

INTERNATIONAL COURT OF JUSTICE

**LEGAL CONSEQUENCES ARISING FROM THE POLICIES AND
PRACTICES OF ISRAEL IN THE OCCUPIED PALESTINIAN
TERRITORY, INCLUDING EAST JERUSALEM**

**(REQUEST BY THE UNITED NATIONS GENERAL ASSEMBLY FOR
AN ADVISORY OPINION)**

**ANNEXES
TO THE WRITTEN STATEMENT**

**THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND**

20 JULY 2023

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ANNEX NO. 1



**SECURITY COUNCIL
OFFICIAL RECORDS**

UN FILE
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TWENTY-SECOND YEAR

1379th MEETING: 16 NOVEMBER 1967

NEW YORK

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THIRTEEN HUNDRED AND SEVENTY-NINTH MEETING

Held in New York on Thursday, 16 November 1967, at 4 p.m.

President: Mr. Mamadou Boucabar KANTE (Mali).

Present: The representatives of the following States: Argentina, Brazil, Bulgaria, Canada, China, Denmark, Ethiopia, France, India, Japan, Mali, Nigeria, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America.

Provisional agenda (S/Agenda/1379)

1. Adoption of the agenda.
2. 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).

Adoption of the agenda

The agenda was adopted.

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)

1. The PRESIDENT (*translated from French*): In accordance with the decisions taken by the Council at its 1373rd meeting on 9 November and at its 1375th meeting on 13 November, I propose with the consent of the Council to invite the representatives of the United Arab Republic, Israel, Jordan and Syria to take places at the Council table and to participate without vote in the discussion.

At the invitation of the President, Mr. Mahmoud Riad (United Arab Republic), Mr. A. Eban (Israel), Mr. A. M. Rifa'i (Jordan) and Mr. A. Daoudy (Syria) took places at the Council table.

2. The PRESIDENT (*translated from French*): The Council will now resume its examination of the item before it. The first speaker on my list is the representative of the United Kingdom, and I now call upon him.

3. Lord CARADON (United Kingdom): Now that our debate on the continuing crisis in the Middle East is nearing an end, and now that the views and aims and hopes of all concerned have been very ably and very forcibly presented to us and now that we have undertaken prolonged and thorough and anxious consultations, the time approaches

when we must decide together what should be done—never forgetting that what we do here must be judged by the test of effective action.

4. I have said before that so great is the need and so great, I believe, the measure of agreement between us that I cannot believe that we shall fail.

5. We have had the benefit last month and this of the leadership of our President for October, the Ambassador of Japan, and this month you, Sir, have greatly encouraged us to press on with our work to a successful conclusion.

6. I wish, too, to pay a special tribute to the work of the elected members of the Council. It is in our best traditions that when the permanent members of the Council hesitate or hold back it is the elected members who give us the lead and the initiative to overcome the dangers of deadlock. Most respectfully I express my admiration for the spirit of urgency and determination which they showed. Unanimously they pointed the way to progress when they reported that they were agreed on the necessity for the appointment of a United Nations special representative to go to the Middle East without further delay, when they told us that we should search for a solution in accordance with the principles of pacific settlement of disputes set out in Chapter VI of the United Nations Charter, and when they urged that we should all co-operate in stating as precisely as possible the principles in accordance with which this special representative should work.

7. Since they so reported, consultations have proceeded amongst the permanent members of the Council with the parties concerned and with all of us, permanent and elected members alike, making our contribution in co-operative and constructive effort. That is the way the Council should work, and we who are permanent representatives of our countries here at the United Nations have also greatly benefited by the presence in New York of the Foreign Ministers who have come to take part in our deliberations.

8. Nevertheless, in spite of the extensive common ground which has been cleared for advance, many of us greatly feared not long ago that we might not be able to formulate a resolution which would carry the full authority of the Council. We had before us two draft resolutions. We saw the merits of both. But we came to the alarming conclusion that there was a serious danger, because of the position taken up by one side or the other, that neither of these resolutions would carry general support, and neither would therefore lead to the effective action on the ground without which our labours would be in vain.

9. We consequently felt—and we were encouraged to realize how widely our feeling was shared—that the time had come to make a new effort. We wanted to make clear and defend the policy which we have advocated throughout. But much more important than that, we wanted to work with others to devise a resolution which would take full account of the essential interests of both sides as they have stated them, and which would also give the United Nations special representative the best hope of success in carrying out his mandate.

10. We went to both sides. We know and respect their intense feelings. We well realize that the future security and progress and happiness of their peoples depends on what we do here. It is entirely understandable, therefore, that to each point, indeed to each word, they should attach the utmost importance. Nevertheless, the representatives of both sides have been ready to consider with the greatest patience and care the representations which we have put to them. Perhaps we cannot hope that full agreement between both sides can be secured. It may be too early to hope for such a miracle. But there has been a readiness to go back over every word and phrase, and a readiness, too, to understand the needs and views of others.

11. In the long discussions with representatives of Arab countries, they have made it clear that they seek no more than justice. The central issue of the recovery and restoration of their territories is naturally uppermost in their minds. The issue of withdrawal to them is all-important and, of course, they seek a just settlement to end the long suffering of the refugees.

12. The Israelis, on the other hand, tell us that withdrawal must never be to insecurity and hostility. The action to be taken must be within the framework of a permanent peace and withdrawal must be to secure boundaries. There must be an end of the use and threat and fear of violence and hostility. I have said before that these aims do not conflict; they are equal. They are both essential. There must be adequate provision in any resolution to meet them both, since to attempt to pursue one without the other would be foolish and futile.

13. So we have been guided by all the earlier work which has been done and by the eloquent statements which have been made by both sides, and we have endeavoured, with the help of my brother members of the Council, to set out in a draft resolution what I believe will be recognized as a sincere and fair and honest attempt both to meet the just claims of both sides and also to discharge the high responsibility of this Council.

14. I cannot maintain that the resolution which we have by these means prepared will be accepted in full by either side. Naturally they will have their doubts and differences on wording and formulation and presentation and emphasis, but I trust that both sides, as well as all members of this Council, will recognize that the resolution which I now present to the Council is indeed balanced and just. The resolution, which I respectfully present to the Council, states:

“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, 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.” [S/8247.]

The draft resolution speaks for itself and I need not attempt any detailed explanation. We have all for many months past had these issues constantly uppermost in our minds.

15. All of us recognize that peace is the prize. None of us wishes a temporary truce or a superficial accommodation. We could never advocate a return to uneasy hostility. As I have said, my Government would never wish to be associated with any so-called settlement which was only a continuation of a false truce, and all of us without any hesitation at all can agree that we seek a settlement within the principles laid down in Article 2 of the Charter. So much for the preamble.

16. As to the first operative paragraph, and with due respect for fulfilment of Charter principles, we consider it essential that there should be applied the principles of both withdrawal and security, and we have no doubt that the words set out throughout that paragraph are perfectly clear.

17. As to the second operative paragraph, there is I believe no vestige of disagreement between us all that there must be a guarantee of freedom of navigation through international waterways. There must be a just settlement of the refugee problem. There must be a guarantee and adequate means to ensure the territorial inviolability and political independence of every State in the area.

18. As to the third operative paragraph, I have said before that I consider that the United Nations special representative should be free to decide himself the exact means and methods by which he pursues his endeavours in contact with the States concerned both to promote agreement and to assist efforts to achieve a peaceful and accepted and final settlement.

19. I believe indeed that the proposals which this draft resolution includes can and should command overwhelming support in the Council. I believe that they represent the best hope of achieving effective action in the Middle East. The provisions here set out are drawn from the work undertaken and the proposals put forward by other members of the Council. But they are much more than a collection of different ideas. They represent a balanced whole and, so I am convinced, a just finding.

20. In commending this draft resolution to the Council, I would say only two things further. First, again I would stress the need for urgent action. We have waited too long already. I am convinced that if we wait any longer the opportunity we now have, the last opportunity, will be lost. Surely we have now consulted enough and argued enough and spoken enough. I am convinced that if we do not reach our final decision this week, the opportunity of a just settlement may escape us forever.

21. Finally, again I would emphasize that the alternative to agreement is too terrible to contemplate. If we go back on the road of hate and suffering and conflict we shall look back to this week and realize what an opportunity we lost and what an appalling responsibility rests on us for our failure—failure to enable all the peoples of the countries concerned to turn away from death and destruction and start out on a new era of peace and justice.

22. I dearly hope that we shall rise to the opportunity now before us, and I ask that all should most urgently and carefully consider the proposals which I respectfully submit.

23. The PRESIDENT (*translated from French*): The next speaker on my list is the representative of the United Arab Republic, and I now call upon him.

24. Mr. Mahmoud RIAD (United Arab Republic): At the present stage of our deliberations and in the light of what has been stated by some members of the Council, I consider it imperative that I once again clarify the position of the United Arab Republic.

25. The Security Council is considering the situation which has resulted from the aggression committed by Israel on 5 June 1967 against the United Arab Republic, Jordan and Syria. The aggressive Israel forces continue to occupy territories of Syria, Jordan and the United Arab Republic and territories under United Arab Republic administration. The duty of the Security Council in accordance with the Charter, as well as with the various decisions previously adopted by this Organization, is very clear, that is, to secure the withdrawal of the Israel forces from all the territories which they have occupied after 4 June 1967. Our position on this question is absolutely firm. We have emphasized it throughout all the informal consultations which have taken place and we have stated it in no vague or ambiguous terms in the deliberations of the Security Council and the General Assembly. Under no circumstances will the United Arab Republic compromise on this point, nor, in our judgement, should the Security Council. An aggression has taken place against the Charter, and therefore the consequences of that aggression have to be fully eliminated in accordance with the Charter.

26. During the private consultations which have taken place, we have willingly discussed all formulas and all drafts. We have never refused to discuss in these endeavours any idea which was presented to us, but we made our position very clear on the question of the withdrawal of the Israel forces. The withdrawal of those forces from the territories occupied by them is a matter prescribed by every essential rule of the Charter.

27. The Security Council is aware of its duties and responsibilities as prescribed by the Charter. On our part, we shall never accept aggression; indeed, no one should expect us to.

28. I have outlined the position of my country in clear terms to the Council. That position is in full conformity with every single norm and rule governing international relations. We stand by our position and, equally, we ask every member of the Security Council to stand by the rules of the Charter, the requirements of peace, and the essentials of justice.

29. The PRESIDENT (*translated from French*): The next speaker on my list is the representative of Israel, and I now call upon him.

30. Mr. EBAN (Israel): In the light of what we have heard this afternoon, I wish briefly to restate the general principles of Israel's policy.

31. For nineteen years, Israel has been the victim of constant hostility, belligerency and aggression, by Governments which have always regarded themselves as being in a state of war with Israel. It is internationally known and recognized that Israel's resistance last June was not aggression, but resistance to aggression; and we reject every attempt to portray Israel's decision to survive as aggression.

32. Our policy is that we shall maintain and respect the cease-fire situation until it is replaced by peace treaties ending the state of war, determining the agreed national frontiers of States, and ensuring a stable and mutually

guaranteed security. We cannot return to the shattered armistice régime or to the fragile demarcation lines, or to any system of relations other than permanent, contractually binding peace.

33. We agree with those who have said, in the General Assembly and elsewhere, that agreement on secure and recognized boundaries is absolutely essential to a just and lasting peace; and we believe that any constructive resolution should emphasize the duty of the States themselves, the States of the Middle East, to work out the conditions of their own peace in direct negotiation.

34. It is in the light of this policy that we have examined and will examine and analyse any draft or text that has been or is being put before us.

35. The PRESIDENT (*translated from French*): As the list of speakers is now exhausted and no delegation has asked to speak, I should like to address the Council as the representative of MALI.

36. My Indian and Nigerian colleagues have introduced, on behalf of our three delegations, a draft resolution dated 7 November 1967 [S/8227]. Both of them have described ably and sincerely the true reasons for our actions. I therefore do not propose to repeat the highly pertinent arguments they have adduced. Nor do I wish to stir up again here the strong emotions which have attended every discussion on this crisis, whether in the Security Council or in the General Assembly.

37. I should like merely to bring to your attention a few points concerning the responsibilities we bear in the face of the serious situation in the Middle East today. I should like to keep strictly within this context in considering the situation which is perturbing us today.

38. This crisis is unquestionably the most serious that has confronted the United Nations in the last ten years, and we are thus facing a formidable test. If we are to succeed in finding a solution, we must be guided not by partiality and passion, but solely by a spirit of justice and equity. Peace is not a stock exchange asset. It cannot and must not be negotiated as such.

39. Five months have now elapsed since war once again swept over the Middle East, bringing ruin and desolation in its train. Since then, the Israel armed forces have been occupying vast areas of the territory of other States, in violation of the Charter. This is a case without precedent in the annals of the United Nations. Never, before this conflict, has the Organization been placed in a position where it was incapable of following up the cease-fire orders with an order for the withdrawal of troops to their original positions.

40. Above and beyond the perpetuation of this situation in the Middle East looms the spectre of a greater danger: that of the incapacity of the United Nations to play its role, i.e. to ensure the restoration and maintenance of peace in justice and equity. While we do not wish to be over-pessimistic, we must nevertheless recognize that we shall present a sorry spectacle to the world if we do not succeed in settling this crisis.

41. We must at all cost relinquish the illusion that time can cure all ills. These twenty years of Palestine's history, marked by constant crises and convulsions, is adequate proof of the folly of such a hope.

42. The responsibilities of the Council are quite clearly defined by the Charter itself. The safeguarding of peace and the application of the law in justice and equity are the sole principles which must guide us in carrying out our difficult mission. It is in the light of these considerations, to the exclusion of all others, that we must tackle the serious and difficult problems presented by Israel's aggression.

43. The immediate stumbling block in the crisis is the withdrawal of the Israel forces from the territories of the United Arab Republic, Jordan and Syria which they occupied following the aggression of 5 June 1967. Their withdrawal is a prerequisite for any political solution to the crisis. The first task of the Council is therefore to secure, in application of the provisions of the Charter, the withdrawal of the Israel forces to the positions they held before the aggression.

