upholding unchanged the historic status quo at the holy sites in Jerusalem in word and in practice, and emphasizes in this regard the special role of the Hashemite Kingdom of Jordan.”



Security Council

Seventy-eighth year

9290th meeting

Wednesday, 22 March 2023, 10 a.m.

New York

Provisional

<i>President:</i>	Mr. Afonso	(Mozambique)
<i>Members:</i>	Albania	Ms. Dautllari
	Brazil	Mr. Parga Cintra
	China	Mr. Geng Shuang
	Ecuador	Mr. Montalvo Sosa
	France	Mr. De Rivière
	Gabon	Ms. Bongo
	Ghana	Mr. Agyeman
	Japan	Mrs. Shino
	Malta	Mrs. Frazier
	Russian Federation	Mr. Polyanskiy
	Switzerland	Mr. Hauri
	United Arab Emirates	Mr. Abushahab
	United Kingdom of Great Britain and Northern Ireland	Mr. Kariuki
	United States of America	Mrs. Thomas-Greenfield

Agenda

The situation in the Middle East, including the Palestinian question

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The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President: In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Israel to participate in this meeting.

I propose that the Council invite the Permanent Observer of the Observer State of Palestine to the United Nations to participate in the meeting, in accordance with the provisional rules of procedure and the previous practice in this regard.

There being no objection, it is so decided.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Tor Wennesland, Special Coordinator for the Middle East Peace Process, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I now give the floor to Mr. Wennesland.

Mr. Wennesland: Before turning to the Secretary-General's report, I would like to note the beginning of the holiday period, when the holy month of Ramadan coincides with Passover and Easter. I extend my good wishes to those who are observing these upcoming holy days. At the outset, I remind all that the status quo at the holy sites in Jerusalem must be respected. This should be a period for safe and peaceful religious reflection and celebrations for all. I urge all sides to refrain from unilateral steps that escalate tensions. I call on all leaders to engage to this end and refrain from provocative actions and messages at this sensitive time. I ask for calm.

I turn now to the Secretary-General's twenty-fifth report on the implementation of resolution 2334 (2016), covering the period from 8 December 2022 to 13 March 2023. Resolution 2334 (2016) calls on Israel to immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem, and to fully respect all of its legal obligations in this regard. Settlement activities have, nevertheless, continued during the reporting period.

On 27 December, Israeli settlers took control of a parcel of agricultural land leased by a Palestinian family from the Greek Orthodox Church since 1931 in the Silwan area of occupied East Jerusalem. The settlers maintain that they had purchased the land from the Church, a deal the Church rejected as fraudulent.

On 2 January, the Israeli Government informed the High Court of Justice that it intends to legalize, under Israeli law, the outpost of Homesh, built on private Palestinian-owned land, including by repealing part of the 2005 disengagement law. Relevant legislation is currently being advanced in the Knesset. On the same day, the Court gave the Government 90 days to explain why the outpost should not be evacuated.

On 12 February, the Israeli Government announced that it authorized nine outposts in the occupied West Bank and that the Higher Planning Committee would convene within days to advance settlement housing units. The Committee subsequently advanced plans for over 7,200 settlement housing units, with approximately 4,000 located deep in the occupied West Bank. Nearly 1,000 of these are in outposts that are in the process of legalization under Israeli law.

Following multiple postponements, a meeting of the Higher Planning Committee's Subcommittee for Objections on sensitive E1 settlement plans has been rescheduled for 12 June.

Demolitions and seizures of Palestinian-owned structures continued across the occupied West Bank, including East Jerusalem. Israeli authorities, citing the lack of Israeli-issued building permits, which are almost impossible for Palestinians to obtain, demolished, seized or forced people to demolish 331 structures. These actions displaced 388 people, including 89 women and 197 children. A total of 61 structures were donor-funded.

On 7 February, Israel's High Court of Justice gave the Government until 2 April to submit its response to a petition to implement demolition orders for Khan al-Ahmar. The deadline was subsequently extended to 23 April. A hearing is set for 1 May.

On 7 February, Israeli authorities postponed the demolition of a multi-story building housing 74 Palestinians in Silwan in occupied East Jerusalem.

Resolution 2334 (2016) calls for immediate steps to prevent all acts of violence against civilians, including all acts of terror, as well as all acts of provocation

and destruction. Unfortunately, daily violence increased significantly during the reporting period.

Eighty-two Palestinians, including one woman and 17 children, were killed by Israeli security forces during demonstrations, clashes, security operations, attacks against Israelis and other incidents. In all, more than 2,680 Palestinians, including 123 women and 320 children, were injured. Of that number, 308 were injured by live ammunition, while 2,100 became injured from tear gas inhalation. In addition, 4 Palestinians were killed and 89 injured, including 14 women and 12 children, in a growing number of attacks by Israeli settlers, who also caused damage to Palestinian-owned property.

Thirteen Israeli civilians, including one woman, three children and one foreign national were killed, and 49 Israelis, including two women, seven children and six Israeli security forces personnel, were injured by Palestinians in shooting and ramming attacks, clashes and other incidents. The majority of them were stone-throwing attacks against Israelis, including settlers, which resulted in injuries or damage to Israeli-owned property. One Israeli security forces personnel was shot and killed by a fellow soldier in the context of a stabbing attack by a Palestinian.

Israeli security forces carried out 1,084 search-and-arrest operations in the West Bank, resulting in 906 Palestinians arrested, including 133 children. Israel currently holds 967 Palestinians in administrative detention — the highest number in over a decade.

The high number of fatal incidents during the reporting period precludes us from detailing all of them, but allow me to highlight a few.

In four Israeli search-and-arrest operations in Palestinian cities in Area A — on 26 January in Jenin, 6 February in Jericho, 22 February in Nablus and 7 March in Jenin — 33 Palestinians, including a woman, an elderly man and four children, were killed by Israeli security forces amid armed exchanges. Of those killed, Palestinian militant groups have claimed 21 as members. The death toll in Nablus, with 11 Palestinians killed, was the highest recorded by the United Nations in a single West Bank incident since 2005.

The reporting period has also been marked by a spate of violence against civilians, including acts of terror.

In occupied East Jerusalem, six Israelis, including a child and one foreign national, were killed in a Palestinian shooting attack outside a synagogue on 27 January, the highest death toll in an attack against Israelis since 2005, and three Israelis, including two children, were killed in a ramming attack on 10 February in occupied East Jerusalem. Shooting attacks by Palestinians killed three Israelis, including one dual national, in other parts of the West Bank on 26 and 27 February and seriously injured three others, one of whom later succumbed to his wounds, in Tel Aviv on 9 March.

In separate incidents, two Palestinians were shot and killed by Israeli settlers in the course of carrying out stabbing attacks on 11 and 21 January. On 11 February, a third Palestinian was shot by an Israeli settler at close range in a confrontation on the edge of a Palestinian village near Salfit. Following the 26 February killing by a Palestinian of two Israelis from the Har Bracha settlement in Huwwara, hundreds of settlers descended on the West Bank town and neighbouring villages, carrying out, with Israeli security forces present, arson and other attacks. Amid the violence, one Palestinian man was shot and killed, 387 others, including 137 women and 89 children, were injured — one with live ammunition and 377 with tear gas — and extensive damage to Palestinian private property was reported.

In the aftermath of fatal incidents in the West Bank, Palestinian armed groups launched seven rockets from Gaza towards Israel. One fell short within the Strip, one landed in an open space inside Israel, and five were intercepted by the Israeli air defence systems. In retaliation, the Israel Defense Forces conducted two air strikes against what it said were militant targets in Gaza, with no reported injuries.

Resolution 2334 (2016) calls for the parties to refrain from acts of provocation, incitement and inflammatory rhetoric. Unfortunately, such acts continued and intensified.

Some Fatah officials and social media pages, as well as those from Hamas and Palestinian Islamic Jihad, praised and glorified perpetrators of attacks against Israelis and called for additional attacks. One senior Fatah official called Israel a fascist enemy that loves to murder and spill blood.

An Israeli minister conducted an inflammatory visit to Jerusalem's holy sites. Several Members of the Knesset praised the attacks by settlers against

Palestinians and their property in Huwvara, and an Israeli minister said Huwvara should be wiped out by Israeli authorities. Another Member of Knesset called Israeli-Arab colleagues supporters of terrorism and vowed to ban them from the Knesset, while another said they were inhuman and likened them to livestock.

Resolution 2334 (2016) reiterated calls by the Middle East Quartet for affirmative steps to be taken immediately to reverse the negative trends on the ground that are imperilling the two-State solution. Notwithstanding some positive steps, negative trends on the ground continued.

On 6 January, the Israeli Government approved a series of measures against the Palestinian Authority (PA), including the transfer of some \$39 million in Palestinian Authority tax revenues withheld by Israel to families of Israelis killed in Palestinian attacks. That measure was in response to the 30 December adoption of General Assembly resolution 77/247, requesting an advisory opinion by the International Court of Justice relating to Israel's occupation of Palestinian territory. On 16 January, 39 members signed a joint statement reconfirming support for the International Court of Justice and noting deep concern regarding the Israeli Government's punitive measures.