44. Despite the differences of opinion which have emerged in the course of the debates on this item, both in the General Assembly and in the Security Council, the inviolability of the national territory of States, which is one of the fundamental principles of the Charter, has been reaffirmed by almost the entire membership of the United Nations. That is the feeling which has emerged more clearly than any other during the present session of the General Assembly. It would therefore be a grave mistake to link the withdrawal of the Israel troops with any other element of the Middle East crisis, if only because of the awkward precedent it would set. The fact that neither the General Assembly nor the Security Council has so far succeeded in giving effect to this minimum requirement—the withdrawal of the Israel forces—creates a situation fraught with serious consequences for the members of the international community.

45. It is as a result of a sober assessment of the threat to peace inherent in the dilemma facing the United Nations in its search for a just and equitable solution to the Middle East crisis that the sponsors of draft resolution S/8227 have ventured a last effort at conciliation. As you may imagine, this was not achieved without painstaking negotiations and concessions on all sides. You will note yourselves the similarity between the draft resolution before you today and the Latin American resolution which received the support of a large number of delegations at the fifth emergency special session [A/L.523/Rev.1]. You will understand our surprise at seeing it rejected in advance by those same delegations which a few months ago welcomed the contents of the Latin American draft resolution as constructive and acceptable.

46. Our draft resolution does not pretend to be anything miraculous, but it has at least the merit of approaching the problem objectively and impartially and indicating a course of action calculated to bring about peace in the Middle East.

47. There is another point of agreement which likewise cannot be denied in view of the clear and unambiguous way

in which it has been expressed in the debates of recent months, namely the necessity to do universal justice to the Arab people of Palestine. The wretched treatment meted out to this people over the last twenty years is the real source of the malady which has been ravaging the Middle East ever since the implementation of the plan for the partition of Palestine. The forcible expulsion of millions of human beings from their homes and homeland and the wholesale privations suffered by the Palestine Arabs as victims of a plan conceived without their participation are acts which provoke in every human being reactions as natural as that which prompts men to seek to return to their homeland, their home, their lands and the soil where their ancestors lie.

48. In his recent analysis of the international political situation, the Secretary-General very rightly recalled, as a perennial necessity, the natural right of every human being, wherever he may be, to live in his homeland and to establish a home and build a future there. It is precisely the denial of this sacred right so far to the Arab people of Palestine that has been basically responsible for the episodes of violence upon violence which have engendered the law of "an eye for an eye" and led to the state of belligerency that has prevailed in the Middle East for the last twenty years.

49. If the Europe of a past era could find no better way of saving its conscience for the genocide perpetrated against the Jewish people in the course of history than by establishing a Jewish national home in Palestine, thus fulfilling the dreams of people like Theodor Herzl, we today find it intolerable that the bloodshed and suffering of that people should be paid for by reducing millions of other human beings to want, ruin and misery.

50. If, therefore, we wish to break the vicious circle of reprisals and counter-reprisals in the Middle East, we must start by finding a political and humane solution for the plight of the Arab refugees, which remains at the heart of the Middle East drama. The future of peace in the region will depend on the redress of that wrong.

51. The third problem which requires an urgent solution on our part is, surely, the question of navigation in international waterways. The delegation of Mali considers that freedom of navigation through the international waterways in the region should be extended to all States, in accordance with international agreements and conventions.

52. These are the prior conditions which must be fulfilled before there can be peace in the Middle East—not peace dictated by armed force, but genuine peace, to which all States in the region must subscribe and which will guarantee each one of them the right to live in complete security, safe from threats and acts of war, in respect for sovereignty, political independence and territorial integrity.

53. That is the sole aim of the draft resolution which has been submitted to you by India, Nigeria and Mali: peace in the Middle East, the peace we are responsible to the international community for maintaining.

54. As I said at the beginning of my statement, I feel that in view of the eloquent explanations given by my colleagues from India and Nigeria there is no need for me to comment further on the provisions of this draft resolution. I shall merely add that in drafting the text we were guided solely by a desire for peace and justice.

55. These are the views which my delegation felt it should put before the Council for consideration, as a contribution to the search for a solution to this grave crisis in the Middle East. Although it is a sensitive and complex problem, it is not beyond our capacities or our resources to solve it. If we are to achieve that end, however, all parties, including those directly involved, must sacrifice their susceptibilities, their pride and their resentment to the cause of peace.

56. Neither Israel nor the Arabs, still less the international community, have any interest in perpetuating the present situation. Let us therefore pool our resources and try to put out this dangerous fire which threatens to set the whole world ablaze.

57. We have no right to let the international community down. The efforts to reach agreement made by all the members of the Security Council in recent weeks indicate clearly the high degree of awareness in all quarters of the historic responsibility we bear, for there is no more formidable task than settling the problems of peace and war between nations.

58. Speaking now as PRESIDENT, I call upon the representative of Canada on a point of order.

59. Mr. IGNATIEFF (Canada): On a point of order, I should like to draw attention to the fact that a new draft resolution has been introduced this afternoon by the United Kingdom representative [S/8247], and that the situation which we now face, with three draft resolutions before us, requires very careful consideration by all members of the Council. In the circumstances, I believe that a reasonable period should be allowed for consultations, but, as has been said by many around this table, at the same time there should be no undue delay in our work. I would therefore propose, in order to allow time for consultations and for delegations, if necessary, to seek further instructions, that the Council should adjourn until tomorrow, Friday, November 17, at 3.30 p.m. I make this motion in accordance with sub-paragraph (3) of rule 33 of our provisional rules of procedure.

60. The PRESIDENT (*translated from French*): The representative of Canada proposes that our next meeting on the situation in the Middle East should be held tomorrow, Friday, at 3.30 p.m. If I hear no objection, I shall take it as agreed.

It was so decided.

The meeting rose at 5.10 p.m.

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ANNEX NO. 2



SECURITY COUNCIL OFFICIAL RECORDS

TWENTY-SECOND YEAR

1382nd MEETING: 22 NOVEMBER 1967

NEW YORK

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THIRTEEN HUNDRED AND EIGHTY-SECOND MEETING

Held in New York on Wednesday, 22 November 1967, at 3.30 p.m.

President: Mr. Mamadou Boubacar KANTÉ (Mali).

Present: The representatives of the following States: Argentina, Brazil, Bulgaria, Canada, China, Denmark, Ethiopia, France, India, Japan, Mali, Nigeria, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America.

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Adoption of the agenda

The agenda was adopted.

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)

1. The PRESIDENT (*translated from French*): In accordance with the decisions taken by the Council at its 1373rd meeting on 9 November and at its 1375th meeting on 13 November, I propose with the consent of the Council to invite the representatives of the United Arab Republic, Israel, Jordan and Syria to take places at the Council table and to participate without vote in the discussion.

At the invitation of the President, Mr. Mahmoud Riad (United Arab Republic), Mr. A. Eban (Israel), Mr. A. M. Rifa'i (Jordan) and Mr. G. J. Tomeh (Syria) took places at the Council table.

2. The PRESIDENT (*translated from French*): The Council will now resume its discussion of the question before it. The first speaker on my list is the representative of Syria, and I now call upon him.

3. Mr. TOMEH (Syria): During the 1377th meeting of the Security Council, held on 15 November, my delegation stated in the clearest terms the stand of the Government of the Syrian Arab Republic regarding the Israel war of

aggression against the Arab States and the conquest of Arab territories, which resulted in what is referred to now, ominously, by Mr. Eshkol as "Greater Israel".

4. Today the Council is considering draft resolution S/8247, submitted on 16 November by the representative of the United Kingdom. As this session of the Security Council constitutes but another phase in the tragic history of Palestine—tragic only because of the unbridled ambitions of Israel, world Zionism, their allies, and the conspiracy of silence and callousness that up till now have surrounded Arab rights—my delegation feels it its duty to state once more, and in the clearest terms, the stand of the Syrian Arab Republic vis-à-vis the United Kingdom draft resolution.

5. That this session may prove to be crucial and a turning point has been expressed by many representatives in the Council, which has had "The Palestine question" on its agenda for the last twenty years; whether it may be so depends basically on the safeguarding of Arab rights, so far ignored and disregarded.

6. In every great historical cause there comes a moment, the moment of truth, when the whole past converges on the present and the future. In such rare and unique moments one is motivated only by concern for the truth.

7. But as one looks around this Council table, when the future of a whole area and the destiny of a whole people are being decided on, one is struck by an anomalous fact, namely, that the party directly concerned, the Arab people of Palestine, who should themselves be the first speakers to be heard—since they have never ceded their inalienable rights to anybody nor forfeited them—are totally absent from the picture. No reference is made to them in the draft resolution, except, belatedly, in sub-paragraph (b) of operative paragraph 2, as constituting the refugee problem. Yes, this is the Arab people of Palestine, the uprooted, dispossessed people in exile, crying for justice for over twenty years now, without so far finding justice in the councils of the world.

8. The United Nations Charter, the Universal Declaration of Human Rights, indeed, all the international documents pertaining to the unhappy history of Palestine, were not meant in any way to deprive peoples of their inalienable rights to self-determination in their own lands and their right to their homeland in which they had lived for over two thousand years; what is of pertinence here is enshrined in Article 1 of the Charter, to which no reference whatsoever is made in the United Kingdom draft resolution.

9. In our last statement, on 15 November, we outlined what we believe should be the basic guidelines for the solution of the present crisis. We stated then that:

“...one of the cornerstones of the Charter is the non-recognition of the fruits of aggression . . . that any solution of the present crisis which does not recognize that principle is a negation of the Charter itself . . . that the new international order envisaged in the Charter . . . involved the renunciation for ever of the use of force for aggressive purposes . . . and non-recognition of any right based on conquest.” [1377th meeting, para. 6.]

In fact, and once more, the very first Article of the Charter is a confirmation of these principles.

10. It goes without saying that the withdrawal of the Israel aggressive forces from occupied territories is at this stage the central point of the problem and should be the focus of the attention and efforts of the international community. The advocates of the draft resolution must know this axiomatic fact very well. That is why the question is a prerequisite for efficiently tackling the United Kingdom draft resolution.

11. While there is a mention of the withdrawal of Israel forces, this reference is almost nullified by the absence of any time limit or any *modus operandi* for ensuring this withdrawal. No clearer proof could be given to illustrate the ambiguity of this withdrawal than its description by Israel-Zionist sources. The Jewish Telegraphic Agency's *Daily News Bulletin* of 20 November describes it in these words:

“Israelis are known to have indicated unofficially that Israel ‘could live’ with the British formula. The draft does not spell out Israel's withdrawal as to timing, nor does it say that the withdrawal is to be to the pre-June 5 armistice lines.”

12. Moreover, this mention of withdrawal is made subject to a score of concessions to be imposed on the Arab countries, thus coupling it with conditions amounting to the liquidation of the whole Palestine question, a question which is basically and primarily the product of colonialism in the area. All of this is done purposely with a view to ignoring the will and rights of the Palestine Arab people. Even in the very mandate entrusted to the special representative-to-be, the call for withdrawal of the Israel occupying forces is not provided for. He is merely asked 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” [S/8247].

13. Twenty years of experience in the United Nations of trying to resolve the conflict between the Arab States and Israel arising out of the Palestine question, involving scores of resolutions emphasizing the rights of the Arabs of Palestine, have been completely disregarded by the Israel authorities. Suffice it to mention that the General Assembly, at its very first session held after the expulsion of the majority of the Arab inhabitants of Palestine from their

homeland, endorsed the recommendation of the slain Mediator, Count Folke Bernadotte; at that third regular session the Assembly, recognizing the right of the refugees to return to their homes, directed, in its resolution 194 (III) of 11 December 1948, that they be permitted to do so “at the earliest practicable date” if they so chose, and that compensation be paid for “loss of or damage to [their] property”.

14. The recognition of the right of the refugees to repatriation to their usurped homeland in accordance with their free choice has been recalled by the General Assembly at every regular session it has held since 1948—eighteen in all; but what has happened to those rights, affirmed regularly every year since 1948? Why have they been glossed over in the present draft? Why is no reference whatsoever made to those resolutions, as if they did not exist at all? It is in the light of this experience and of Israel's disregard of those resolutions that we consider the present United Kingdom draft resolution.

15. A mere review of the events which took place after the Israel aggression of 5 June would show the rightness of our position vis-à-vis the grave situation obtaining in the Middle East and the reasons which compel my delegation not to accept the present draft resolution submitted for our consideration. In fact, Israel conducted its occupation, its invasion of Arab territories, while the Council was in session. In the case of Syria, the invasion of our territory started after we had accepted the cease-fire. There could be no better illustration to demonstrate how Israel was acting in fulfilment of a preconceived programme of aggression and expansion. The momentum of premeditation was so strong that the fact that the Security Council was just at that time considering the very problems involved did not deflect it from its course. Everybody remembers what happened in the Council during those dramatic and catastrophic days. My delegation referred more than once to the use of delaying tactics that would have allowed a new Israel *fait accompli* to materialize, more especially in the territory of Syria.

16. The draft resolution under consideration fails to take account of all these factors, contents itself with a mere, vague call on Israel to withdraw its armed forces and is completely silent on the systematic violation of the Council's cease-fire resolutions and the rejection by Israel of the resolutions of the General Assembly concerning the status of Jerusalem [2253 (ES-V) and 2254 (ES-V)] and the return of the new refugees since 5 June 1967 [2252 (ES-V)]. It is inconceivable to Syria that this draft resolution be accepted because it ignores the roots of the problem, the various resolutions adopted by the United Nations on the Palestine question and the right of the Palestinian people to self-determination, and goes further than that; it crowns all those failures by offering to the aggressors solid recognition of the illegitimate truths of their wanton aggression when it speaks of “secure and recognized boundaries”.