The Israeli Government announced, on 29 January and 12 February, that following acts of terrorism by Palestinians against Israelis, it would take steps in response, including reinforcing security forces and broadening operations, strengthening and expanding Israeli settlements and taking punitive measures against the perpetrators and their families.

Following a 1 February announcement by Israel's National Security Minister of new restrictions on Palestinian security prisoners, prisoners launched a mass civil disobedience campaign and announced their intention to begin a hunger strike from tomorrow if restrictions were not eased.

On 2 February, Israel's Finance Minister announced that Israel would double — to approximately \$30 million — the monthly deductions from tax revenues that it withholds based on its law mandating the withholding of what it says the Palestinian Authority pays to perpetrators of attacks against Israelis and their families. The PA's difficult financial situation has resulted in ongoing cuts to public sector salaries. Since early February, Palestinian teachers have conducted

strikes demanding salary increases to compensate for the rising cost of living.

On 15 February, the Knesset-approved legislation enabling the revocation of citizenship of Israeli citizens or residents imprisoned for terrorism-related offences who have received money from the Palestinian Authority connected to those offences.

On 23 February, the Israeli Prime Minister's Office announced an agreement between Defence Minister Gallant and Finance Minister Smotrich on the division of responsibilities between them. That agreement reportedly grants Smotrich expanded authority over settlement-related activities and civil affairs in the occupied West Bank.

In Gaza, the United Nations continued to deliver vital humanitarian and development assistance to Palestinians in Gaza and remains engaged with all parties in order to reduce access restrictions to support the Gaza economy and basic service delivery. During the period, a higher flow of people and goods through the Erez and Kerem Shalom crossings was witnessed, with Israeli-issued worker and business permits standing today at more than 20,500 — the highest number in years. As at 9 March, the Israeli authorities had enabled 44 previously restricted commodities to enter Gaza without special coordination.

In its resolution 2334 (2016), the Security Council also called upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967. No such steps were taken during the reporting period. Resolution 2334 (2016) also called upon all parties to continue, *inter alia*, to exert collective efforts to launch credible negotiations.

On 12 February, the League of Arab States convened in Cairo a high-level conference on Jerusalem, on the theme "Resilience and development". In its final communiqué, participants called for the establishment of a committee of legal experts tasked with helping to bring justice to the Palestinian people and financing a mechanism to support small and medium-sized enterprises.

On 26 February, senior Jordanian, Egyptian, Israeli, Palestinian and United States officials met in Aqaba, Jordan. In a joint communiqué, Israeli and Palestinian participants reaffirmed their commitment to all previous agreements between them and to work

towards a just and lasting peace. The parties committed to steps to de-escalate the situation on the ground, pause unilateral measures and prevent further violence, including through upholding the status quo at the holy sites.

On 20 February, the Security Council adopted a presidential statement reaffirming, inter alia, its commitment to the two-State solution; its opposition to unilateral actions, including settlement expansion, and its condemnation of violence against civilians, including acts of terrorism (S/PRST/2023/1). On 4 and 8 March, respectively, five European Union (EU) countries, plus the United Kingdom, and all 27 EU member States issued statements condemning the increasing violence on the ground and calling for de-escalation.

In conclusion, I would like to share the Secretary-General's observations concerning the implementation of resolution 2334 (2016):

"I remain deeply troubled by continued Israeli settlement expansion, including the recent authorization of nine illegal outposts and the advancement of more than 7,000 settlement housing units, as well as the potential settlement advancement in the E1 area, which is crucial to the contiguity of a future Palestinian State. Settlements further entrench the occupation, fuel tensions and systematically erode the viability of a Palestinian State as part of a two-State solution. Israeli settlements have no legal validity and constitute a flagrant violation of international law and of Security Council and General Assembly resolutions. I call on the Government of Israel to cease all settlement activities immediately, in line with its obligations under international law. The demolition and seizure of Palestinian structures, including the significant increase of such activity in occupied East Jerusalem, entail numerous human rights violations and raise concerns about the risk of forcible transfer. I call on the Government of Israel to immediately end that practice, in line with its obligations under international humanitarian law.

"I am deeply disturbed by the intensifying cycle of violence that threatens to plunge Palestinians and Israelis deeper into deadly crisis, while further eroding any hope for a political solution. I condemn all acts of violence against civilians, including acts of terror, which have led to an increase in the tragic loss of life. I reiterate that the perpetrators

must be held accountable and swiftly brought to justice. There can be no justification for terrorism or glorification of such acts, which should be clearly condemned by all. I call on leaders on all sides to help calm the situation, avoid spreading inflammatory rhetoric and speak up against those seeking to incite and escalate the situation.

"Israeli security forces operations in the occupied West Bank and subsequent clashes have led to a staggering number of Palestinians killed and injured. I reiterate that the security forces must use lethal force only when strictly unavoidable to protect life, and must promptly and thoroughly investigate all instances of death or injury resulting from its use, holding those responsible to account. I am particularly appalled that children continue to be killed and injured in large numbers. Children must never be the target of violence, used or put in harm's way. I remain deeply concerned by the increase in levels of settler-related violence in the occupied West Bank, sometimes in the proximity of the Israeli security forces. I am particularly appalled by the recent brutal sequence of events in Huwwara. All perpetrators must be held accountable. I urge Israel, as the occupying Power, to abide by its obligations under international law to protect the Palestinian population against all acts or threats of violence.

"It is critical to de-escalate the situation and move towards re-establishing a political horizon. The statements made by European Member States, the presidential statement and the joint communiqué from Aqaba are welcome calls for calm. If implemented, the steps outlined in Aqaba could be an important start to reversing negative trends on the ground.

"I am also particularly concerned about steps, incitement and provocations that could escalate tensions in and around the holy sites in Jerusalem. I call upon all to refrain from such actions and to uphold the status quo, in line with the special and historic role of the Hashemite Kingdom of Jordan as custodian of the holy sites in Jerusalem.

"In Gaza, a fragile calm continues, but the risk of escalation persists. Despite improvements in access and movement, much more remains to be done to alleviate the dire humanitarian situation and improve the economy, with the ultimate goal

of lifting the debilitating closures, in line with resolution 1860 (2009).

“The absence of intra-Palestinian unity continues to undermine Palestinian national aspirations. I call upon all factions to take concrete steps towards reuniting Gaza and the occupied West Bank, including East Jerusalem, under a single, democratic Government. Gaza is and must remain an integral part of a future Palestinian State as part of a two-State solution.

“I am concerned by the critical condition of the Palestinian economy, which is affecting the Palestinian Authority’s ability to deliver services and pay public sector salaries. The implications of Israel’s announced increase in monthly deductions from Palestinian clearance revenues add to an already very difficult situation. I urge the parties to work together to find urgent and sustainable solutions. I call on the international community to redouble efforts to strengthen the Palestinian Authority’s fiscal and institutional health.

“I call on all Member States to support the United Nations Relief and Works Agency for Palestine Refugees in the Near East with sustainable funding sources to protect the delivery of vital services to millions of Palestine refugees. That is crucial for stability throughout the region.

“I remain committed to supporting Palestinians and Israelis in resolving the conflict and ending the occupation in line with international law, the relevant Security Council and General Assembly resolutions and bilateral agreements in pursuit of the vision of two States — Israel and an independent, democratic, contiguous, viable and sovereign Palestine — living side by side in peace and security within secure and recognized borders on the basis of the pre-1967 lines, with Jerusalem as the capital of both States.

“Lastly, there is no substitute for a legitimate political process that will resolve the core issues driving the conflict. Efforts to manage the conflict are not a substitute for real progress towards resolving it. I urge Israelis, Palestinians, the States of the region and the broader international community to take steps to re-engage on meaningful negotiations and, ultimately, peace.”

The President: I thank Mr. Wennesland for his important briefing.

I shall now give the floor to those members of the Council who wish to make statements.

Mrs. Thomas-Greenfield (United States of America): I thank Special Coordinator Wennesland for his briefing.

The United States remains deeply concerned about the sustained violence in Israel and the West Bank. Last year was the deadliest since the second intifada, and 2023 is on track to surpass that staggering level of violence. The United States is troubled by the escalation of violent attacks on Israelis by Palestinians and violent attacks on Palestinians by Israeli settlers in the West Bank. We reject all such acts of violence as well as incitements to violence. Let me also underscore that accountability and justice should be pursued with equal vigour and resources in all cases of extremist violence.

We continue to urge the parties to de-escalate and to refrain from unilateral actions and unhelpful rhetoric that serve only to inflame tensions, especially as we approach the confluence of religious holidays in April. That is why the United States joined the meeting in Aqaba on 26 February, as well as the follow-on meetings in Sharm El-Sheikh on 19 March with Israel, the Palestinians, Jordan and Egypt. We applaud the commitments of the parties and the steps taken to restore calm. Those meetings are an affirmation that both sides can seek calm and find a way forward. The United States will continue supporting those efforts and all efforts to restore calm and promote peace. We call on the members of the Security Council and on parties in the region to join us. As the holy month of Ramadan and the Passover and Easter holidays approach — a time of heightened religious sensitivity — we urge all the parties to maintain peace. This should be a time of fellowship and observance of faith, not a moment to fuel conflict.