17. While the Arabs are being asked to surrender, the Israelis, who ought to withdraw their forces, on the contrary are consolidating more and more their grip on the occupied territories. If any confirmation is needed, a

dispatch from Tel-Aviv gives loud testimony as to the scorn with which Israel is treating the Security Council and the international community. For, as the Security Council has been deliberating and is deliberating, the Israelis are building new colonies in occupied Syrian territory, as indeed they have been doing in all other occupied territories. The following dispatch in *Le Monde* of 12/13 November is entitled "The Israelis establish a new paramilitary kibbutz on occupied Syrian territory", and it states:

"*Tel-Aviv*, 11 November (AFP).—A kibbutz of paramilitary type has been established at Kuneitra, on the Syrian heights occupied by Israel forces.

"The members of the kibbutz, which is established at the gateway of the old garrison town, plan to build a tourist hotel. In the meantime, they have started to round up the cattle abandoned by the Syrian farmers who fled during the Israel-Arab conflict.

"The provisional headquarters of the new kibbutz has been set up at Golan, near Kuneitra, and it was visited on Friday by Mr. Yigal Allon, the Minister of Labour.

"On Tuesday the President of the State of Israel, Mr. Zalman Shazar, accompanied by General Moshe Dayan and General Yitzhak Rabin, paying his first visit to the heights overlooking Lake Tiberias, 'confirmed'—and I repeat the word—'confirmed the intention attributed to the Israel Government not to restore those strategic heights to Syria.'"¹

18. And today, this very day, as the Council contemplates the liquidation of Israel aggression in the area, new proofs are given which indicate Israel's own interpretation of withdrawal. I will quote part of the article appearing in today's *New York Times* under the heading "Israelis, Living in Tents, Work on New Fishing Kibbutz in Sinai". The very title of the news item is indicative. It is datelined "*Nahal Yam, United Arab Republic*"; so already a colony with a Hebrew name has been established on the land of a sovereign State which is a Member of the United Nations. The article states:

"*Nahal Yam, United Arab Republic*, 19 November.—The westernmost settlement in the Israel-occupied Sinai peninsula lies beside a salt-water lagoon on the Mediterranean coast, less than fifty miles from the Suez Canal.

"It is a paramilitary fishing kibbutz, or communal settlement, established by the *Nahal*, a branch of the Israel Army that combines fighting and farming. Its members are boys and girls in their late teens who volunteer for the often dangerous job of settling Israel's border areas.

"*Nahal Yam*, as the new settlement is called, is the most remote of the four Israel settlements that have put down roots in the occupied territories since the June war. The others are scattered through the Syrian heights and the

west bank of the Jordan River. More than anything else, their presence has given rise to skepticism about Israel's intention of giving back the land she occupied during the war.

"At the moment, *Nahal Yam* (*Nahal* is an acronym for 'fighting pioneers'; *Yam* means 'sea' in Hebrew) consists of a number of large army tents pitched next to two single-story brick buildings. A clump of eucalyptus trees provides a meager patch of shade, but otherwise the scene is strictly sand."

19. Are not the latest Israel attacks on the Jordanian refugee camp of Karameh, the massacre of children and women and the murder of policemen the actual translation into deeds of the deceiving and clamorous calls for peace with which the Israel Foreign Minister is inundating the Council? Has the history of the tragic past twenty years been anything other than Israel utterances of peace accompanied immediately by killings and massacres on the spot?

20. Yet when we compare those criminal acts of genocide with Nazi practices the representatives of Israel protest with indignation. What, in their opinion, is the fit description of Deir Yassin, Qibya, Qalqilyah, As Samu (for which Israel was condemned by this very Council only last year, in November 1966) and, recently, the burning of Suez and its installations and the murder of innocent Jordanians? We wonder how these acts differ from those of the Nazis. Of course, the only difference historically is that the Nazis have received punishment for their crimes, but the new Nazis, created to play the role of the henchmen of the colonialists, pouring the fire and napalm supplied to them by their masters on the heads of the rising Arabs, anxious for dignity and justice—these new Nazis continue to carry out their crimes with impunity. The conscience of the Arab people cannot be expected to acquiesce in this persecution, nor should the United Nations continue to evade its responsibility for putting an end to this outlawry.

21. Special attention should be paid to what is referred to as "a state of belligerency", especially in the light of what I have just stated. Who, in fact, is the actual belligerent? For twenty years acts of aggression have been committed by Israel against the Arab countries, resulting time and again in untold suffering and destruction and more claims on the part of Israel. Those acts always constituted infringements of the sovereign rights of the Arab States, annexing more lands and territories and displacing and dispossessing hundreds of thousands of Arabs. All that is done while Israel representatives are preaching law and at the same time practising lawlessness.

22. If there is a doubt about who is the actual belligerent, the records of the Security Council and the General Assembly condemning Israel for aggression should dispel it. The last of those was on As Samu last November, and I shall read three operative paragraphs of Council resolution 228 (1966):

"1. *Deplores* the loss of life and heavy damage to property resulting from the action of the Government of Israel on 13 November 1966;

¹ Quoted in French by the speaker.

"2. *Censures* Israel for this large-scale military action in violation of the United Nations Charter and of the General Armistice Agreement between Israel and Jordan;

"3. *Emphasizes* to Israel that actions of military reprisal cannot be tolerated and that, if they are repeated, the Security Council will have to consider further and more effective steps as envisaged in the Charter to ensure against the repetition of such acts".

23. There are no human beings who, individually or collectively, would on a rational basis resort to war for the sake of war. Peace is a goal which everyone desires and longs for, but measures of self-defence are perfectly legitimate and recognized by the Charter, and there is no measure whatsoever that we have taken which does not fall into the category of self-defence.

24. If the United Kingdom draft resolution is adopted by the Security Council, despite its deficiencies and shortcomings, it is to be feared that another unjust and tragic chapter in the history of the Arab world will be begun, because more gains will be secured for Israel, to the detriment of Arab rights. That is the more so since up to the present time hardly any nation in the world has been subjected to irrational hatred and defamation as have the Arabs at the hands of world Zionism, and indeed of imperialism. Our non-acceptance of the draft resolution should be construed, therefore, as placing things in their real, true and legal context. Regrettably, in a world where values are reversed, where wreaths of glory are offered to the victor of aggression, a restoring of values to a more just perspective becomes a moral imperative.

25. In taking that attitude we most sincerely believe that we owe it not only to the Arab people of Palestine, not only to the Arab nation as a whole, not only in the interests of a just and everlasting peace but also, and primarily, to the Charter, to this high Council and to this Organization, on which the hopes of small nations are pinned. Consequently it is our duty towards the principles and purposes of this Organization to stress the fact that peace and security, while being the cherished goal of every society, would only mean new oppression if they were voided of their basic tenet, which is justice. History has taught us all that the seeds of past wars were sown in every unjust peace imposed by force. A lasting peace cannot be imposed by force. One does not open the way for it by seizing another's property and demanding certain concessions before that property is given back to its legal, lawful owner.

26. Should the principle be approved of putting on an equal footing the aggressor and the victim of aggression, thus offering rewards to the aggressor, no safeguard would remain in the world to prevent one Power from overwhelming another and extracting concessions therefrom.

27. Mr. MAKONNEN (Ethiopia): In my statement before the Council on 9 November 1967 [1373rd meeting] I had occasion to give a clear indication of my Government's attitude and preference with regard to the draft proposals presented then for our consideration. My delegation felt then, and feels now, that our paramount objective at this stage should be to expedite Council accord on a United

Nations representative in the Middle East, so that such a representative could establish contact with the parties concerned and prepare the ground for the achievement of a just and lasting settlement of the difficult problems involved.

28. We have now reached the end of the road in our ceaseless search for an agreed formulation and it becomes our inescapable duty to decide on some set of guidelines which will best serve as the basis for the mission that we intend to entrust to a United Nations special representative.

29. In that first step which we want to take in the direction of establishing permanent peace in the Middle East, time is a factor of decisive importance, and I earnestly hope that we shall not fail to reach a final decision at our meeting today. The recent and repeated firing incidents across the truce demarcation lines are obvious reminders of the danger inherent in the present situation and emphasize the compelling need to decide on the first step that we need to take on the road which will lead from a state of fragile truce to one of permanent peace.

30. Since I last spoke on the subject a number of new proposals have been put forward for our consideration. Having studied those proposals very carefully, as we always do, we have found it necessary to reassess our attitude and to indicate the line that we intend to follow in taking a final position on the proposals now before the Council.

31. As I have already indicated on a number of occasions in the past, my delegation's attitude and its final position on any proposal will depend upon three considerations, each of which is in our view of the utmost importance. First, no proposal can be worthy of our consideration, let alone of our support—nor indeed is any proposal likely to produce lasting results—unless it is based on the Charter of the United Nations and its relevant principles. Secondly, no resolution can have a chance of successful implementation unless it is balanced in its affirmation of principles as well as in its clear recognition of the complicated problems involved. Thirdly, the set of guidelines within which the special representative will have to operate must be such as, on the one hand, not to depart from the basic principles of the Charter while, on the other hand, to allow reasonable room and discretion in the representative's delicate task of contacts and preparations and in his search for a negotiated settlement.

32. The preceding are the three tests of balance and equity that we have always intended to apply to any resolution before we would commend it for adoption by the Council.

33. With regard to the principles that need to be affirmed, we deem it most essential that due emphasis be put on the inadmissibility of acquisition of territory by war and hence on the imperative requirement that all Israel armed forces be withdrawn from the territories occupied as a result of military conflict, and likewise on the need to ensure conditions of permanent peace in which all States in the area can live in security free from threats or acts of force. It follows from this that we seek the termination of all claims or states of belligerency and consider that there should be mutual respect for the sovereignty, territorial integrity and political independence of all States in the area.

34. Moreover, in our consideration of the deep-rooted problems that have afflicted the nations in that vital region, the problem of the refugees comes uppermost in our mind. We believe that so long as the refugee problem remains unresolved, it is bound to continue to poison relations of the States in the area. It is therefore the duty of the international community to insist that justice be done with respect to the refugees and that a final and constructive solution be promoted in order to resolve this grave and painful problem.

35. There is likewise the problem of freedom of navigation which has in the past been the cause of so much controversy and conflict. It is, we believe, in the interest as much of the Middle Eastern States themselves as it is of the international community at large that freedom of navigation through international waterways in the area be guaranteed for all nations.

36. These, in short, are some of the vital elements that we have always wished to see included in a resolution of the Security Council at this stage; and if we have shown preference for any proposal in the past, it is only because we have found these elements in them and have been guided by the belief that they were fair, balanced and reasonable in their presentation.

37. It is again with the same fair and open attitude of mind that we have studied the draft proposals that have been submitted since we last spoke in the Council. I do not, of course, intend to make any detailed comments on the proposals at this stage. I can only repeat that in the light of the statement that I have just made, our final position on any proposals will depend on whether or not they go a reasonable way to meet our test of balance and equity and on the extent to which they accommodate the basic elements that we consider to be essential for any Security Council decision at this crucial stage.

38. I need hardly remind the Council that the appointment of a special representative is only the beginning, albeit a good and necessary beginning, in what is likely to be a long and difficult process of building permanent peace in an area which has for so long lived under the dark cloud of mutual animosity and in a state of constant hostility and belligerence.

39. The United Nations has indeed a challenging opportunity to help usher in a new era of Middle Eastern relations based on mutual respect of rights and on constructive co-operation. But this can only happen if all concerned are willing and prepared to co-operate with the United Nations to bring this about.

40. A United Nations presence in the area can only be helpful if it can enjoy the full co-operation and support of all members of the Council and of the permanent members in particular. The permanent members of the Council need to put all their power and influence behind the United Nations effort if our Organization is to succeed in creating an atmosphere conducive to the establishment and maintenance of a just and durable peace.

41. Much will obviously depend on the co-operation of the major Powers and equally on understanding between

them. My delegation was particularly encouraged in this connexion by the spirit of co-operation expressed in the statement made before the Council by the distinguished Deputy Foreign Minister of the Soviet Union in the course of the 1381st meeting on Monday, 20 November. I recall with equal satisfaction the similar assurances of co-operation expressed at earlier stages of our deliberations by the representative of the United States, our colleague, Mr. Goldberg. This, I submit, is a most welcome element in the common search for a negotiated settlement and one that can greatly facilitate the urgent task of bringing peace and calm to this war-tormented region.

42. Finally, everything will depend on the co-operation and support of the parties directly concerned, and I wish to seize this opportunity of addressing a humble but sincere appeal to them to co-operate with and to assist the special representative in his difficult mission of conciliation and peace.

43. In conclusion, I wish to reiterate the hope that we shall decide today on the first and meaningful step in our common endeavour and that we shall take this first step not divided but united for peace.

44. Mr. PARTHASARATHI (India): Many of us around this table have tried very hard and sincerely to find a balanced approach to the solution of the West Asia crisis. The draft resolution [S/8247] introduced by the United Kingdom is one example of the sincere efforts which have been made since the outbreak of the conflict in June 1967. Another such effort is a draft resolution of 20 November [S/8253] introduced by the Deputy Foreign Minister of the Soviet Union.

45. At the 1373rd meeting of the Security Council on 9 November 1967, my delegation, while introducing the three-Power draft resolution of 7 November [S/8227], had explained our basic approach to the course of action which the Security Council should take to break the impasse in the West Asia crisis. I shall not repeat all that I said then, but I should like to emphasize a few points. In working out the three-Power draft resolution my delegation proceeded from certain fundamental considerations. First, any resolution to be adopted by the Security Council should be fair and balanced and should ensure mutuality of rights and obligations. Secondly, it should spell out in clear and unambiguous language the principles and guidelines within the framework of the Charter of the United Nations in order to achieve a just and lasting peace. Thirdly, disputes should be settled by peaceful means in accordance with Article 33 of the Charter.