The United States continues to believe that a two-State solution remains the best way to ensure that Israelis and Palestinians can live side by side in peace and security. And even though the prospects for a two-State solution feel remote at the moment, we must preserve our horizon of hope. The road ahead will not be easy. But if the parties commit to peace and dialogue, a brighter future is possible — one of equal measures of freedom, security and prosperity for all.

Ms. Dautllari (Albania): I thank Special Coordinator Wennesland for his account of the events. I would like to start on a positive note and commend the parties for the understanding reached at the meeting in Sharm El-Sheikh last Sunday. We are encouraged by the level of participation, which has not been seen in nearly a decade. We are hopeful that the meetings in this kind of format will continue and will help to ensure de-escalation and lower the tensions on the ground, especially now that the region is approaching the period of religious festivals. We further commend the United States and Jordan for their role in facilitating the meeting, as well as that of Egypt in organizing and hosting. We hope that the engagement of the parties under the Aqaba format will help them to refrain from taking action that would only worsen the situation.

Besides the commitment of the Israelis and Palestinians to engaging in lowering tensions, there is also another reality. The situation in the West Bank, East Jerusalem and Gaza remains an issue of great concern. The events in Jenin and Nablus have affected many civilians. The sad reality is that in the course of the past three months we have witnessed an increase not seen in years in the death toll of civilian victims from both of the parties. We are deeply disturbed by the fact that children have been also innocent victims of the increasing violence and call for such trends to be stopped immediately.

The protection of civilians is an obligation under international humanitarian law, and it must be fully observed by all and in all circumstances. Albania strongly condemns the terrorist attacks on Israel and all acts of terror against civilians, which are unacceptable and should not be tolerated. Since the beginning of 2023 we have witnessed an alarming increase in the number of terrorist attacks on synagogues in Jerusalem and Tel Aviv, including on civilians. Those acts must be condemned and the perpetrators brought to justice. Nothing can justify terror or terrorist acts, and we will support Israel's right to self-defence using proportionate measures.

Albania is also deeply concerned about the violent attacks committed by settlers in the West Bank. Demolitions and acts of violence against private properties must be stopped and those responsible must be held accountable. People cannot and must not be allowed to take the law into their own hands. We reiterate our principled position that settlements are illegal under international law, and that any decision to further

expand them will not contribute to the desperately needed revival of the prospects for a political horizon. That is what the parties need — a political horizon for peace and an avenue for dialogue. And as the parties themselves agreed on Sunday, we welcome their intention to cooperate with a view to consolidating a basis for direct negotiations between the Israelis and Palestinians aimed at achieving a comprehensive, just and lasting peace. We therefore call on the parties to refrain from taking unilateral steps and to focus on confidence-building measures. While the whole region is preparing for celebrations, we reiterate the vital importance of peaceful coexistence between the three Abrahamic religions. The status quo of the holy sites must be upheld as agreed, and with respect for Jordan's custodianship and special role.

In conclusion, I would like to reaffirm Albania's full support for a negotiated two-State solution in which a secure and safe Israel lives side by side in peace and security with a democratic Palestinian State, and with Jerusalem as their future shared capital. We believe that only a solution based on two States for two peoples will ensure that both sides, the Israelis and the Palestinians, are able to live as neighbours in safety and security.

Mr. Polyanskiy (Russian Federation) (*spoke in Russian*): We thank Mr. Tor Wennesland, Special Coordinator for the Middle East Peace Process, for his briefing on the implementation of resolution 2334 (2016), on Israeli settlement activity in the occupied Palestinian territory. We listened with concern to Mr. Wennesland's assessments regarding the continued stagnation of the Middle East peace process as Israel intensifies its unilateral steps to create irreversible facts on the ground, expanding illegal settlement building while continuing to forcibly evict Palestinians, destroy their homes and expropriate their property, alongside the decisions by the Israeli leadership to legalize outposts in the occupied territory.

Since the beginning of the year, we have witnessed violent raids by the Israel Defense Forces in Jenin, Jericho, Nablus and Huwwara, resulting in the killing of more than 150 Palestinians, including 18 minors. Against that backdrop, there has been a sharp increase in attacks by settlers and cases of the disproportionate use of force, which is resulting in deaths and injuries among civilians on both sides. Mass arbitrary detentions are being reported on a daily basis. The situation in the Old City around Jerusalem's holy sites continues to be

extremely tense, particularly now for Muslims in the context of the holy month of Ramadan.

At the same time, we also reaffirm Israel's right to ensure its security. In the context, we call on the parties to refrain from using provocative and hateful rhetoric, which can only make the situation more difficult. In particular, we consider the recent remarks made in Paris by Israel's Minister of Finance, Bezalel Smotrich, to be extremely dangerous and irresponsible, as well as insulting to the Palestinian people.

We cannot help but be concerned also by the Knesset's adoption of laws that deprive Israeli Arabs of citizenship, leading to their subsequent deportation to the occupied Palestinian territories for alleged terrorist activities, and that deny medicine and medical care to Palestinian prisoners.

The ongoing violence in the occupied Palestinian territories and the erosion of the international legal basis for settlements as a result of Israeli unilateral actions are a reminder of the danger of a continued vacuum in the negotiation process. We must acknowledge that the situation will remain volatile until the parties reach mutually acceptable agreements on all final status issues, based on the universally recognized international legal basis of the Middle East peace process and the two-State formula, which we have consistently supported. In that context, we would like to reaffirm our position of principle that the establishment of Israeli settlements in the Palestinian territory occupied since 1967 constitutes a violation of international law and is one of the main obstacles to the resumption of direct Palestinian-Israeli negotiations, to which there is simply no alternative. We also attach key importance to overcoming the division among the Palestinians, which is among the key reasons that the peace process continues to stall.

Recently, it has become clear that among the factors preventing a just peace for the Palestinians are the actions of the United States, which seeks to monopolize the peace process and reformat it as it sees fit in order to impose an economic peace on the Palestinians rather than meet their legitimate aspirations to establish their own independent State. That confirms once again the harm of the back-room schemes that Washington is advancing, in circumvention of the Security Council and without regard for internationally recognized solutions, and then imposing them on the parties to the conflict.

In conclusion, I would like to stress once again the need for the continued comprehensive support for Palestinians in the West Bank, the Gaza Strip and neighbouring countries that is provided by international humanitarian agencies, led by the United Nations Relief and Works Agency for Palestine Refugees in the Near East, whose activities have not just humanitarian, but also political dimensions with an important stabilizing effect on the countries in the Middle East.

Mr. Kariuki (United Kingdom): I thank Special Coordinator Wennesland for his briefing.

We commend Israeli and Palestinian officials for their engagement in Aqaba, Jordan, on 26 February and in Sharm El-Sheikh, Egypt, on 19 March, and we thank Jordan and Egypt for hosting those events. The commitments to desist from provocative unilateral actions and to pursue further actions in support of de-escalation are critical ahead of the convergence of Easter, Passover and Ramadan in the coming weeks. It is also critical that both parties abide by the commitments made and take forward the promised confidence-building measures, including the commitment to support the historic status quo governing Jerusalem's holy sites and all those who worship there. Let me make four points.

First, the Palestinian Authority must resume security cooperation with Israel, fight against terror and incitement, and maintain security in Area A. We also condemn indiscriminate rocket fire from Gaza. While Israel has a legitimate right to self-defence, unilateral incursions that result in the deaths of innocent Palestinians only escalate tensions. Israeli security forces must operate in accordance with international law, show restraint in the use of live fire and conduct thorough investigations into the deaths of Palestinian civilians.

Secondly, Israel must also cease the approval of settlements and the legalization of outposts, as well as the evictions of Palestinians in the occupied territory, particularly in East Jerusalem. The United Kingdom opposes the repeal of the disengagement law by the Knesset, which is a unilateral measure that further undermines prospects for a two-State solution and damages any renewed efforts at de-escalation.

Thirdly, settler violence has gone unchecked for too long. The United Kingdom condemns all forms of violence by settlers, including the fatal attacks perpetrated against innocent Palestinians in Huwvara. We urge the Israeli security forces to provide appropriate

protection to the Palestinian civilian population, as they are obliged to under international law, to investigate and bring to justice perpetrators of settler violence, and to end the culture of permissiveness and impunity.

Fourthly and finally, the inflammatory rhetoric and the incitement to violence on the part of certain Israeli political leaders only serves to drive settler violence. The United Kingdom condemned the Israeli Finance Minister's comments calling for the Palestinian village of Huwvara to be wiped out and his recent comments that deny the existence of the Palestinian people, their right to self-determination, and their history and culture. The United Kingdom extends its full support for Jordan and its sovereign territory. All Israelis and Palestinians deserve peace and security, particularly during the holy festivals of Easter, Passover and Ramadan. That will require political will, good faith, strong cooperation and meaningful actions by both Israelis and Palestinians.

Mr. Parga Cintra (Brazil): I thank Mr. Wennesland for his briefing and would like to express Brazil's gratitude for his efforts aimed at restoring calm and promoting dialogue among all parties, always having peace as the ultimate goal.

Brazil remains deeply concerned about the situation in Israel and Palestine. We are especially worried about the upcoming religious holidays, as the holy month of Ramadan will coincide with Easter and Passover. In an already tense scenario, without a genuine commitment from all parties to create the conditions for the celebrations to take place in peace and tranquillity, we truly risk seeing an escalation of violence. Peaceful celebrations are in everyone's interest. All parties must exercise maximum restraint and avoid provocations, including extremist rhetoric. We welcome the emphasis in the joint communiqué of the 19 March meeting held in Sharm El-Sheikh, Egypt, on the necessity of the active prevention by both parties of any actions that would disrupt the sanctity of the holy sites. We also stress the importance of the commitment made to maintain unchanged the historic status quo at the holy sites in Jerusalem, and of the recognition of the relevance of the Hashemite custodianship.

Brazil thanks Egypt, Jordan and the United States for the diplomatic efforts to bring together Israeli and Palestinian authorities to reflect on ways and means to de-escalate tensions and pave a way forward towards a peaceful settlement. The meeting held in Sharm

El-Sheikh following the Aqaba, Jordan, meeting is a welcome development against a grim backdrop. As recognized by the parties, the need to pursue confidence-building measures in order to enhance mutual trust, create a political horizon and address outstanding issues through direct dialogue cannot be overemphasized. We welcome the fact that a follow-up mechanism has been established. We will pay close attention to those commitments, and this time around we expect them to be indeed implemented. An assessment of their impact involves the de-escalation of violence, which has affected civilians, including children. All violations of international humanitarian law must immediately stop. The principle of making a distinction between civilians and combatants must be upheld. Terrorism is deplorable in all its forms and manifestations.

Israel must immediately cease all settlement activities in the occupied Palestinian territory, including East Jerusalem, in compliance with resolution 2334 (2016). As one of the main obstacles to peace, the continued expansion of settlements, in flagrant violation of international law, threatens the viability of a future Palestinian State and is a constant source of violence and hatred. We also call on Israel to stop the continued demolitions and seizures of Palestinian structures, as well as the displacement of Palestinian families. All forms of settler-related violence must also immediately cease.

Brazil considers the agreement on the establishment of a mechanism to take the necessary steps towards improving the economic conditions of the Palestinian people and to significantly enhance the fiscal situation of the Palestinian National Authority to be another important element of the of the Sharm El-Sheikh joint communiqué. Intra-Palestinian reconciliation, together with the improvement of living conditions in the West Bank and Gaza, which will only be possible with sustainable economic growth, are important steps towards peace.

We once again emphasize the role played by poverty, food insecurity and the lack of hope in providing the perfect breeding ground for extremist forces. Peace depends — and we emphasize this — on the commitment to the promotion of human rights for all. The situation in Gaza is particularly concerning, as the blockade continues to aggravate humanitarian conditions and hinder development efforts. Brazil also remains worried about the chronic financial

challenges faced by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), which has been providing much-needed humanitarian assistance to Palestinian refugees. We must not undermine the role that has been played by UNRWA throughout the years to maintain stability on the ground.

Before concluding, I would like to reaffirm Brazil's long-standing commitment to the two-State solution, with Palestine and Israel living side by side in peace and security, within mutually agreed and internationally recognized borders. We remain committed to the idea of peace and to the achievement without delay of a comprehensive, just and lasting peace in the Middle East on the basis of international law and relevant United Nations resolutions. In that regard, we are ready to support all initiatives that aim to open up a horizon for sustainable peace.

Mr. Hauri (Switzerland) (*spoke in French*): Switzerland remains extremely concerned about the high level of violence and the deteriorating security situation in the Middle East. The number of civilian casualties on both sides continues to rise. One month ago, the Security Council adopted presidential statement S/PRST/2023/1, calling on the parties to create the necessary conditions for bringing about peace. That call was reiterated on 19 March in Sharm El-Sheikh, Egypt. Switzerland welcomes the efforts to de-escalate the situation and urgently calls on the leaders of all parties to resolutely commit to achieving that.

The statements of the Israeli Finance Minister denying the existence of the Palestinian people are unacceptable. We call on Israel to abide by previous agreements towards the establishment of a two-State solution, as well as the 1994 peace treaty with Jordan, as it has just committed to do. Hateful provocations and speech by all parties must stop immediately.

The protection of the civilian population is imperative. Switzerland is concerned about the operations of the Israeli security forces in the West Bank, which frequently result in a large number of Palestinian casualties. We condemn the acts of violence committed against Palestinian civilians by settlers, including in Huwvara. We also condemn the acts of violence committed by Palestinians against Israeli civilians, including the 9 March incident in Tel Aviv. Violence must be unequivocally condemned by Israeli and Palestinian leaders.

Moreover, 16 children have been killed since the beginning of the year. Children should never be targeted for violence or put at risk. We recall that the allegations of the disproportionate use of force and acts of violence by all parties must be investigated and not go unpunished. We urge the parties to uphold their obligations under international humanitarian law and international human rights law.

Switzerland notes with concern the expansion of the Government's authority over settlement-related activities and civil affairs in the occupied territory. Under international humanitarian law, Israel must refrain from taking measures that would introduce permanent changes, in particular demographic and administrative changes in the occupied territory. Switzerland condemns the repeal of several provisions of the disengagement law, which run contrary to the commitments made in Sharm El-Sheikh. The settlements are illegal and create a major obstacle to peace based on a two-State solution, as resolution 2334 (2016) also states. In that regard, Switzerland is concerned about the developments in Khan Al-Ahmar, Masafer Yatta and East Jerusalem, which are likely to further fuel current tensions. We call for the restoration of Palestinian political unity. Indeed, the continued weakening of the Palestinian Authority and the loss of legitimacy of its institutions are obstacles to peace. In that context, we observe with concern the increased activity of armed groups.

With the approach of the religious holidays, Switzerland calls for restraint so that everybody can celebrate in peace. We urge the relevant authorities to minimize the risk of tensions around the holy sites and to ensure respect for the status quo on the Haram Al-Sharif/Temple Mount, including by preventing any action that would violate their sanctity. We also take note of Israel's announcement to ease movement restrictions in preparation for Ramadan. We call for their effective and sustainable implementation. Switzerland encourages the parties to pursue the path of dialogue and the resumption of meaningful peace talks by addressing the root causes of the conflict. We remain at their disposal.

Mr. Agyeman (Ghana): We are grateful to Special Coordinator Tor Wennesland for his briefing to the Security Council on the overall situation in the Middle East, with emphasis on Israeli settlements in the Palestinian territories occupied since 1967, including East Jerusalem. We also thank the Special Coordinator

for highlighting the detailed measures being undertaken to restore calm in the region.

Ghana has followed with keen interest the recent positive developments in the Middle East, in particular the first in-person high-level talks between senior Israeli and Palestinian officials for some years, which were held in Aqaba, Jordan, on 26 February and subsequently in Sharm El-Sheikh, Egypt, last Sunday, aimed at encouraging dialogue, the de-escalation of violence and the defusing of tensions in the region. We welcome the commitment of the Israeli Government and the Palestinian Authority to working closely together without delay to prevent further violence and restore security cooperation in the occupied West Bank, which the Palestinian Authority had suspended last month in the aftermath of the deadliest attacks in recent history by the Israeli army. We also note the positive developments in the relations between Saudi Arabia and Iran and encourage a rapprochement between those two countries in order to reduce regional tensions and promote regional stability. We are grateful for the roles that the Governments of Jordan, Egypt and the United States, as well as the Government of China, have played recently in the region.

Notwithstanding the positive developments, there are situations of concern. The first is the repeal by the Israeli Parliament of certain clauses in the 2005 disengagement law, which ordered the evacuation of Jewish settlements, thereby allowing for Jewish residents to return to four settlements in the occupied West Bank. The second concerns statements made by notable and high-ranking Israeli politicians that undermine and threaten the prospect of the widely accepted two-State solution. The third is related to the escalation of settler-related activities and the fact that violence persists. Fourthly, the destruction of infrastructure and property in both the occupied Palestinian territories and in East Jerusalem continue unabated. Those drivers of instability have worsened the security situation and the already dire humanitarian situation in the occupied Palestinian territories and beyond.

We deplore the high level of violence perpetrated against civilians and children on both sides. Ghana is particularly concerned about the near daily raids in the Palestinian refugee camps, the human rights abuses, the violations and the detentions without charge or trial in Palestinian cities and villages, especially in the north-western part of the West Bank, where fighting between the Israel Defense Forces and Palestinian

militias has been raging for almost a year, and in Gaza and East Jerusalem.

As we approach the holy month of Ramadan, which this year coincides with Passover, we appeal to both the Israeli and Palestinian parties to respect the commitments that they made in Aqaba and Sharm El-Sheikh to establish a mechanism that will prevent violence, incitement and any disruptive action at Jerusalem's holy sites. We urge Israel to respect its commitment to refraining from establishing new West Bank settlements for four months, as well as to halting the authorization of outposts for a period of six months. We call on both parties to show maximum restraint and refrain from further unilateral actions by establishing a joint civilian committee that works to promote confidence-building economic measures.

We wish to reaffirm our demand that all parties to the conflict fully comply with international humanitarian law, including the protection of the civilian population, the Charter of the United Nations and the many relevant United Nations resolutions, including resolution 2334 (2016).