46. Members of the Council will recall that during the fifth emergency special session an overwhelming majority of Member States of the United Nations, whether they voted for the Latin American draft resolution² or the non-aligned, Afro-Asian draft resolution,³ had reaffirmed the principle of non-acquisition of territory by military conquest and had supported the call for the withdrawal of

² *Official Records of the General Assembly, Fifth Emergency Special Session, Annexes*, agenda item 5, document A/L.523/Rev.1.

³ *Ibid.*, document A/L.522/Rev.3.

Israel armed forces to the positions they held prior to the outbreak of the recent conflict on 5 June 1967. On this point there was universal agreement among the membership of the United Nations. Similarly, there was considerable agreement on the principle that every State has the right to live in peace and complete security free from threats or acts of war and consequently all States in the area should terminate the state or claim of belligerency and settle their international disputes by peaceful means. This was considered essential so that withdrawal does not lead to the emergence of the unfortunate situation of part war and part peace which existed in the area prior to the outbreak of hostilities on 5 June 1967.

47. I should like to remind the members of the Council that the three-Power draft resolution provides for the right of all States in the area "to live in peace and complete security free from threats or acts of war". While the first principle of our draft requires the withdrawal of Israel armed forces from all occupied territories, the second requires the termination of belligerency by all States in the area. The equality of obligation of all States is thus maintained in a fair and balanced manner and takes account of the views of the great majority of the Members of the United Nations as well as of the views of the parties concerned. The third principle of our draft affirms the right of every State of the area to be secure within its borders and also stresses the obligation of "all Member States of the area to respect the sovereignty, territorial integrity and political independence of one another". Taken together, these three principles of withdrawal, security and non-belligerency and the right of every State to be secure within its borders, form the core of our approach to the problem and correspond to the second point of our basic approach; namely, that the Council should spell out in clear and unambiguous language the principles within the framework of the Charter to bring about a just and lasting peace in the area.

48. These three principles of our draft provide an over-all context within which the long-standing problem of the Palestine refugees and that of freedom of navigation in international waterways can be solved. As I had occasion to state at the 1375th meeting of the Council on 13 November, the purpose of our draft resolution is to initiate the process of peaceful settlement of the West Asia crisis. Our draft resolution provides for the adoption of all peaceful means under Article 33 of the Charter to settle the dispute and gives the choice to the parties to seek solutions by any means of their own choice under that Article. We do not ask the Council to suggest or recommend any of these methods. It is left to the parties concerned to choose any of the methods of peaceful settlement.

49. The principle of the inadmissibility of territorial acquisition by force is absolutely fundamental to our approach and we cannot accept or acquiesce in any decision that leaves out territories occupied by military conquest from the provision of withdrawal. This is the central issue in any approach to the solution of the West Asia crisis. Once we are agreed on this principle, then the process of bringing a just and lasting peace to the area becomes an integral whole in which all principles that I have enumerated above acquire equal importance and priority.

For this reason, the three-Power draft resolution gives equal validity to the principles of withdrawal, non-belligerency and secure borders. It also ensures a balanced and fair approach by calling for equal obligations from all the parties concerned.

50. I have listened with great care and attention to the statements made in this Council by Lord Caradon, the representative of the United Kingdom. Before commenting on the United Kingdom draft resolution, I should like to quote from two statements of policy delivered in the General Assembly by Mr. George Brown, the British Foreign Secretary. This has already been done by Lord Caradon at the 1381st meeting, but it will bear repetition. During the fifth emergency special session, Mr. Brown said the following on 21 June 1967:

"The attitude of the British Government is clear. We want the area to be at peace. We recognize that peace demands the greatest measure of justice in its political arrangements. And on this foundation the progress of its peoples, especially of those whose need is greatest, must be based.

"I should like, if I may, to set out certain principles which I believe should guide us in striving collectively for a lasting settlement. Clearly, such principles must derive from the United Nations Charter. Article 2 of the Charter provides that:

"All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State . . .'. Here the words 'territorial integrity' have a direct bearing on the question of withdrawal, on which much has been said in previous speeches. I see no two ways about this; and I can state our position very clearly. In my view, it follows from the words in the Charter that war should not lead to territorial aggrandizement."⁴

51. On 26 September 1967, at the twenty-second session of the General Assembly, Mr. Brown had this to say:

"I should like to repeat what I said when I was here before: Britain does not accept war as a means of settling disputes, nor that a State should be allowed to extend its frontiers as a result of a war. This means that Israel must withdraw. But equally, Israel's neighbours must recognize its right to exist, and it must enjoy security within its frontiers. What we must work for in this area is a durable peace, the renunciation of all aggressive designs, and an end to policies which are inconsistent with peace."⁵

52. My delegation has studied the United Kingdom draft resolution in the light of these two policy statements of the British Foreign Secretary. It is our understanding that the draft resolution, if approved by the Council, will commit it to the application of the principle of total withdrawal of Israel forces from all the territories—I repeat, all the

⁴ *Ibid.*, *Plenary Meetings*, 1529th meeting, paras. 14 and 15.

⁵ *Ibid.*, *Twenty-second Session, Plenary Meetings*, 1567th meeting, para. 91.

territories—occupied by Israel as a result of the conflict which began on 5 June 1967.

53. In other words, the draft commits the Council to the withdrawal of Israel forces from the whole of Sinai, Gaza, the Old City of Jerusalem, Jordanian territory west of the Jordan River and the Syrian territory. This being so, Israel cannot use the words “secure and recognized boundaries”, contained in sub-paragraph (ii) of operative paragraph 1 of the United Kingdom draft resolution, to retain any territory occupied in the recent conflict. Of course, mutual territorial adjustments are not ruled out, as indeed they are not in the three-Power draft resolution co-sponsored by India. This is our clear understanding of the United Kingdom draft resolution. Our vote on the draft will be determined accordingly.

54. In view of the position stated above, in which the delegations of Mali, Nigeria and India, the three co-sponsors of the draft resolution [S/8227] concur, I have been authorized to state that we will not press our draft to a vote at this stage.

55. Lord CARADON (United Kingdom): As sponsor of the draft resolution in the name of the United Kingdom [S/8247], I wish to speak very briefly before the vote to which we now are about to proceed. I shall do so in sincere respect for the part played by every member of the Council and with the utmost care not to raise any new dispute or to embark on any new controversy. On the contrary, we are all, I am sure, determined to conclude agreement.

56. We must now all strain every effort for harmony and unity, and it is in that spirit that I warmly welcome the decision which has just been communicated to us by the distinguished Ambassador of India, speaking on behalf of himself and the other co-sponsors of the draft resolution which they presented to us. It is a decision certainly of the utmost importance. It marks a turning-point; I feel that it opens the way to agreement and to action.

57. Throughout this debate I have tried to put forward five propositions, and it might be well if, immediately before the vote, I repeat them very briefly. As to the policy of my own Government, we stand by our votes and we stand by our declarations. We have throughout made our national position and our national policy quite plain.

58. Secondly, the draft resolution which we have prepared is not a British text. It is the result of close and prolonged consultation with both sides and with all members of this Council. As I have respectfully said, every member of this Council has made a contribution in the search for common ground on which we can go forward.

59. Thirdly, I would say that the draft resolution is a balanced whole. To add to it or to detract from it would destroy the balance and also destroy the wide measure of agreement we have achieved together. It must be considered as a whole and as it stands. I suggest that we have reached the stage when most, if not all, of us want the resolution, the whole resolution and nothing but the resolution.

60. Fourthly, I would say that every delegation has a right, of course, and a duty to state its own views. As I said

on Monday: “Every delegation is entitled, indeed is expected, to state the separate and distinct policy of the Government it represents” [1381st meeting, para. 40].

61. But the draft resolution does not belong to one side or the other or to any one delegation; it belongs to us all. I am sure that it will be recognized by us all that it is only the resolution that will bind us, and we regard its wording as clear. All of us, no doubt, have our own views and interpretations and understandings. I explained my own when I spoke on Monday last. On these matters each delegation rightly speaks only for itself.

62. I trust that now we can all go forward to approve the draft resolution. By so doing, we can put the maximum weight of this Council behind a new and determined effort to bring, at long last, peace and justice to all the peoples concerned.

63. Mr. GOLDBERG (United States of America): The United States is prepared to grant priority to the draft resolution presented by the United Kingdom, and will vote for it. If the United Kingdom draft resolution is adopted, as we hope and trust, we shall not press our draft resolution of 7 November [S/8229] to the vote.

64. As Lord Caradon pointed out both on Monday and today, various members of the Council have views of their own for supporting the United Kingdom text. The voting of course takes place not on the individual or discrete views and policies of various members but on the draft resolution. We will vote for that draft resolution. We do so in the context of, and because we believe it to be consistent with, United States policy as expressed by President Johnson on 19 June and as subsequently reaffirmed in statements made by me to the Security Council, including those made recently. Accordingly, I give our consent to priority for the British text.

65. The PRESIDENT (*translated from French*): As there are no further speakers on my list, I propose, with your agreement, to put the draft resolutions before the Council to the vote. The order in which the draft resolutions were submitted is as follows:

(a) Draft resolution submitted by India, Mali and Nigeria [S/8227];

(b) Draft resolution submitted by the United States of America [S/8229];

(c) Draft resolution submitted by the Union of Soviet Socialist Republics [S/8236];

(d) Draft resolution submitted by the United Kingdom [S/8247];

(e) Draft resolution submitted by the Union of Soviet Socialist Republics [S/8253].

66. The sponsors of draft resolution S/8227 and the sponsor of draft resolution S/8229 have indicated that at this stage they will not press for a vote on their texts. It is also my understanding that the representative of the Soviet

Union will not press for a vote, at this stage, on the draft resolution he submitted in document S/8236.

67. If there are no objections or observations on the part of the members of the Council, I shall put to the vote the United Kingdom draft resolution [S/8247].

A vote was taken by show of hands.

*The draft resolution was adopted unanimously.*⁶

68. Mr. KUZNETSOV (Union of Soviet Socialist Republics) (*translated from Russian*): The Soviet delegation wishes to state that, in view of the situation that has developed, it will not insist, at the present stage of our consideration of the situation in the Near East, on a vote on the draft resolution submitted by the Soviet Union in document S/8253.

69. Mr. ADEBO (Nigeria): When on 9 November last I spoke in support of the three-Power draft resolution [S/8227], I said the following:

"May I appeal to my colleagues around this table, as well as to the general public and especially to members of the press, who disseminate news of our proceedings to them—to deal fairly with the draft that we have presented." [1373rd meeting, para. 115.]

70. Since that time a lot of statements have been made both by the parties to the dispute before us and by members of this Council. Those statements disclosed what we knew beforehand: that our draft did not satisfy everybody. But unfortunately, some of those statements seemed to suggest that the people to whom I addressed my appeal of 9 November had not taken that appeal too seriously. A number of unkind things were said about the draft resolution that we put forward that I think were unfortunate. In that draft resolution we had, as faithfully as possible, followed the Latin American draft resolution [A/L.523/Rev.1] that had been put before the fifth emergency special session of the General Assembly. A number of representatives here have done what we also have done: they have paid a great tribute to the Latin Americans for their wisdom and their balanced position in regard to this matter. It was therefore very surprising to those of us who had done the Latin Americans the compliment of following their draft that some of those who joined us in paying that compliment for the balanced nature of that draft nevertheless said unkind things about our own.

71. I refer to this phenomenon because I do wish once more to appeal to my colleagues by pointing out that in this forum, the greatest of the United Nations, it would help our work very greatly if we refrained, all of us, from unnecessary misunderstandings caused by apparent misinterpretation. The truth of the matter, of course, is that our draft was as balanced as the Latin American original draft was. What was deficient in it for the purpose of the consensus here was the fact that the parties to the dispute were not agreed upon accepting that draft to the extent, at

least, of being ready to co-operate with the special representative to be appointed under the terms of our draft. This we ourselves had recognized. My colleagues will recall that at the conclusion of my statement on 9 November I did say that if there should emerge from our proceedings a different formulation to which the parties to the dispute were prepared to lend their support by co-operating with the special representative to be appointed under that formulation, nothing would more delight the co-authors of our draft resolution.

72. Thanks principally to the labours of Lord Caradon of the United Kingdom, we now have adopted such a resolution. We all know how hard Lord Caradon laboured for this compromise draft. He worked like a Trojan. His performance and the results of that performance demonstrate what, given the right instructions from his Government, an able, experienced and fair-minded person like Lord Caradon can achieve in the councils of the United Nations. The Nigerian delegation heartily extends to him and to his country a well-deserved tribute for this contribution to our proceedings.

73. Two months ago, at the opening of the twenty-second session of the United Nations General Assembly, one of the most experienced correspondents at the United Nations accosted me and asked me whether I thought, in the current state of the world, the United Nations could reach a decision on the Middle East situation in the course of this session. I replied, in American parlance, "I sure do". He said, "You seem to me to be an optimist". I replied, "Yes, I am; not only am I an optimist, I am an incurable optimist". He said, "Are you sure that your optimism will not prove to be unfounded?" I replied, "I prefer to be an optimist proved by events to have been wrong than to be a pessimist proved by events to have been correct". Being an optimist and holding strongly to the conviction that anything can happen, I work very hard to see that what I believe in does happen and, with the co-operation of colleagues, sometimes what seemed to have been impossible at the start does get achieved in the end, as has been the case on this occasion.

74. But the resolution that we have just adopted is, of course, only the beginning, although a promising beginning, to our labours. The immediate duty of the Council is for all of us to avoid, in the course of our present interventions and outside at the conclusion of this meeting, any action or statement calculated to weaken the effect of what we have just accomplished.

75. Lord Caradon said a moment ago that it was for each of us to hold his own opinion about the effects of this or that clause of the resolution that we have adopted. I could not agree more.