In conclusion, we reiterate our position that the paths for lasting peace and stability in the Middle East can be achieved only through the internationally negotiated two-State solution, with Israel and Palestine living side by side on the basis of the 1967 borders. However, the realization of the goals of the Middle East peace process require the Security Council and the wider international community to sustain the engagement of the parties, whose good-faith efforts are required to resolve this decades-long conflict.

Mr. De Rivièrè (France) (*spoke in French*): I would like to thank Tor Wennesland for his briefing. I will make four points.

First, France is extremely concerned about the ongoing deterioration of the situation on the ground and the continuing violence, which is reaching an unprecedented level. France strongly condemns all violence against civilians. It has cost many Palestinian civilians their lives since the beginning of January. France firmly condemns the indiscriminate violence committed by Israeli settlers against Palestinian civilians. We strongly condemn the terrorist attacks that claimed the lives of at least 14 Israelis this year. We reaffirm our commitment to the security of Israel and its citizens. France expressed its deep concern following the recent Israeli army operations in the West

Bank. We call on Israel to protect Palestinian civilians in accordance with its international obligations.

Secondly, the cycle of violence must end. France calls on all actors to exercise the utmost restraint at the start of this period of religious holidays. France welcomes and supports the efforts of the United States, Egypt and Jordan, which enabled the parties to meet for the first time in many years in Aqaba and Sharm El-Sheikh. We note the commitments made by the parties to de-escalation. It is crucial that those commitments be followed up on the ground not only in terms of halting the settlements, demolition and evictions, but also in terms of tax transfers and the Palestinian Authority's security rights. We recall the importance of respecting the historical status quo of Jerusalem's holy sites and Jordan's particular role in that regard.

France recalls its commitment to the treaties concluded by Israel with its neighbours, in particular the Treaty of Peace between the State of Israel and the Hashemite Kingdom of Jordan, signed in Wadi Araba, as well as to the vision of two States, Israel and Palestine, living within secure and recognized borders on the basis of the 1967 lines, with both having Jerusalem as their capital.

Thirdly, a lasting de-escalation can take place only if the settlement policy stops. That policy is contrary to international law, as recalled in resolution 2334 (2016). In that regard, we are particularly concerned about the amendment of the Israeli 2005 disengagement law, which could pave the way for the legalization of unauthorized settlements in the northern West Bank.

The demolition of Palestinian structures continues in Jerusalem and the West Bank, as do evictions of Palestinian families. France calls on the Israeli authorities to review their decision to expel Palestinians from Sheikh Jarrah, Silwan and the Old City of Jerusalem. In the Palestinian territories, as elsewhere, France will never recognize the illegal annexation of territories or the legalization of unauthorized settlements.

Fourthly, such unilateral measures, which are in violation of international law, make the prospect of a two-State solution increasingly remote. They serve the momentum for annexation, thereby further destabilizing the situation on the ground.

The Security Council has the duty to uphold the two-State solution. It has a responsibility towards the parties. Previous agreements must be respected,

particularly with regard to the provisions relating to Area C. A political horizon must be restored. That is the only way to implement the two-State solution. Both Israelis and Palestinians deserve to live in peace and security. France remains fully committed to that goal.

Mr. Montalvo Sosa (Ecuador) (*spoke in Spanish*): We thank Mr. Tor Wennesland for his briefing this morning. We reiterate our full support for his efforts to reduce tensions and bring the parties together in an increasingly complex environment, which continues to concern us.

In presidential statement S/PRST/2023/1, which we adopted a month ago, the Security Council condemned all acts of violence against civilians, including acts of terrorism, and called on the parties to refrain from provocative actions and incitement and from making inflammatory statements. Since then, acts of violence against civilians regrettably again took place in Nablus, Huwwara, Jenin and other places. It is imperative that such acts be investigated, and that all perpetrators be brought to justice and be held accountable. We recall that there is no justification whatsoever for non-compliance with the obligations under international humanitarian law.

We have also witnessed further provocative acts and gross statements of incitement to violence. We know that the leaders' conduct and statements influence the actions of other individuals. We therefore call on them to show responsibility, restraint and a genuine commitment to peace.

We make a special call for caution during the sensitive period of the religious holidays. We particularly call for respect for the status quo of the holy sites of Jerusalem and Jordan's role as their custodian. Acts of provocation at those sites should be prevented at all costs.

We welcome the high-level meetings that took place at the end of February in Aqaba, Jordan, and this past Sunday in Sharm El-Sheikh, Egypt, with the participation of Israel, the Palestinian Authority, Jordan, Egypt and the United States. It is particularly encouraging that, according to the joint communiqué issued after the most recent meeting, the parties agreed to establish a mechanism to curb and counter violence, incitement and inflammatory statements and actions, which will present a report at an upcoming meeting in April. We thank those who facilitated the meetings, and we look forward to the implementation of the

agreements reached so as to defuse tensions and prevent violence. We call on the parties to show consistency between their stated intentions and actions.

Finally, we hope that those meetings can thereby serve as a basis for the beginning of a path leading to a political, peaceful, lasting and just solution for the parties, in accordance with international law, with the existence of two States, Palestine and Israel, on the basis of the 1967 borders.

Mr. Abushahab (United Arab Emirates) (*spoke in Arabic*): I thank the Special Coordinator, Mr. Tor Wennesland, for his briefing and his continuous efforts.

I would like to begin by noting Sunday's meeting in Sharm El-Sheikh following the Aqaba summit. We hope that the constructive engagement between the two parties at this critical time will contribute to reducing the alarming levels of escalation across the occupied Palestinian territory. While last year was the most violent year in two decades, the beginning of this year unfortunately suggests that the worst is yet to come.

To truly de-escalate the situation on the ground, the parties must commit to the Sharm El-Sheikh joint communiqué and fully implement its parameters, especially putting an end to unilateral measures, before the situation gets out of control. We commend the tireless efforts of the Hashemite Kingdom of Jordan, the Arab Republic of Egypt and the United States of America to build trust between the parties and help reduce tension. Such steps are important as we enter the holy month of Ramadan, which coincides with the period of important Jewish and Christian religious observances. Even in the absence of the current unrest, this critical period of the year has in the past often been marked by high tensions that can and must be avoided. That also makes it even more important to maintain the ceasefire in the Gaza Strip following recent clashes.

This cycle of violence is not new; rather, it is the outcome of a series of illegal practices and attempts to manage the conflict rather than work towards its resolution. It is the responsibility of the international community to refuse the normalization of this ongoing escalation. We must also send an explicit message underscoring the importance of fully implementing relevant Council resolutions in order to create an environment conducive to relaunching a serious and credible peace process.

With regard to our discussion today, we emphasize the need for Israel to reverse the recent passing of a bill that allows settlers to return to four settlements in the northern area of the occupied West Bank. We also underscore the importance of compliance in relation to Israel's recent commitment to not discussing any new settlement units for four months and to stopping the authorization of any settlement outposts for six months. It is imperative for Israel to fully cease all settlement activities, since they constitute flagrant violation of international law and Council resolutions.

We further demand that Israel immediately stop all settler violence and hold perpetrators to account to deter further attacks, which have escalated and tripled over the past two years. The situation has grown increasingly alarming following the heinous attacks carried out by settlers against the people of Huwwara village in Nablus, causing significant damage. The United Arab Emirates, as part of its humanitarian effort to assist the brotherly Palestinian people, recently announced the allocation of \$3 million in support of efforts to reconstruct the village.

Israel must fulfil its responsibilities in accordance with international law and international humanitarian law. Its repeated raids of Palestinian cities and villages, such as its recent storming of Jenin and Nablus, must end. Those raids have resulted in numerous deaths and injuries, whose numbers have risen sharply since the beginning of this year.

We also reiterate the need to stop the demolition of Palestinian property, whose rate this year as compared to the same period in 2022 has increased by 68 per cent. That increase has serious implications, foremost of which is the forced displacement of people, particularly in East Jerusalem.

We also stress the need to maintain the existing legal and historical status quo of Jerusalem and its holy sites as well as respect the Hashemite custodianship over the Islamic and Christian holy sites in East Jerusalem. Further, we call on all parties to refrain from provocative rhetoric and statements that could incite hatred and violence. The United Arab Emirates rejects all practices that contradict humanitarian values and principles. In that regard, we condemn inflammatory statements, including those by the Israeli Minister of Finance, who called for the village of Huwwara to be wiped out and denied the history and existence of the Palestinian people. We also condemn his use of a

map of Israel that includes lands from the Hashemite Kingdom of Jordan and Palestine.

In conclusion, the United Arab Emirates stresses its continued support for the two-State solution, which establishes an independent Palestinian State based on the 1967 borders with East Jerusalem as its capital, living side by side with Israel in peace, security and mutual recognition. We hope that calm and harmony will prevail in the upcoming holiday period.

Mrs. Shino (Japan): I thank Special Coordinator Tor Wennesland for his briefing.

The perpetual cycle of violence and instability in Palestine has continued unabated and even intensified since the beginning of this year. Japan is seriously concerned by the recent violent attack that occurred in the Jenin refugee camp on 7 March, which resulted in several deaths and injuries. This follows a series of attacks, including the one in Jenin this January and in Nablus recently.

Moreover, Israel's continued settlement activities in the West Bank remain deeply disturbing. The Israeli Government must stop its settlement activities, demolitions and evictions, as these constitute violations of international law and go against relevant Security Council resolutions.

At the same time, we condemn terrorism in all its forms and manifestations, including the killing of two Israelis in Huwwara on 26 February, as well as shootings of Israelis in several cities. We also condemn the rampage against Palestinians in Huwwara carried out by some Israeli settlers. This pattern of violence must not continue.

Japan calls for an immediate cessation of violence and for all parties to exercise maximum restraint and avoid any unilateral actions that could escalate the situation further, in accordance with presidential statement S/PRST/2023/1 and the Aqaba joint communiqué, both adopted in February. In this context, Japan is seriously concerned and disturbed by the Israeli Finance Minister's provocative remark on Sunday, and resolutely rejects it.

The international community has been making intensified efforts to ease tensions. Japan welcomes the holding of last weekend's five-party meeting in Sharm El-Sheikh and appreciates the continuing efforts made by the parties concerned to stabilize the situation. For Japan's part, Prime Minister Kishida expressed

concern over unilateral measures taken by both sides and conveyed Japan's readiness to contribute to the easing of tensions toward the realization of a two-State solution in his telephone conversation with Israeli President Herzog on 14 March.

Japan has consistently supported the peaceful coexistence of Israelis and Palestinians living side by side in peace and security. Japan calls on all parties to engage in meaningful constructive dialogue. Direct negotiations remain the only viable path towards peace and stability in the region.

Mrs. Frazier (Malta): I begin by thanking Special Coordinator Wennesland for his briefing.

A little over a month ago, the Security Council adopted presidential statement S/PRST/2023/1, the first such product since 2016, which underlined, among its key points, opposition to unilateral measures that impede peace, condemned all acts of violence against civilians and underlined the elements set forth in resolution 2334 (2016). Regrettably, in recent weeks, we continue to witness alarming patterns of violence, terrorism and loss of life, disregarding the provisions of both the resolution and the presidential statement and threatening further escalations.

Malta is deeply concerned about the persistent negative trajectory of developments and we are particularly appalled by the number of child victims on both sides of the violence. In that context we deplore the casualties resulting from the Israeli operations in the West Bank, which left several Palestinians dead, including children. We urge the Israeli authorities to exercise restraint in the use of live ammunition and search-and-arrest operations. We once again underscore the fact that targeting unarmed non-combatants and children is unacceptable.

We also remain disturbed by the increasing incidence of acts of terrorism, including most recently the terrorist attack that took place in Tel Aviv on 9 March and for which Hamas has claimed responsibility. Malta unequivocally condemns any act of terror or incentivizing of terrorism, for which there can be no justification, and recalls the obligation of the Palestinian Authority to renounce and confront terrorism. We strongly condemn but also express concern about the acts of terrorism carried out by young Palestinian teenagers. Along the same lines, Malta condemns the horrific settler violence within the occupied Palestinian territory. We are profoundly concerned about the

increase in such behaviour. Escalations such as the retaliatory arson attacks that terrorized the town of Huwwara on 26 February should not be repeated and those involved must held accountable.

Malta reiterates that Israel's continued construction and expansion of settlements, demolition of homes and displacement of Palestinians within the occupied territory are concerning. Such acts constitute unilateral actions that violate international law and Security Council resolutions, including resolution 2334 (2016), and obstruct the viability of an independent, contiguous Palestinian State. We also underscore that any indiscriminate firing of rockets into Israel by armed groups in Gaza is a violation of international law and completely unacceptable.

In the face of those troubling developments, Malta remains convinced that dialogue is the key foundation for de-escalation. We commend the parties involved in the communiqué of the Al-Quds Conference on Resilience and Development held in Aqaba, as well as the Sharm El-Sheikh communiqué, and call on the parties to abide by the positive agreements made. That is of paramount importance as the period of religious festivities approaches. And especially during that period, we underscore the urgent need for parties to refrain from unilateral actions or incitements through attempts to alter the status quo of the holy sites in Jerusalem. The special role of Jordan as custodian must be respected as crucial to upholding the peaceful coexistence of all three monotheistic religions in the region.

Malta would like to recall the most recent joint statement on behalf of the 27 European Union member States, issued on 8 March, stating that we need to consider new perspectives for peace. In that regard, we welcome the constructive commitments made with our partners and the Arab League to revive the Arab Peace Initiative.

Malta's position on the Palestinian question remains clear. A just and comprehensive resolution to the Middle East conflict must be based on a two-State solution, along the pre-1967 borders, addressing the legitimate aspirations of both sides, with Jerusalem as the future capital of the two States, living side by side in peace and security, in line with the relevant Security Council resolutions and internationally agreed parameters.

Mr. Geng Shuang (China) (*spoke in Chinese*): Ramadan is around the corner. I would like to take this

opportunity to extend my best wishes to all my Muslim friends. I also sincerely hope that Muslims in the occupied Palestinian territory can celebrate Ramadan in peace and tranquillity.

I thank Special Coordinator Wennesland for his briefing. I would like to make three points.

First, we should oppose violence and incitements to violence and end the conflict and confrontation. The security situation in the West Bank has been deteriorating for some time and violent conflicts have been escalating. China is concerned about those developments. We condemn all violence against civilians and support the Special Coordinator in maintaining close communication with Palestinians and Israelis and in his efforts to facilitate peace talks and ease tensions. We call on the parties concerned to avoid provocations and incitement in order to prevent a further escalation of tensions. As the occupying Power, Israel should fulfil its obligations under international law to protect the people in the occupied territory, prevent its security forces from using excessive force, curb settler violence, thoroughly investigate related incidents and hold the perpetrators accountable. At the same time, Israel's legitimate security concerns should also be taken seriously.

Palestine and Israel are permanent neighbours. The two sides can and must break the cycle of violence and achieve common security through dialogue and cooperation and achieve common security. Recently, thanks to the efforts of Jordan, Egypt and other countries of the region, Palestine and Israel have reached some consensus, while reaffirming their commitment to easing the situation on the ground, preventing the escalation of violence and realizing a just and lasting peace. We hope the consensus will be translated into responsible and constructive policies and actions that improve the situation on the ground.

Secondly, we should abide by international law and cease unilateral measures that aggravate tensions. China is deeply concerned about Israel's decision in February to legalize nine settlements in the West Bank, after which it approved the construction of more than 7,000 new settlement housing units and yesterday amended legislation to allow Israeli settlers to return to four settlements. We urge Israel to fulfil its obligations under the relevant Security Council resolutions and stop its settlement expansions, forced demolitions of Palestinian homes, threats of evictions against the

Palestinian people and unilateral changes to the status quo in the occupied territory. China calls on the parties to work earnestly to safeguard the historical status quo of religious sites in Jerusalem and respect Jordan's custodianship of the sites. During religious festivals in particular, they should remain calm and exercise restraint to prevent violence, threats and provocations against Muslim believers and further bloodshed.

Thirdly, we should honour international commitments and advance a two-State solution. The situation on the ground remains volatile and clashes between Palestinians and Israelis continue. The fundamental reason for the entire situation lies in the stalled Middle East peace process and the delays in implementing a two-State solution. Last month the Council issued its first presidential statement (S/PRST/2023/1) on the Palestinian-Israeli question in nearly nine years, while reaffirming its firm support for the vision of a two-State solution. The international community should move with a sense of urgency and take practical steps to promote such a solution, including by convening a larger, more authoritative and influential international peace conference and pushing for a swift resumption of peace talks between Palestine and Israel. Countries with influence on the parties should assume their responsibility to play a constructive role. For its part, the Council should also be poised to take meaningful action to discharge its duties under the Charter of the United Nations.

In conclusion, I want to reiterate China's firm support for the establishment of an independent Palestinian State with full sovereignty, on the basis of the 1967 borders and with East Jerusalem as its capital. We are ready to work with the international community to make unremitting efforts to achieve a swift, comprehensive, just and lasting settlement of the Palestinian question.

Ms. Bongo (Gabon) (*spoke in French*): I thank Special Coordinator Tor Wennesland for his briefing and reiterate my delegation's support. I welcome the presence among us of the Permanent Representative of Israel and the Permanent Observer of Palestine.

My country expresses its deep concern about the status quo observed on the ground during the period under review, which does not ease tensions between Israelis and Palestinians, despite numerous calls, particularly by the Council, for de-escalation and the launch of a dialogue by the international community.

The 26 February settler attacks against Huwvara, which led a Palestinian death and the destruction of Palestinian property, are unacceptable. Similarly, the 9 March terrorist attack in Tel Aviv, which led to injuries and claimed the life of a young Israeli, and the clashes in Jenin on 16 March, where four Palestinians, including a teenager, were killed by Israeli fire, are real tragedies.

My country deplors all of this violence, which has persisted for too long. No cause can or should legitimize recourse to terror. We reiterate our position on the right of Israel to security, but insist that it be exercised pursuant to international humanitarian law.

At the same time, the pursuit of the settlement policy and bellicose rhetoric do not ease, but instead harden tensions and fuel divisions. We therefore call on all parties to show restraint and to take all necessary measures to restore confidence. The involvement of the countries of the region and of those with influence over the parties is critical.