76. We, for our part, feel that the resolution that we have adopted does provide for what we believe are the essential factors to the peaceful and just settlement of the Middle East situation. One of those factors, as we have reiterated more than once, is the recognition of the inadmissibility of territorial aggrandizement by military conquest and, as a consequence, the withdrawal of Israel forces from all the territories that they occupied as a result of the recent conflict. But one of the essential factors also is that this

⁶ See resolution 242 (1967).

withdrawal should take place in a context in which all the countries in the area, including Israel and all the Arab States, can feel and enjoy a sense of security. We therefore subscribe very heartily to what Lord Caradon said when he stated that the resolution must be taken as a whole.

77. We have supported this resolution because, taken as a whole, we think it can promote peace in that disturbed area known as the Middle East. And yet, as we all know, if we succeed in our objectives, that success will not be due simply to the fact that we have adopted a resolution today and have adopted it unanimously. That success will turn very largely on what follows upon this achievement.

78. It is the duty of all of us, as one or two of my colleagues have already indicated, to follow up our action of today by consistently courageous action in the future. None of us must encourage any of the parties to this controversy to cheat under this resolution. We must encourage them to help us open a new page in the Middle East. I think the parties—all of them—are now in a mood to respond favourably to that encouragement. And in this connexion, I should like to pay a tribute to the representatives of the parties for the relative restraint with which they have expressed themselves before this Council, because, let us face it, we are dealing with a very difficult and delicate situation. But may I, after this performance of today, appeal to the parties to follow up the restraint they have shown here with even more restraint if they intervene in these proceedings and when they arrive home in their respective capitals. We all know that there are a good number of people in those capitals who may not quite approve of what we have done today. Therefore, a lot of courage will be required on the part of the leadership to explain and support what we have done not because it represents exactly the point of view of this or that country, but because we think that we have achieved a compromise solution which could help them to settle their differences, a settlement which, we all know, will require a real change of heart on the part of all the peoples of the Middle East.

79. Another factor that is going to contribute to the success of this scheme that we have built up in the resolution is, of course, the personality, competence, ability and experience of the person who is going to be chosen by the Secretary-General to be the special representative charged with this mission. We are very glad that fortunately we have a Secretary-General to whom it is not necessary to give advice in this connexion. We know how carefully he goes about complying with the resolutions that we adopt. All we can say is that we wish him luck, we wish him success in choosing the right man. And to whomever may be chosen for this task, we also wish to say that we wish him luck and success. He will require all the luck in the world to be able to succeed.

80. But the Nigerian delegation feels that if the parties are prepared to live with the scheme we have here built up, if they are prepared to co-operate with the special representative and if the Council is prepared to follow his action with as much support as he needs from time to time, we shall be able to achieve the success that we hope for from our performance of today.

81. What is our objective in the Middle East? It is not the achievement of any special interests that Nigeria, India, the Soviet Union, the United States, the United Kingdom or any other Member State wishes to secure. Our objective is the well-being of all the peoples of the Middle East. We hope that what we have done today will contribute to that. We hope that it will help to begin to create in the Middle East a region free from insecurity, free from fear and free from hatred, a Middle East where stable peace and tranquillity will begin to reign.

82. The PRESIDENT (*translated from French*): I call upon the representative of Israel.

83. Mr. EBAN (Israel): I regret that this meeting should have begun with the statement that we heard from the representative of Syria. On his interpretation of the resolution I have nothing to say, but on his comments on my country's policy I must say a few words.

84. The Syrian utterance speaks for itself; it was a hymn of hate and aggression trumpeted by the Government which, more than any other, was responsible for disrupting the tranquillity of the Middle East in 1966 and 1967. The Syrian representative has repeated the revolting attempt to hang the odious Nazi label on the only people that sustained the full brunt and fury of Nazism without interruption or compromise for all the twelve Nazi years. What a sorry spectacle it is to see a tribunal of peace thus transformed into an arena of hate.

85. The policy of the Israel Government and nation remains as it was when I formulated it in the Security Council on 13 and 16 November [*1375th and 1379th meetings*], namely that we shall respect and fully maintain the situation embodied in the cease-fire agreements until it is succeeded by peace treaties between Israel and the Arab States ending the state of war, establishing agreed, recognized and secure territorial boundaries, guaranteeing free navigation for all shipping, including that of Israel, in all the waterways leading to and from the Red Sea, committing all signatories to the permanent and mutual recognition and respect of the sovereignty, security and national identity of all Middle Eastern States, and ensuring a stable and mutually guaranteed security. Such a peace settlement, directly negotiated and contractually confirmed, would create conditions in which refugee problems could be justly and effectively solved through international and regional co-operation.

86. Those are our aims and positions. They emerge from five months of international discussion, unchanged, unprejudiced and intact. It is now understood as axiomatic that movement from the cease-fire lines can be envisaged only in the framework of a lasting peace establishing recognized and secure boundaries.

87. The time has come to adapt the Middle Eastern situation to the general principles and concepts which regulate the international order. Let us be done, after nineteen years, with truces, armistices and "demarcation lines based on military considerations" which leave territorial problems unsolved. The relations between States in the Middle East for nineteen years have been fragile;

anomalous, indeterminate and unresolved. The hour is ripe for building a stable and durable edifice within which the peoples of the eastern Mediterranean can pursue their separate national vocations and their common regional destiny. The tensions and rancours of the past cannot be ended overnight, but if the relations of States in the Middle East are contained in a permanent and contractually binding framework the patient task of reconciliation can go forward.

88. The Security Council, like the General Assembly, has consistently refused to endorse proposals which would have sought a return to the ambiguity, vulnerability and insecurity in which we have lived for nineteen years. It has now adopted a resolution of which the central and primary affirmation is the need for "the establishment of a just and lasting peace" based on secure and recognized boundaries. There is a clear understanding that it is only within the establishment of permanent peace with secure and recognized boundaries that other principles can be given effect. As my delegation and others have stated, the establishment for the first time of agreed and secure boundaries as part of a peace settlement is the only key which can unlock the present situation and set on foot a momentum of constructive and peaceful progress. As the representative of the United Kingdom indicated in his address on 16 November, the action to be taken must be within the framework of a permanent peace and of secure and recognized boundaries. It has been pointed out in the Security Council, and it is stated in the 1949 Agreements, that the armistice demarcation lines have never been regarded as boundaries so that, as the representative of the United States has said, the boundaries between Israel and her neighbours: "must be mutually worked out and recognized by the parties themselves as part of the peace-making process" [1377th meeting, para. 65].

89. We continue to believe that the States of the region, in direct negotiation with each other, have the sovereign responsibility for shaping their common future. It is the duty of international agencies at the behest of the parties to act in the measure that agreement can be promoted and a mutually accepted settlement can be advanced. We do not believe that Member States have the right to refuse direct negotiation with those to whom they address their claims. It is only when they come together that the Arab States and Israel will reveal the full potentialities of a peaceful settlement.

90. There were proposals, including those submitted by three Powers and then by the Soviet Union, which failed to win the necessary support because they rested in our view on the wrong premise that a solution could be formed on the basis of a return to the situation of 4 June. We hold that that premise has no logical or moral international basis. Similarly, the failure to understand that Israel's action last June was a response to aggression has prevented certain Governments from keeping pace with the development of international thinking. Israel notes, however, that recent Soviet statements and drafts reflect an understanding that the establishment of peace requires, amongst other things, an explicit respect of Israel's national identity and international rights.

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91. I also note that the Soviet text [S/8253], like that of the United States [S/8229], included a reference to the need for curbing the destructive and wasteful arms race. I hope that the absence of this provision in the text on which the Council has voted does not mean that that objective will be lost from sight.

92. The termination of this debate takes us into a new phase, of which the centre lies not here in New York, but in the Middle East. What will henceforward be decisive is not the particular words of an enabling resolution, but the spirit and attitude and policies of the Middle Eastern States. One of the points most strongly emphasized around this table and in all the exchanges which I and my associates have been privileged to have with representatives of Member States is that the only peace that can be established in the Middle East is one that the Governments of the Middle East build together. Peace can grow by agreement. It cannot be imposed. Our Governments in the area must look more and more towards each other. For it is only from each other that they can obtain the satisfaction of their most vital need, the need of peace.

93. I reiterate that in negotiations with our neighbours we shall present a concrete vision of peace. Before saying what that vision is, I should like to make one comment on the course of this debate with special reference to the remarks of the Indian representative. The establishment of a peace settlement, including secure and recognized boundaries, is quite different from what he had been proposing, namely, withdrawal, without final peace, to demarcation lines. The representative of India has now sought to interpret the resolution in the image of his own wishes. For us, the resolution says what it says. It does not say that which it has specifically and consciously avoided saying.

94. Thus, if the representative of India is in any predicament, he should not escape it by reading into a text adjectives and place-names which do not occur in the text. He must know that the crucial specifications to which he referred were discussed at length in consultations and deliberately and not accidentally excluded in order to be non-prejudicial to the negotiating position of all parties. The important words in most languages are short words, and every word, long or short, which is not in the text, is not there because it was deliberately concluded that it should not be there.

95. I have said that we would, in peace negotiations, present a vision and a programme of peace. I draw attention to the ideas which I proposed to the General Assembly at its 1577th meeting on 3 October 1967 under the heading of an "agenda for peace". In direct negotiation, we would seek the discussion of juridical problems, including the establishment of peace treaties instead of cease-fire or armistice lines; security and territorial problems, including the establishment of permanent and agreed frontiers of peace and security; population problems, involving regional effort and international co-operation to resolve the problems of displaced populations created by wars and perpetuated by belligerency; economic questions, including the replacement of blockades and boycotts by intense economic co-operation; communications problems, including the opening of the Middle East to a free and normal flow of

commerce; cultural and scientific problems, involving an attempt to substitute the best traditions of Arab-Jewish co-operation for the recent tensions and disputes, thus ending the epoch of alienation and hostility.

96. These are the horizons to which we shall address ourselves. For all the States and peoples of the Middle East, they hold the promise of a new and better age.

97. Mr. GOLDBERG (United States of America): The United States is gratified that the United Kingdom draft resolution has received the unanimous support of the Council. As I made clear in my brief intervention before the vote, we have voted for the resolution because we found it entirely consistent with the policy of the United States Government on the Middle East, the five principles enunciated by President Johnson in his statement of 19 June, and my several statements in the Council since then.

98. My delegation has worked unceasingly since last May for the constructive result we have reached today, but I should like to acknowledge that, whatever the differences of view, all other members of the Council, many other Members of the United Nations, you, Mr. President, and your predecessor, Ambassador Tsuruoka, the Secretary-General and the President of the General Assembly have also contributed their unstinting efforts towards bringing about today's result. We cannot and should not ignore the contributions made under very difficult and trying circumstances by certain of the key parties immediately concerned. We owe particular gratitude, I am sure, to the United Kingdom delegation and its head, my esteemed friend Lord Caradon, and to the Latin American group as a whole and their representatives on the Council, Ambassador Ruda of Argentina and Ambassador de Carvalho Silos of Brazil.

99. We trust and we believe that the Council has the right to expect that the parties concerned, without prejudice to their respective positions, will receive the United Nations special representative and co-operate with him in the peace-making process which this resolution sets in motion. Success will depend, in the final analysis, upon the spirit in which the parties receive him and work with him to find solutions that will permit the Middle East to benefit from a permanent state of peace, security, justice and tranquillity. For this reason, we strongly urge all parties not only to participate in the peace-making process, but to do so with the maximum spirit of accommodation, of respect for each other's vital interests and legitimate grievances and of mutual accommodation and magnanimity.

100. Were it not for the fact that the United Kingdom resolution was so delicately balanced, and our realization that the offering of any amendments from any source could have upset that balance and jeopardized the chance of successful action by the Council, my delegation would have offered an amendment so that the Council could have endorsed the need to achieve a limitation of the wasteful and destructive arms race in the Middle East. This was one of President Johnson's five points. We have taken particular note of and have been encouraged by the fact that a provision to this effect was included in the draft resolution placed before the Security Council by the Soviet Union, as

it was in our draft resolution. However, we do not conceive that the mandate of the special representative to be designated by the Secretary-General excludes his exploring this important and urgent requirement of peace, as he establishes and maintains contacts with the States concerned. His mandate encompasses the search for a just and lasting peace and in pursuing that search he should be encouraged by the fact that two great Powers, the Soviet Union and the United States, have indicated their willingness to have the problem of a limitation on the arms race discussed and explored.

101. As for my own Government, we have stated before and I renew that statement now that the United States will use every recourse of diplomacy, including co-operating with the special representative, to find a course which will put an end to the waste and futility of the arms race in the Middle East. A beginning, but only a beginning, could be made if the United Nations, as we have proposed, would call upon all its Members to report all shipments of all military arms into the area and keep those reports on file for all the peoples of the world to observe.

102. The special representative will need all the help and support he can get both from the parties and from the international community. I have already given my Government's pledge on this score and I wish to reiterate it today—a pledge to this Council and to the parties concerned that the diplomatic and political influence of the United States Government will be exerted in support of the efforts of the United Nations special representative to achieve a fair, equitable and dignified settlement so that all in the area can live in peace, security and tranquillity. Similar pledges from other members of the Council and the United Nations membership, particularly those with great diplomatic and political influence, would be invaluable because they would not only lend weight to the efforts of the special representative but would help to reassure all the peoples of the Middle East that they are not alone as they turn their attention to the search for the foundations of a just and durable peace.

103. In creating the framework of peace in the Middle East, the Security Council took the first step in June 1967 by helping to bring about a cease-fire. It is vitally important that the cease-fire be maintained. Violations by any party cannot and must not be condoned. Today we have taken a second step—the appointment of a special representative to go to the area in order to promote agreement and assist efforts to achieve a peaceful settlement. For those who sometimes wonder about the value and effectiveness of the United Nations, perhaps by those two steps we have provided an answer to their worries and concerns. All who have contributed to those two steps can draw satisfaction from the fact that they have been taken. But we know realistically from the nature of this complex problem that those two steps are very far from the goal we have set, a just and durable peace, and we must recognize that although we have begun we shall not achieve that goal easily or without many difficulties. We must persevere with patience and fortitude, just as we have been persevering since May 1967, in the search for peace.