In that regard, my delegation welcomes the 19 March meeting, in Sharm El-Sheikh, of Jordanian, Israeli, Palestinian and American political and security officials, under the auspices of the Arab Republic of Egypt, within the framework of the agreement reached on 26 February in Aqaba, Jordan, aimed at restoring calm in the Palestinian territories and in Israel. We urge the parties to respect the commitments made and will continue to follow closely the process of those negotiations.

Gabon reiterates its commitment to the two-State solution, Palestinian and Israeli, living side by side, on the basis of the 1967 borders, with Jerusalem as its capital.

We also draw the Council's attention to the particularly worrisome economic situation of the Palestinian Authority, which has been aggravated by the freezing of tax funds collected by Israel from Palestinian Authority workers on behalf of the Authority. Urgent measures must be taken for its economic recovery. There can be no prosperity in the region unless it is shared by the Palestinian Authority. That is also a factor for peace that must be taken into account.

At the same time, we should all be concerned about the humanitarian consequences of this conflict. Its destabilizing impact on the countries of the region calls for a more resolute mobilization of the international

community, particularly in favour of financial support for the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

In conclusion, the international community must not allow, on either side, growing despair and acceptance of violence, in all its forms, as inevitable. The history, complexity and longevity of this conflict must not lead to fatalism.

The President: I shall now make a statement in my capacity as the representative of Mozambique.

Mozambique expresses its appreciation to Mr. Tor Wennesland, Special Coordinator for the Middle East Peace Process, for his valuable update on the situation in Palestine and for his efforts to reach a settlement on this important issue.

We are deeply concerned about escalating violence carried out by Israel against innocent and unprotected civilians in the Palestinian occupied territories. On the other hand, we are witnesses to the establishment and expansion of settlements and to all unilateral measures taken by Israel with the aim of altering the demographic composition, character and status of the Palestinian territory. We reiterate our position that those measures are contrary to international law and to General Assembly and Security Council resolutions.

We believe that Israel's compliance with the relevant United Nations resolutions, particularly those calling for a two-State solution, is crucial as a condition for the two peoples to live side by side in peace and security. We believe in negotiated solutions for the current Israel-Palestine conflict. Both Israelis and Palestinians are called to refrain from unilateral initiatives and actions that could further aggravate the prevailing tensions and violence.

The humanitarian situation in the occupied territories continues to be worrisome and deteriorating. Civilians continue to be the main victims of the cycle of violence unfolding following recent decisions to settle and seize land, as well as to demolish civilians' homes.

Mozambique is concerned about the growing insecurity, death and injuries among Palestinian civilians. The most vulnerable, mainly young people and women, must urgently be protected. We believe that the Council has a responsibility to act collectively in order to help settle this conflict.

In that regard, we welcome the efforts of international partners to exert positive influence to encourage respect for the rule of law and democracy in Palestine by creating the necessary conditions for the holding of presidential and legislative elections in the Gaza Strip and the West Bank.

We call for increased, predictable and sustainable support for the United Nations Relief and Works Agency for Palestine Refugees in the Near East and for the World Food Programme.

In conclusion, we encourage the parties to pursue the path of dialogue, working together in a constructive manner towards a lasting peace, in full respect of the right to self-determination of the Palestinian people and in promotion of coexistence and the two-State solution, in accordance with resolutions 242 (1967) and 2334 (2016).

I now resume my functions as President of the Council.

I give the floor to the Permanent Observer of the Observer State of Palestine.

Mr. Mansour (Palestine): Allow me, at the outset, to commend the brotherly nation of Mozambique for its able leadership of the Security Council and for holding this important meeting.

Allow me also to stress that the report of the Secretary-General presented by Special Coordinator Wennesland demonstrates once again persistent breaches of the Charter of the United Nations and of Council resolutions, notably in relation to the unlawful acquisition of Palestinian territory by force through settlements and their associated regime and its continued denial of the fundamental rights of the Palestinian people, including their right to life.

We, the Palestinian people, do exist. We, the Palestinian people have existed on that land for a long period of time. We, the Palestinian people, will continue existing on that land. We have thrived and suffered; we have lived and died; and we have witnessed joy and heartaches. We have accumulated personal memories and endured collective tragedies. We were, we are and we will be the Palestinian people. We have endured dispossession, displacement, discrimination and the denial of our most fundamental rights and our very existence, but we have not and we will not disappear.

It took a lot of bloodshed and suffering for us and for the Israelis to move from reciprocal rejection to

mutual recognition. It took decades. It took effort and commitment. It took sacrifice and courage. We thought we had charted a new path — and yet, 75 years after the Nakba, an Israeli Minister is yet again denying our very existence. The statement by the Israeli Minister was not about the past — which would have been grave enough — but about a vision for the future, which is infinitely more dangerous. He denies our existence in order to justify what is to come. That statement was not made in a vacuum. It was not part of a theoretical exercise. It was made as the unlawful annexation is more clearly under way than ever. It was made as more Palestinians are being killed every day. Last year was the deadliest year in the West Bank in more than 15 years, and yet somehow the past three months were even worse.

How does one justify killing Palestinians in the streets? How does one justify keeping 2 million of them under an inhumane blockade for more than 15 years? How does one justify colonizing their land, demolishing their homes and forcibly displacing families and communities? How does one justify burning their villages and humiliating their elders and their children? One has to dehumanize them in order to justify such acts. Not all Israeli officials go as far as denying our existence. Some are content with denying our rights. Some are content with denying our humanity. Some are content with denying our connection to the land that we love.

Again, it took us decades to move from reciprocal rejection to mutual recognition. Everything we have accomplished, collectively, is being undone and destroyed before our very eyes. We must respond collectively. The Palestinian side has decided to leave no stone unturned to try and prevent things from going down a path that we all know only too well. We are being unreasonably reasonable in order to try and prevent the bloodshed and to try and find a way back towards a different horizon — one where hope is still possible. That is not a sign of weakness, but a sign of wisdom that has been acquired at great cost. In that connection, we express our appreciation to all those regional and international actors making efforts to shape such a horizon. Again, our people exist, and there is no force on Earth that will deny us our existence and our connection to our beloved homeland of Palestine. They deserve freedom. They have waited and suffered long enough. It is time to move forward, to live and let

live, to end the occupation, and to all live in freedom and peace and security.

The holy month of Ramadan is upon us, as is Easter. We welcome it with families and communities holding funerals and with thousands of Palestinian prisoners entering a hunger strike to ensure their most basic rights and respect for their human dignity. Some worshippers turn to Haram Al-Sharif in their tens of thousands — and on Fridays in their hundreds of thousands — while others turn to the Church of the Holy Sepulchre around Easter time. They are unsure if they will be able to access those holy sites and pray in peace there, free from assault and provocations. Our people — the Palestinian people — need the Council's solidarity and support to preserve them from more agony and loss. As we approach the religious holidays for the three monotheistic religions, we are reminded of what makes that land holy. Its story, its significance and its identity lies in its diversity. It cannot tolerate exclusiveness or exclusion, monopoly or intolerance. Its vocation is to serve as a model for humankind and as a beacon of freedom, justice and peaceful coexistence. Let us live up to that vocation.

I came to the Council a few months ago (see S/PV.9174) with a warning about where we believed things were heading on the ground. We came again and again, asking for protection for our people, long before what happened in Huwara and what happened in Jenin, Nablus and Jericho. We came asking for international engagement, saying that on the ground the two-State solution is becoming an illusion and annexation is the only reality. We came with a warning about what that would mean, not only for our people but for all peoples. We came to say that an apartheid had emerged instead of peace, and unfortunately the subsequent events confirmed our statements every time.

I tell Council members today that every effort must be mobilized to stop annexation, the violence against our people and all other provocations. We should all fear the fire that we cannot extinguish. We all have a duty not to wait, but to act now with all means at our disposal in order to prevent a fire that will devour everything it encounters.

Seven years ago, the Council adopted resolution 2334 (2016). If it had been implemented, we would have achieved peace. The Council, guided by the Charter of the United Nations, has adopted resolutions grounded in international law. It is the responsibility of

the Council — and also of every State Member of the United Nations — to actively pursue the implementation of those resolutions, first and foremost resolution 2334 (2016). The trends identified and condemned in that resolution have continued unabated. They must be stopped and reversed. The alternative is more pain, more blood and more hate. No one can afford that. There are many who say that what it would take to achieve justice and peace is just too much to ask. We call on them to think about what failing to do so would entail. The price is infinitely higher — it is whatever political capital is needed to uphold international law and the resolutions of the United Nations in order to advance a just and lasting solution. Freedom is worth it. Peace is worth it.

The President: I now give the floor to the representative of Israel.

Mr. Erdan (Israel): A disturbing pattern seems to have developed here. Over the past months, closed debates on the situation in the Middle East have been opened at the request of the Palestinians, and numerous emergency meetings have been held at their behest. It seems that the quarterly debates focused solely on condemning Israel are not enough for the Palestinians. Just as they have rejected every single peace plan ever put on the table because 100 per cent of their absurd demands were not met, here, too, the Palestinians wish to exploit 100 per cent of the debates, including those they are not invited to, in order to bash Israel.