104. I would conclude by quoting a portion of President Johnson's speech of 19 June, for it is an accurate

description of the mood of the world community as we wish godspeed to the special representative:

"The world . . . will look for patience and justice, it will look for humility and moral courage. It will look for signs of movement from prejudice and the emotional chaos of conflict to the gradual slow shaping steps that lead to learning to live together and learning to help and mould and shape peace in the area and in the world."

105. Mr. BERARD (France) (*translated from French*): For the past six months, in all their statements in the Security Council and the General Assembly, the representatives of France have stressed the need and expressed the sincere hope that in this troubled region of the Middle East, Arabs and Israelis, Jews and Moslems, may be able to live together in peace, tolerance and mutual respect.

106. They have also stated that in present circumstances, if any settlement is to be possible and difficulties are to be overcome whose importance we do not underestimate, it would seem essential that there should be a measure of co-operation among the great Powers to help the parties to arrive at a solution, and that the United Nations, and in particular the Security Council, seemed to be an appropriate framework. For this is the place to formulate the principles which must be the basis of any peaceful settlement, to define the problems, and to help to bring about the developments necessary for the achievement of a just and lasting settlement of the crisis.

107. These are the points that my delegation has borne in mind in studying the various draft resolutions submitted to us. It seemed to us that to be really useful they should leave no room for ambiguity and that the principles on which the special representative to be appointed by the Secretary-General would base his actions should be clearly set out.

108. I must confess that in this respect the three-Power draft, or a draft based on certain ideas of the Latin American text proposed in the General Assembly in July, would in our opinion have had considerable advantages. It appeared, however, that the desired agreement could not be achieved on those texts, whatever their merits.

109. We are, incidentally, grateful for the persistent and praiseworthy efforts made by the United Kingdom delegation to produce a text which would be rejected by no one, and we wish to pay our tribute to that delegation.

110. We are fully aware that inevitably such a text could not entirely satisfy either side. No one will be surprised, therefore, if I say that we would have preferred the text to be more explicit on certain points, including the terms of reference of the special representative.

111. We must admit, however, that on the point which the French delegation has always stressed as being essential—the question of withdrawal of the occupation forces—the resolution which has been adopted, if we refer to the French text which is equally authentic with the English, leaves no room for any ambiguity, since it speaks of withdrawal "*des territoires occupés*", which indisputably corresponds to the expression "occupied territories".

112. We were likewise gratified to hear the United Kingdom representative stress the link between this paragraph of his resolution and the principle of inadmissibility of the acquisition of territories by force, and quote the words used last September by his Secretary of State for Foreign Affairs in the General Assembly. In his statement, Mr. George Brown, expressing a concern shared by his French colleague, also said:

"I believe that Jerusalem too requires a special mention here. The British position was made quite clear when, with the vast majority of the Members of this Assembly, we voted this summer for the resolutions calling on Israel to do nothing to prejudice the status of Jerusalem."

113. We are also glad to see that the resolution stresses the second principle, namely, the termination of all belligerency, 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 its own boundaries.

114. We take note of the fact that the text affirms the necessity to achieve a just settlement of the refugee problem, to which, as we have said, the military operations have given a new and tragic dimension; and that it calls for guarantees for the freedom of navigation through the international waterways in the area.

115. Since the United Kingdom draft enabled us to take a positive decision, and since we felt that it contained the general principles necessary for solving the problem, my delegation voted in favour of it.

116. A favourable vote for the United Kingdom resolution is, of course, only a starting point. Long and arduous efforts will still be needed to implement those principles and to arrive at a solution. We hope that the spirit of conciliation and understanding of which the great Powers, including my country, have given an example today will, in the months to come, help to promote this settlement so fervently desired.

117. Mr. KUZNETSOV (Union of Soviet Socialist Republics) (*translated from Russian*): The Security Council has just reached a decision on the question of the situation in the Near East. The Soviet Government would have preferred the Security Council to adopt the Soviet draft resolution which is more in keeping with the need to eliminate the consequences of Israel aggression and to restore lasting peace to the Near East.

118. However, we voted for the United Kingdom draft resolution, as interpreted by the representative of India, whose views we share.

119. Thus, in the resolution adopted by the Security Council, the "withdrawal of Israel armed forces from territories occupied in the recent conflict" becomes the first necessary principle for the establishment of a just and lasting peace in the Near East. We understand the decision

⁷ Official Records of the General Assembly, Twenty-second Session, Plenary Meetings, 1567th meeting, para. 96.

taken to mean the withdrawal of Israel forces from all, and we repeat, all territories belonging to Arab States and seized by Israel following its attack on those States on 5 June 1967. This is borne out by the preamble to the United Kingdom draft resolution [S/8247] which stresses the "inadmissibility of the acquisition of territory by war". It follows that the provision contained in that draft relating to the right of all States in the Near East "to live in peace within secure and recognized boundaries" cannot serve as a pretext for the maintenance of Israel forces on any part of the Arab territories seized by them as a result of war.

120. It has been made clear, both from representatives' statements in the Security Council today and from the many statements made during the preceding days, that this is the basic content of the resolution and that it has thus been interpreted by all the members of the Security Council. The same view was expressed in the fifth emergency special session of the General Assembly, in resolutions which were put to the vote, although they were not supported by an overwhelming majority. But, in the resolution presented by Latin American countries [A/L.523/Rev.1] and in that submitted by non-aligned States [A/L.522/Rev.3], the provision relating to the withdrawal of forces was stated so clearly that it could not possibly have been misinterpreted.

121. In this connexion, I should like to draw the attention of the members of the Security Council to the statement which has just been made by the Israel Foreign Minister. His remarks regarding the resolution which has just been adopted cannot but alert the Security Council. It cannot be concluded from that statement that Israel is disposed to co-operate with the United Nations Organization, or is prepared to co-operate with the Security Council in seeking a swift political settlement in the Near East in accordance with the resolution just adopted. And if Israel is going to maintain this attitude when the special representative visits that region, it can be expected that the representative will meet with no little difficulty before the resolution now adopted can be put into effect.

122. The most important task now is to implement without delay the decision which has been taken and, above all, to secure the withdrawal of Israel forces from all territory occupied by them as a result of aggression. We feel that, given the co-operation of all States and of all members of the Security Council, this task can be completed in a very short time in the interests of peace in the Near East and of all countries in that region.

123. Mr. DE CARVALHO SILOS (Brazil): Since the very beginning of the recent conflict in the Middle East the main concern of the Brazilian Government has been to contribute to supporting, either in the General Assembly or in the Security Council, a formula which while having the viability of implementation could also embody the set of principles that have already guided my country's policy in relation to the situation in that area. The members of the Security Council are, of course, aware that we have taken an active part in all the discussions conducted either in public or in private since this matter first came under the consideration of the Council. The non-permanent members spared no efforts to arrive at a consensus or at a resolution acceptable

to all of them which could be presented on their behalf to the Council.

124. Unfortunately, we did not succeed in drawing up a text that could secure the undivided support of all those who participated in our discussions. But we reached unanimous agreement on three essential points that I should like, with the Council's permission, to restate: first, the resolution of the Security Council should fall within the scope of Chapter VI of the Charter; second, a special representative of the Secretary-General should be promptly dispatched to the area; third, a set of principles should guide the action of the special representative. The first two points did not raise serious difficulties, but on the third complete agreement failed to materialize.

125. It is our hope that the principles included as guidelines offered to the special representative, even if they do not give full satisfaction to any of the different currents of opinion, may well become the common denominator acceptable to all.

126. The main immediate purpose of the action of the Council is to secure the appointment of a special representative of the Secretary-General with a view to paving the way for achieving a peaceful solution in the area.

127. I should like to restate, on behalf of my delegation, the general principle that no stable international order can be based on the threat or use of force, and that the occupation or acquisition of territories brought about by such means should not be recognized. The validity of this rule cannot be contested and is not being challenged by anyone around this table. Its acceptance does not imply that borderlines cannot be rectified as a result of an agreement freely concluded among the interested States. We keep constantly in mind that a just and lasting peace in the Middle East has necessarily to be based on secure permanent boundaries freely agreed upon and negotiated by the neighbouring States; on a full and just settlement of the refugee problem; and on the guarantee of free transit for Israel ships through both the Suez Canal and the Gulf of Aqaba.

128. Bearing these facts in mind, and after extensive consultations with the parties concerned, my delegation came to the conclusion that its support of the United Kingdom draft resolution [S/8247] would represent a positive contribution to a peaceful solution of the Middle East crisis. This text does not give full satisfaction to my delegation. But, on the one hand, the United Kingdom draft includes a set of principles that reflect most of those suggested by my Government and embodied in the Latin American proposal submitted to the fifth emergency special session of the General Assembly. My Government, of course, remains faithful to those principles. On the other hand, the implementation of the resolution presented by the United Kingdom seems to be viable.

129. On behalf of my delegation I should like to thank the representatives of France, Nigeria, the United Kingdom and the United States for their words here today and last Monday on the role played by the Latin American countries since the fifth emergency special session of the

General Assembly. My Government has acted inspired only by the desire to see peace, stability and economic progress re-established in the area and by its commitments and duties as a member of the Council.

130. Mr. IGNATIEFF (Canada): I shall be very brief in explaining the position of the Canadian delegation on the draft resolution which has just been adopted unanimously. The Canadian approach towards all proposals has been determined by the extent to which any particular proposal could have the effect of getting under way those diplomatic processes which we believe would lead to a peaceful settlement of the crisis in the Middle East.

131. It is with this consideration in mind that Canada willingly supported the United Kingdom draft resolution which is now the resolution of the whole Council. We think that this resolution, which is clear and speaks for itself, has the best prospects of opening the way to the result which I believe we all desire, namely, a state of just and lasting peace in the Middle East.

132. The resolution just adopted does, in our view, meet the essential positions of both sides, taking into account the various ideas which emerged from consultations among non-permanent members and among permanent members of the Council, as well as with the States in the area. The resolution represents a fair, balanced and non-prejudicial basis for the dispatch to the Middle East of a special representative of the Secretary-General. Furthermore, the unanimous adoption of the resolution is in itself a positive contribution which should provide the best framework for the successful launching of the task of the special representative.

133. This is the main step now being taken by the Security Council, namely, to put the presence of a representative of the Secretary-General into the area to help bring about negotiations and peaceful conditions. As for the mandate of the special representative, it entails, in the words of the criterion which I set out when I spoke in the Council on 9 November, "an equitable balance of obligations" on both sides [1373rd meeting, para. 214]. It is most important that the Council has finally acted to have a special representative appointed and that his influence should be brought to bear as soon as possible in the area in the interests of establishing a just and lasting peace. We hope very much that the special representative will have the necessary co-operation of all the States directly concerned in the area.

134. Mr. TARABANOV (Bulgaria) (*translated from French*): The resolution which the Council has just adopted has proved to be the only possible compromise at the present time which does not jeopardize the interests of the victims of the aggression and could point the way to a peaceful settlement of the crisis in the Middle East, provided of course that it was strictly and judiciously implemented.

135. This compromise, the outcome of prolonged and often difficult and hard-fought consultations, represents the minimum positive alternative that the United Nations has been able to present in the face of the steadily mounting

tension in that area which constitutes a real danger to peace and security. We would have liked to see the Security Council take much more energetic and effective measures. Several proposals have been made to that effect, including condemnation of the aggression and the aggressor, and a number of such proposals are included in the various draft resolutions submitted to the Security Council. They could not be adopted because of the prevailing conditions in the Security Council because of the violent opposition of certain countries which would not be at their ease if the Council were to begin to give practical application to the condemnation of the aggression and the aggressor.

136. The delegation of the People's Republic of Bulgaria considers, however, that any endeavour, any attempt to bring about a peaceful settlement of the crisis in accordance with the principles of the Charter, must be supported. An end must be put to the present explosive situation which inflicts intolerable sufferings on the Arab population of the occupied territories and also represents a threat to peace.

137. Generally speaking, the resolution just adopted gives a satisfactory answer to the question of the withdrawal of Israel troops; it stresses, first of all, "the inadmissibility of the acquisition of territory by war". That is a fundamental principle of contemporary international law which flows from the inadmissibility of aggression and the prohibition of the use of force against the territorial integrity and political independence of States.

138. Confirming the principle of the inadmissibility of the acquisition of territory by war, the Chairman of the Council of Ministers of the People's Republic of Bulgaria, Mr. Zhivkov, made the following statement at the fifth emergency special session of the General Assembly:

"The People's Republic of Bulgaria, just as the other socialist and peace-loving countries, does not recognize the forcible seizure of Arab territories by Israel."⁸

139. We note with satisfaction that in the resolution adopted, the inadmissibility of the acquisition of territory by force, proclaimed in the preamble as a general principle, is clearly and explicitly confirmed in the first operative paragraph, which calls for the "withdrawal of Israel armed forces from territories occupied in the recent conflict". Thus it is a definite call for the withdrawal of Israel's troops from all the territories occupied since 4 June 1967. That is a practical application of the principle of the inadmissibility of the acquisition of territory by war stated in the preamble to the resolution.

140. The same applies also to the question of the acknowledgement of the "territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries". The peace and security of all States is precisely what makes it necessary, above all, to prohibit any acquisition by one State of the territory of another through war.

141. The provision concerning the withdrawal of Israel troops from all the occupied territories is an important

⁸ *Ibid.*, Fifth Emergency Special Session, Plenary Meetings, 1528th meeting, para. 31.

condition for the implementation of the other principles set out in operative paragraphs 1 (ii) and 2 of the resolution.

142. The Security Council resolution defines the terms of reference of the special representative of the Secretary-General satisfactorily. He is 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 of the resolution; in other words, he is to participate in the negotiations and help to solve the problem.

143. It is now essential that the resolution should be strictly respected and applied in good faith by the countries concerned, as well as by all other States; it must be implemented immediately, without any attempt to evade its provisions. Today's vote is only the first step; it will undoubtedly be followed by others on the part of the United Nations and its Members with a view to ensuring peace in the Middle East, for this is essential to world peace.

144. The PRESIDENT (*translated from French*): I call upon the representative of the United Arab Republic.

145. Mr. Mahmoud RIAD (United Arab Republic): On 7 November, the United Arab Republic requested the Security Council to meet in urgent session to resume its consideration of the grave situation in the Middle East [*S/8226*]. This situation resulted from Israel's war of aggression on 5 June and its subsequent occupation of Arab territories in Jordan, Syria and the United Arab Republic, as well as territories under United Arab Republic administration.

146. The Council responded to the request of the United Arab Republic and convened on 9 November, at which time I stated the position of my Government [*1373rd meeting*]. I emphasized that it was the duty of the Security Council to apply the Charter of this Organization and thus eliminate the consequences of the present aggression, by forcing Israel to withdraw from all the territories it occupied after 4 June 1967.

147. On 16 November, I again addressed the Council [*1379th meeting*] and I reaffirmed that the United Arab Republic would never accept aggression, and that the Security Council should not be allowed to compromise on a question of such primary importance to the Charter and to international peace and security.

148. Today, I wish to affirm once again our position that the first step towards peace lies in the full withdrawal of Israel forces from all territories they have occupied as a result of their aggression on 5 June. The efforts on behalf of peace which would then follow would of necessity be within the framework of this Organization and its Charter. The provisions of our Charter prohibit aggression and require all States to assume in good faith their obligations arising from the Charter as well as from international agreements and other sources of international law.

149. The inalienable rights of the people of Palestine, recognized and continually reaffirmed by the United

Nations, belong in the highest and most essential category of the norms and rules of our present international order. These rights should under no circumstances be allowed to fall by the wayside. Historically, legally, constitutionally and morally, this Organization is inescapably committed to the rights of the people of Palestine.

150. In conclusion, the United Arab Republic will be guided by these considerations in its continuous search for a peaceful and just solution of the present crisis in the Middle East.

151. The PRESIDENT (*translated from French*): I call upon the representative of Jordan.

152. Mr. RIFA'I (Jordan): Now that the Security Council has concluded its present discussions, I feel duty bound to make the following remarks. My Government has been following with special interest and appreciation the efforts of the members of the Council to arrive at a positive result. We, for our part, share with the members the genuine desire to establish conditions in our area conducive to peace, based on justice and on the fulfilment of the legitimate rights of our people. Indeed this has always been and continues to be our aim.

153. In the present crisis the basic issue which has to be remedied as an essential step towards peace is the immediate and complete withdrawal of Israel armed forces from all the territories they occupied in the recent conflict. The resolutions which were adopted both by the Security Council and the General Assembly, as well as the statements made on the question, have stressed this basic requirement. Whether those resolutions pertain to the cease-fire, to the return and safety of the Arab inhabitants in the occupied territories, to the invalid Israel measures taken in Jerusalem or to the problem in its entirety, they all emphasize the fundamental principle that military aggression and occupation should neither pay nor stay. The discussions and prevailing opinion in the Council and in the General Assembly have made it clear that the United Nations does not accept in full or in part the illegal Israel occupation or any measures taken by Israel from the position gained by this occupation or as a result of it. That would be contrary to the principles of the Charter of the United Nations, to the rules of international law, to the spirit and letter of the relevant resolutions of the United Nations and indeed to peace itself.

154. On these premises the position of my Government is based.

155. Mr. RUDA (Argentina) (*translated from Spanish*): Ever since the outbreak of the crisis in the Middle East my delegation has been active in seeking a basis for a solution to the conflict to enable us to pass beyond this acute stage of indecision and to enter a new phase where real results can be obtained.

156. We have striven tirelessly after formulas for a system providing a proper balance of interests, a real give-and-take. We have felt all along that the road towards final peace was through sound and effective decisions involving mutual concessions such as are normal in this type of conflict.

Basically, this means the withdrawal of troops from the occupied areas on the one hand and the cessation of belligerency on the other.

157. For these reasons we have felt from the outset that peace could not be brought about by withdrawal pure and simple, but that such a step must of necessity be accompanied by other measures to enable the parties, without any coercion, to seek a spontaneous agreement to any commitments to which they may subscribe in the future.

158. These ideas essentially represented the position of my country and the other Latin American countries which submitted draft resolution A/L.523/Rev.1 in the General Assembly. It is with great satisfaction for us today, in the hour of decision for the Security Council, to note the extent to which our ideas have been adopted and used as the basis of the drafts submitted to the Council.

159. Our satisfaction was even greater when we learned, through a number of channels, that one of these drafts, that submitted by the United Kingdom [S/8247], while it did not have the acquiescence of all parties, did at least have the promise of co-operation with the special representative to be sent to the Middle East by the Secretary-General. This implies a large area of agreement with regard to his terms of reference.

160. My delegation has been ready at any moment to submit to the Council another draft resolution framed strictly in accordance with the terms of the Latin American draft. This has been withheld because we did not wish to hamper in any way the success we desired for the United Kingdom draft resolution, once we had knowledge of it and were convinced that the co-operation of the parties could be counted upon. Otherwise my delegation would not have hesitated to present its own draft resolution, which incorporated the principles and purposes of the original Latin American draft while bearing in mind two further points: its adaptation to the new forum in which it had to be submitted, namely, the Security Council, and its drafting in the light of Chapter VI of the Charter.

161. Because of its general acceptability, in the first place, and because it was in large measure based on the ideas we ourselves have been advocating since July, we voted in favour of the United Kingdom draft resolution. We cannot, however, help but observe that we would have liked to see some improvements made in the drafting. Thus, for example, it would have been preferable if the preamble had widened the undertaking by the Member States to act not only in conformity with Article 2 of the Charter but also with the Charter as a whole, and particularly with Articles 1 and 33.

162. With regard to the formula for the withdrawal of troops, which reads: "withdrawal of Israel armed forces from territories occupied in the recent conflict", this does not, in our view, reflect a fully rounded-off notion; and although my delegation voted for paragraph 1 (i) of the draft, we would have preferred a clearer text, such as that submitted to the General Assembly by the Latin American countries in July, which provided for the withdrawal of Israel armed forces from all the territories occupied as a result of the recent conflict.

163. We trust that the implementation of the formula adopted will achieve these ends; it is the only solution. We have always contended and still contend that, as the Brazilian representative pointed out, no international order be based on the threat or use of force, and that no recognition should be given to any territorial arrangement which has not been arrived at by peaceful means, nor to the validity of any occupation or acquisition of territories accomplished by force of arms.

164. The second point is that of the right "to live in peace within secure and recognized boundaries". We take this expression as really meaning to live in security within agreed boundaries. There are many parts of the world where frontier boundaries are not secure, if we attach to this concept a geo-strategic meaning which goes beyond mere legal connotations; yet despite that, the States concerned have the right to live in peace within those boundaries.

165. The United Kingdom Secretary of State, Mr. George Brown, defined this concept in a felicitous phrase when he spoke recently in the General Assembly, as follows—and I quote: "But equally, Israel's neighbours must recognize its right to exist, and it must enjoy security within its frontiers."⁹

166. Subject to the comments I have just made, my country supported the draft resolution in the hope of bringing about an agreement capable of producing effective results within a reasonable time. We wish the Secretary-General's special representative the greatest success and we trust that the parties will give him their full and unreserved co-operation.

167. In concluding the explanation of our vote cast in favour of the draft in question, my delegation wishes to express in the Council its thanks for the efforts made by all the delegations, particularly those of the so-called group of six, composed of Brazil, India, Mali, Nigeria, Ethiopia and my own country, with which we collaborated for so long on a very difficult task. At the same time, I wish to express and place on record our gratitude to the United Kingdom delegation, whose spirit of co-operation, gentlemanliness and ability has made it possible to achieve highly important results which we trust will lay the groundwork for true co-existence in the Middle East.

168. This has also made it possible for the Security Council to meet the challenge with which it has faced, and to show once again that it is an effective instrument for the difficult task of preserving peace.

169. Before concluding, I wish on behalf of my delegation and my Government to thank the delegations of the United Kingdom, Nigeria, the United States and France for their kind words regarding our work and that of the other Latin American countries in the negotiations which have taken place over these many months. We have been guided all along exclusively by the desire to serve the cause of peace and justice.

⁹ *Ibid.*, Twenty-second Session, Plenary Meetings, 1567th meeting, para. 91.

170. Mr. TSURUOKA (Japan): The Japanese delegation was very glad to vote in favour of the United Kingdom draft resolution. The adoption of that resolution by the Council is a very substantial contribution towards the goal of a just and durable peace in the Middle East. My delegation is immensely pleased by this accomplishment and expresses a debt of gratitude to our friend and colleague Lord Caradon and to the United Kingdom delegation for the initiative that has led to this fortunate result.

171. As I said in the Council on 9 November [1373rd meeting], my delegation very much hoped that intensive consultations would lead to a compromise and a consensus that the members of the Council could support. We are delighted that our hope has been realized. We are particularly pleased that this resolution has been adopted unanimously. I should like to express our respect and our warm thanks to all who have contributed so much to the result we have now achieved.

[The speaker continued in French.]

172. To you in particular, Mr. President, I should like to pay a tribute on behalf of my delegation for the wisdom with which you have guided our delicate and difficult work to a successful conclusion.

[The speaker resumed in English.]

173. Peace, of course, cannot be built in a day. But resolution 242 (1967) which we have now adopted states in clear and simple terms the principles and objectives upon which peace in the Middle East must be based. We emphasize "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". We affirm that "the establishment of a just and lasting peace in the Middle East . . . 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".

174. We are very hopeful that the mandate given to the special representative who is to be designated by the Secretary-General will enable him "to promote agreement and assist efforts to achieve a peaceful and accepted settlement in accordance with the provisions and principles in this resolution".

175. We all know that the mission assigned to the special representative is not going to be an easy one. A very heavy responsibility will rest upon him. At the same time, I would strongly emphasize that the success of his mission demands the utmost support by the Council and, indeed, the full and effective co-operation of all Members of the United Nations. Above all, the co-operation of the parties con-

cerned is essential. On behalf of the Japanese delegation, I should like to offer to the special representative, in advance, our very best wishes and to pledge to him our whole-hearted co-operation.

176. I do not wish to conclude my statement on a note that may seem to be too visionary; but my delegation can foresee the time—and we ardently hope that it will soon arrive—when the dissensions, the belligerency and the war that have so grievously torn asunder the countries of the Middle East for so long a time will give way to an era of peace, an era when those countries will find it possible to co-operate harmoniously for the benefit of the peace and security, the prosperity and the welfare of all the peoples of the area.

177. Mr. BORCH (Denmark): In explaining the vote cast by my delegation on the draft resolution presented by the United Kingdom, I can refer to my statement in the 1373rd meeting of the Security Council on 9 November in which I presented the substance of the policy pursued by my Government in the crisis in the Middle East. But let me, for the sake of clarity, once again underline the importance that we have always attached to the desirability of having a resolution that should be so carefully balanced that the parties to the conflict would be able to feel that they at least could live with it and could reasonably be expected to co-operate under its terms. We voted in favour of the draft resolution presented by the United Kingdom because that text, as it was voted upon and as it stands, meets with our point of view as to procedure and is compatible with our position as to substance.

178. The adoption today of the draft resolution presented by the United Kingdom is indeed a most auspicious development. As Lord Caradon stated the other day, the text is based upon a number of ideas and views that were brought up during the long and arduous consultations among members of the Security Council during the last month. It is a compromise in the best sense of the word. It does take into account all the essential interests of the parties involved. In the words of my Canadian colleague, which I fully endorse, this resolution represents a fair, balanced and non-prejudicial basis for the dispatch to the Middle East of a special representative of the Secretary-General.

179. The Government of Denmark would strongly urge all the parties involved to extend their full co-operation and goodwill to the special representative in the exercise of his most difficult and equally important task and in the realization of the high principles embodied in the Council's resolution of today.

180. Lord Caradon has on various occasions been generous in his appraisal of the contribution made by other members of the Council. As a newcomer to this table I cannot conclude these brief remarks without giving expression to my admiration and respect for his essential contribution at the right time to the successful and constructive result of the deliberations.

181. Mr. LIU CHIEH (China): During the past weeks, indeed months, members of the Council, particularly the

ected members, have been busily engaged in consultations in search of the principles and procedures by which a just and enduring peace could be established in the Middle East. Those consultations have been useful in providing the common ground as a basis for the resolution which has just been adopted. We owe these members of the Council a debt of gratitude for their untiring and persistent efforts in this difficult task.

182. We realize that the issues in the Middle East are extremely complex and deep-rooted and that they cannot be resolved overnight by a single resolution of the Security Council. We are encouraged, however, by the fact that the parties involved, while they have certain reservations in regard to the resolution, have shown a willingness to co-operate with the Council in its efforts to bring about the necessary conditions for peace in the Middle East.

183. My delegation is particularly gratified that the Council, thanks to the timely intervention of the representative of the United Kingdom, has arrived at a formulation which commanded unanimous support. Surely issues involving war or peace are too serious to be viewed simply as a voting contest in this Council. On a question as vital and difficult as the present one, anything short of unanimity would not carry the kind of weight needed for effective implementation.

184. The special representative to be appointed by the Secretary-General can now press forward in his important assignment backed by the full weight of this Council and with the support of responsible opinion throughout the world.

185. It is the earnest hope of my delegation that the parties concerned will not allow the intensity of their feelings to impair the prospects for constructive steps on the long and tortuous road to peace in the Middle East.

186. Mr. GOLDBERG (United States of America): I shall be very brief. I should like merely to observe that in explanation of vote various members of the Council, as is their right, have expressed views of their own for supporting the United Kingdom draft resolution. I should like to repeat what I said earlier. The voting, of course, has taken place not on the individual views and policies of various members, but on the draft resolution. I, and I assume other members of the Council, voted for the draft resolution and not for each and every speech that has been made. Of course, I hastily add that I have voted for my own speech, and I assume others have done likewise with respect to their speeches.