Despite the incessant falsehoods that the members of the Security Council hear from the Palestinian representative and his constant distortions of reality, I would like to make one thing very clear to everyone. Israel is unquestionably the most vibrant liberal democracy in the Middle East. No democracy is perfect, and people may make mistakes, but there is no denying that when any acts of violence are committed or laws are broken, the State of Israel acts to bring those responsible to justice. That is how a democracy that is committed to liberal values, human rights and coexistence functions. Those who take the law into their own hands are brought to justice. That is the reality in Israel.

That being said, I ask each of the members of the Council to look at the Palestinian representative and think about the terror authority that he represents. The Palestinians truly have no shame. They distort every occurrence in Israel — events that do not represent

Israel's values or norms in the slightest — and falsely portray them as a widespread phenomenon. Sitting here and regurgitating fabrications is not going to solve the conflict. On the contrary, these repetitive lies and open debates — for the media, of course — serve only one objective, to perpetuate the conflict. That is the sole purpose of the Palestinian Authority — eternalizing the conflict in order to delegitimize the very idea of the Jewish State and its existence. That is why the Palestinians have rejected every peace plan and why they rejected the partition plan back in 1947. That has been and continues to be the Palestinians' only goal. Just look at what happens on the ground. While Israeli law enforcement investigates acts of violence, the Palestinian Authority glorifies terrorists who spill innocent Israeli blood.

To the Palestinian representative, I say shame on him for his audacity in daring to condemn the words of an Israeli Minister who apologized and clarified what he meant. Meanwhile, his own President and the rest of the Palestinian leadership regularly incite terrorism, never condemn the murders of Israeli civilians, praise Palestinian terrorists and actively attempt to rewrite facts and the truth by erasing Jewish history. Let me give one or two examples, because they are never mentioned here. In honour of International Women's Day earlier this month, Laila Ghannam, the Governor of Ramallah and Al-Bireh, visited the mother of Nasser Abu Hamid, a terrorist responsible for the murder of 10 Israelis. Ms. Ghannam called her a living role model for Palestinian women and a proud symbol of sacrifice. Mahmoud Al-Aloul, Vice-Chairman of the Fatah Central Committee and President Abbas's deputy, justified the recent terror attack in Huwwara in which two Israeli civilians, the brothers Hillel and Yagel Yaniv, were murdered at point-blank range by a Palestinian terrorist. He called that atrocity a natural reaction. There is nothing natural about murdering innocent civilians.

Only a month ago, President Abbas himself decided, not for the first time, to erase historical facts, claiming that the only people with any historical rights to the Temple Mount and the Western Wall — yes, that is what I said, even the Western Wall — are the Palestinians. Of course that is a sick lie that completely distorts history. The Temple Mount, as everyone here knows, was the site of a Jewish temple long before the Al-Aqsa Mosque, and the Western Wall was the western wall of our holy temple. Those are the facts, and they are indisputable.

But I have never heard anyone here condemn President Abbas — or perhaps condemnations are reserved only for Israeli ministers.

While Israel's leadership condemns incitement from all sides, the Palestinian Authority incentivizes terror through its despicable pay-for-slay policy. In 2021 alone, the Palestinian Authority paid more than \$175 million — money donated by many of those here — to terrorists and their families. That sick practice still continues. By the way, President Abbas has said many, many times that if he had only a dollar left he would pay it to the terrorists who murder Israelis. But the Council's silence is deafening. While Israel mourns victims of terror, masses of Palestinians celebrate the murders of innocent Israelis in the streets. Following the terror attack in Tel Aviv a week and a half ago in which three Israelis were shot — and one of whom tragically succumbed to his wounds yesterday — candies were distributed in many Palestinian cities. It can be seen on television, no need to wait for Tor Wennesland to report it.

The Holocaust denier President Abbas and the rest of the Palestinian leadership not only refuse to condemn terror attacks on innocent civilians, they praise them. Do Council members not see the correlation between the Palestinians' words and the escalating attacks and violence? The Council was just briefed on yet another biased anti-Israel resolution — resolution 2334 (2016). But even though the resolution singled out Israel, it could not ignore the facts of terrorism and incitement. Even those who drafted that biased resolution understood that reconciliation is impossible while the Palestinian leadership's calls to murder innocent Israeli civilians continue. Those two things cannot happen simultaneously. Is that not obvious? So why does the Security Council never address that crucial issue?

Over the past three and a half months, 15 innocent Israelis have been murdered and 70 injured, and the Palestinians have perpetrated more than 1,000 terror attacks. Yet that is not the focus of today's debate, just as the Palestinian Authority's incitement and its glorification and funding of terror are never the focus of such debates. And the Palestinian Authority does not just play an active role in the rising wave of terror, it plays a passive role as well. New terror groups such as the Lions' Den have sprouted up in Palestinian cities such as Nablus and Jenin, and yet the Palestinian Authority has decided that when violent terrorism grows, it is acceptable not only to stoke the fire, but also

to sit back, do absolutely nothing and watch it burn. But Israel will not remain idle, as the Palestinian Authority does. Israel takes action against those who choose the path of violence to threaten our citizens. That is why Israel is forced to carry out defensive measures in those Palestinian cities. That is the only reason. Israel must do the work that the Palestinian Authority refuses to do to thwart terror attacks.

Yet, as the Palestinians are dead set on encouraging more violence and allowing it to ensue, Israel has shown its willingness to sit down at the table and even to take significant steps. In order to de-escalate the current situation, senior officials from Israel and the Palestinian Authority met in Aqaba, Jordan, in February and once again in Sharm El-Sheikh, Egypt, on Sunday. Israel is at the height of a wave of terror. In fact, the Palestinian terrorist who murdered Hallel and Yagel Yaniv in Huwwara carried out that brutal attack on the very same day that the meeting in Aqaba was being held. Those meetings resulted in mutual commitments, which Israel is dedicated to upholding. But there are two sides to every agreement, and we expect the Palestinians to do the same. The Palestinian's terror campaign against Israelis must be stopped. It is the Palestinian Authority's responsibility to halt the violence, just as it is their responsibility to end the incitement. Those commitments must be upheld.

Regarding Israel's decision to repeal the disengagement law in northern Samaria, we do not see it as an act of provocation. It is the righting of a historical wrong. The new law in Israel merely permits Israelis to enter areas of northern Samaria, the birthplace of our heritage — a place we unilaterally decided in the past to bar ourselves from entering. Israelis can now once again visit the cradle of our religion. Nonetheless, the State of Israel has no intention of building any new communities there.

Moreover, as the month of Ramadan is upon us, Israel, as it does every year, has also taken steps to safeguard the freedom of worship for Palestinians and joint family celebrations. Palestinian worshippers can pray freely on the Temple Mount, and Palestinian families can visit their relatives in Israel and abroad. The State of Israel understands the importance of this holy month and is taking all possible measures to ensure that this year, as in all other years, hundreds of thousands of Palestinians and Israeli Arabs can pray on the Temple Mount in peace. That is something that the Palestinian representative always omits.

The supposed focus of these meetings is the situation in the Middle East, and as surprising as it may seem when listening to these debates, the Middle East extends far beyond the borders of Israel, and the region has become a powder keg on the verge of being ignited. As we speak, an axis of evil is being strengthened. The most violent terror organizations across the Middle East — Islamic Jihad, Hamas and Hizbullah — are holding meetings in order to discuss how to work together to fulfil their ultimate goal of destroying Israel. In recent days, Hassan Nasrallah, Hizbullah's leader, sat down with delegations from Hamas and Islamic Jihad in Beirut. The focus of those talks was how to expand terror in Judea, Samaria and Jerusalem throughout the month of Ramadan. While pious Muslims spend this holy month fasting, those terror armies plot the murder of Jews. Yet the world is silent.

However, those terror organizations are not acting alone. Each of those murderous groups is backed, funded and armed by the most threatening and destabilizing entity in the region — the Ayatollah regime of Iran. Beyond being the world's number one State sponsor of terror, Iran is galloping forward with its dangerous nuclear programme at an unprecedented speed. It pays no heed to the international community's calls and condemnations, and it does not care about the demands of the International Atomic Energy Agency.

The Ayatollahs do whatever they please. Everyone now knows that they want nuclear weapons, and they are on the verge of attaining them. The regime has enriched uranium to 84 per cent, and it does not hide its intentions. The Iranian goal is to annihilate the State of Israel — but that, as we all know, will be only their first step. That ruthless regime oppresses women, murders protesters in the street, destabilizes the region, funds and arms terror and supplies attack drones to be used in Ukraine. Yet look at this debate. Council members should open their eyes and open their ears. This is a debate on the situation in the Middle East — the whole Middle East. Then why are we not talking about the radioactive Shiite elephant in the room? Why have we allowed these discussions to get hijacked by the Palestinians while the region is about to explode?

I beg Council members to think deeply about my words — to think, but also to act — because one day it will be too late. This cannot continue. Iran's crime cannot continue. The alarm clock has been ringing for years, but the international community has been hitting the snooze button for far too long. The time has come to wake up and kick into high gear. The Ayatollah regime and their terror proxy armies must be stopped. Do not allow the true threats to the region to be sidelined with Palestinian lies. The time to act is now.

The meeting rose at 12.05 p.m.