187. The PRESIDENT (*translated from French*): I should now like to speak on behalf of the delegation of MALI.

188. Mr. KANTE (Mali) (*translated from French*): Allow me first of all to express to the representative of Japan my appreciation of the kind words he addressed to me just now. His thanks and kind words go surely beyond me and include all of you, all the members of the Council, with whom as President for the month of November I share the credit for the result we have achieved today. On your behalf, therefore, I should like to thank the representative of Japan once again.

189. In the name of the delegation of the Republic of Mali, I should like to say that the adoption by the Security Council of draft resolution S/8247 should in no way be construed as indicating that my country abandons the fundamental principles which throughout the centuries have guided men who cherish peace and justice, to which all mankind has constantly aspired throughout history, and which are embodied in the noble ideals of the Charter of the United Nations. My delegation therefore wishes its vote today to be interpreted in the light of the clear and unequivocal interpretation which the representative of India gave of the provisions of the United Kingdom text, namely: first, that the withdrawal of all the armed forces of Israel from all the Arab territories occupied since 5 June cannot be made subject to any condition whatever. Secondly, in its view the just solution of the refugee problem lies in the effective implementation of the resolutions adopted by the General Assembly and the Security Council with a view to restoring the inalienable rights of the Arab people of Palestine.

190. We have constantly stressed, here and wherever the occasion has arisen, that it is the perpetuation of a flagrant injustice against that people which is the root cause of the tragedy that has been acted out in the Middle East for the last twenty years. In my delegation's opinion, the solution of this problem must be based above all on the need to recognize that every people has a natural right to a homeland and to a decent life within the great human family.

191. Motivated by the same desire for justice, my delegation further wishes to stress the special obligations which flow from the adoption of this resolution for the parties to respect the Charter, that is, to renounce belligerency, since this would ensure each of the States in the area the right to live in peace and security, free from threats or acts of war, in respect for their sovereignty, political independence and territorial integrity.

192. As to the guarantee of freedom of navigation through the international waterways in the area, it must be granted to all States, in accordance with the international conventions and agreements currently in force.

193. The delegation of Mali wishes to state that its country can in no circumstances accept in the eyes of men and of history any part of the responsibility for endorsing the violation of the territory of States. This represents a serious infringement of the Charter and would have grievous consequences for the international community.

194. If we fail to live up to our vote fully in accordance with the duty of each and every one of us scrupulously to see to it that all nations, large and small, respect the Charter, we shall surely be helping to bring about new order based exclusively on the principle of "might is right". Such a trend would undoubtedly block the laudable efforts by the international community to curb the arms race, and it would create a temptation for the countries of the Third World to increase their military potential to the detriment of their economic and social development programmes. Their peoples would thus be doomed to become even poorer. We cannot allow the role of the Organization to be

limited henceforth to noting and condoning *faits accomplis*. The lesson of history is that the most powerful State today can be the weakest tomorrow; that is the way of the world. The danger which hovers over us therefore concerns all the States Members of the United Nations, however powerful and whatever their level of technological development.

195. For all those reasons my delegation, in voting for the draft resolution on the Middle East submitted by the United Kingdom, was anxious to record its unshakable adherence to the principles of the Charter. My country therefore continues to believe more than ever that the withdrawal of forces from territories occupied by military conquest is a prior condition for any solution of any armed crisis. This is a deeply held conviction on its part. Mali is a country of peace and is in favour of peace, that is to say, peace based on justice and equity. It therefore expresses a most fervent wish for peace, true peace this time, in the Middle East.

196. The PRESIDENT (*translated from French*): I call upon the representative of Syria.

197. Mr. TOMEH (Syria): The test of the success or failure of any major resolution can be measured only by its results. The future will prove whether or not the resolution adopted today will secure the cause of peace in the Middle East.

198. I have listened very carefully to Mr. Eban's statement and his interpretation of the resolution, but not equally so to the acrimonious part about Syria, which is to be expected. His interpretation of the withdrawal only confirms, but in a very roundabout way, the full intent of Israel to consolidate its gains as a result of its aggression, which was amply explained in my statement to the Council. Again, the words spoken are denied by the intent expressed and the deed achieved. I should have liked Mr. Eban to have denied some of the facts and occurrences which I brought out in my statement. However, it is to be noted that the following sentence occurred in Mr. Eban's statement: "Peace . . . cannot be imposed" [*supra, para. 92*]. I should like to quote what I said in my statement about peace, which was the following: "A lasting peace cannot be imposed by force. One does not open the way for it by seizing another's property and demanding certain concessions before that property is given back to its legal, lawful owner." [*supra, para. 25.*] Mr. Eban went on to attribute

aggressive acts and intentions to Syria. I need not go into the details of what happened on 7 April 1967, which we put before the Council when an attack was perpetrated against Syria, and which included seven sorties by the Israel air force, with a battle ensuing that took place over Damascus, the capital of Syria.

199. Finally and briefly I should like to comment on the description given by Mr. Eban of my statement as a "hymn of hate" [*supra, para. 83*]. That is really an amazing interpretation because, reduced to its basic principles, my statement invokes two of the Ten Commandments: "Thou shalt not kill"; and "Thou shalt not covet" other people's property. That two of the Ten Commandments should be interpreted as a "hymn of hate" is really beyond my understanding, but the twisting of words and meanings can result in anything. We condemn killing and the stealing of other people's property most strongly and most vehemently, whether it has been committed by Nazi Germany against the innocent Jews, the French, the Danes or the people of any other country which it occupied, just as we condemn it most strongly and vehemently when it is committed by the Israelis against the Arabs—by Dayan and Begin and justified by Mr. Eban.

200. The PRESIDENT (*translated from French*): I call upon the representative of Israel.

201. Mr. EBAN (Israel): I do not propose to maintain the discussion with the representative of Syria, except to say that if he is interested in the document of Hebrew literature to which he referred I recommend that he should not stop short with two commandments but should also study the statement "Thou shalt not bear false witness against thy neighbour", because the quotations which he put in my mouth were not there.

202. I intervene for another purpose, which is to say that I am communicating to my Government for its consideration nothing except the original English text of the draft resolution as presented by the original sponsor on 16 November. Having studied that text, document S/8247, my Government will determine its attitude to the Security Council's resolution in the light of its own policy, which is as I have stated it.

The meeting rose at 7 p.m.

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ANNEX NO. 3

At its 1736th meeting, on 13 August 1973, the Council decided to invite the representatives of Lebanon, Israel, Egypt and Iraq to participate, without vote, in the discussion of the item entitled "The situation in the Middle East: Letter dated 11 August 1973 from the Permanent Representative of Lebanon to the United Nations addressed to the President of the Security Council (S/10983)".²⁴

At its 1737th meeting, on 14 August 1973, the Council decided to invite the representative of Democratic Yemen to participate, without vote, in the discussion of the question.

Resolution 337 (1973)
of 15 August 1973

The Security Council,

Having considered the agenda contained in document S/Agenda/1736,

Having noted the contents of the letter from the Permanent Representative of Lebanon addressed to the President of the Security Council (S/10983),

Having heard the statement of the representative of Lebanon concerning the violation of Lebanon's sovereignty and territorial integrity and the hijacking, by the Israeli air force, of a Lebanese civilian airliner on lease to Iraqi Airways,²⁵

Gravely concerned that such an act carried out by Israel, a Member of the United Nations, constitutes a serious interference with international civil aviation and a violation of the Charter of the United Nations,

Recognizing that such an act could jeopardize the lives and safety of passengers and crew and violates the provisions of international conventions safeguarding civil aviation,

Recalling its resolutions 262 (1968) of 31 December 1968 and 286 (1970) of 9 September 1970,

1. *Condemns* the Government of Israel for violating Lebanon's sovereignty and territorial integrity and for the forcible diversion and seizure by the Israeli air force of a Lebanese airliner from Lebanon's air space;

2. *Considers* that these actions by Israel constitute a violation of the Lebanese-Israeli Armistice Agreement of 1949, the cease-fire resolutions of the Security Council of 1967, the provisions of the Charter of the United Nations, the international conventions on civil aviation and the principles of international law and morality;

3. *Calls on* the International Civil Aviation Organization to take due account of this resolution when considering adequate measures to safeguard international civil aviation against these actions;

²⁴ *Ibid.*, Supplement for July, August and September 1973.

²⁵ *Ibid.*, Twenty-eighth Year, 1736th meeting.

4. *Calls on* Israel to desist from any and all acts that violate Lebanon's sovereignty and territorial integrity and endanger the safety of international civil aviation and solemnly warns Israel that, if such acts are repeated, the Council will consider taking adequate steps or measures to enforce its resolutions.

*Adopted unanimously at the
1740th meeting*

Decisions

At its 1743rd meeting, on 8 October 1973, 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 Middle East: Letter dated 7 October 1973 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/11010)".²⁶

At its 1745th meeting, on 11 October 1973, the Council decided to invite the representatives of Nigeria and Saudi Arabia to participate, without vote, in the discussion of the item.

Resolution 338 (1973)
of 22 October 1973

The Security Council

1. *Calls upon* all parties to the present fighting to cease all firing and terminate all military activity immediately, no later than 12 hours after the moment of the adoption of this decision, in the positions they now occupy;

2. *Calls upon* the parties concerned to start immediately after the cease-fire the implementation of Security Council resolution 242 (1967) in all of its parts;

3. *Decides* that, immediately and concurrently with the cease-fire, negotiations shall start between the parties concerned under appropriate auspices aimed at establishing a just and durable peace in the Middle East.

*Adopted at the 1747th meeting
by 14 votes to none²⁷*

²⁶ *Ibid.*, Twenty-eighth Year, Supplement for October, November and December 1973.

²⁷ One member (China) did not participate in the voting.

ANNEX NO. 4

THE MADRID PEACE CONFERENCE

- I. **U.S. Letters of Assurances on the Terms of the Peace Conference, Washington, D.C., mid-October 1991 (main points).**
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- III. **Delegations to Madrid**
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 - D. Head of the Egyptian Delegation, Foreign Minister 'Amr Musa, 30 October 1991 (excerpts).
 - E. Head of the Israeli Delegation, Prime Minister Yitzhak Shamir, 31 October 1991 (excerpts).

- F. Head of the Jordanian Delegation, Foreign Minister Kamil Abu Jaber, 31 October 1991 (excerpts).
- G. Head of the Palestinian Delegation, Haydar Abd al-Shafi, 31 October 1991.
- H. Head of the Lebanese Delegation, Foreign Minister Faris Bouez, 1 November 1991 (excerpts).
- I. Head of the Syrian Delegation, Foreign Minister Faruk al-Sharaa, 31 October 1991 (excerpts).
- J. U.S. Secretary of State James Baker, 1 November 1991 (excerpts).

VI. Closing Remarks in Madrid

- A. Israeli Prime Minister Yitzhak Shamir, 1 November 1991.
- B. Head of the Palestinian Delegation, Haydar Abd al-Shafi, 1 November 1991.
- C. Syrian Foreign Minister Faruk al-Sharaa, 1 November 1991 (excerpts).

VII. U.S. Secretary of State James Baker's Press Conference, Madrid, 3 November 1991 (excerpts).

I. U.S. Letters of Assurances on the Terms of the Peace Conference, Washington, D.C., mid-October 1991 (main points).

[The final versions of the Letters of Assurances (LOAs), in lieu of the more binding, bilateral "memoranda of understanding" that had originally been planned, were conveyed, after a number of drafts, to the various negotiating parties by the United States in mid-October. No authoritative texts of any of the LOAs have been officially released, but the main clauses have been reported in various regional press organs.]

A. U.S. Letter of Assurances to the Palestinians

[Mideast Mirror carried the following points, obtained from its own sources, on 24 October 1991.]

- Palestinians and Israel must respect each other's security, identity, and political rights.
- Bilateral talks will begin four days after the opening of the conference.
- Multilateral talks will open two weeks after the opening of the peace conference.
- We believe that Palestinians should gain control over political, economic, and other decisions that affect them and their fate.
- The U.S. will seek to avoid prolongation and stalling by any party. All negotiations should proceed as quickly as possible

toward agreement.

- The U.S. doesn't seek to determine who speaks for Palestinians in this process. We are seeking to launch a political negotiating process that directly involves Palestinians and offers a pathway for achieving the legitimate political rights of the Palestinian people and for participation in the determination of their future. We believe that a joint Jordanian-Palestinian delegation offers the most promising pathway toward this end.

- Palestinians will be free to announce the component of the joint delegation and to make a statement during the opening of the conference. They may also raise any issue pertaining to the substance of the negotiations during the negotiations.

- The U.S. understands how much importance Palestinians attach to the question of East Jerusalem. Thus we want to assure you that nothing Palestinians do in choosing their delegation members in this phase of the process will affect their claim to East Jerusalem or be prejudicial or precedential to the outcome of the negotiations.

- The U.S. is opposed to the Israeli annexation of East Jerusalem and extension of Israeli law on it and the extension of Jerusalem's municipal boundaries. We encourage all sides to avoid unilateral acts that would exasperate local tensions or make negotiations more difficult or preempt their final outcome.

- The U.S. believes that Palestinians of

East Jerusalem should be able to participate by voting in elections of an interim governing authority. The U.S. further believes that Palestinians from East Jerusalem and Palestinians outside the occupied territories who meet the three criteria should be able to participate in the negotiations on final status. The U.S. supports the right of Palestinians to bring any issue including East Jerusalem to the table.

- The purpose of negotiations on transitional arrangements is to effect the peaceful and orderly transfer of authority from Israel to Palestinians. Palestinians need to achieve rapid control over political, economic, and other decisions that affect their lives and to adjust to a new situation in which Palestinians exercise authority in the West Bank and Gaza. For its part the U.S. will strive from the outset and encourage all the parties to adopt steps that can create an environment of confidence and mutual trust, including respect for human rights.

- Negotiations between Israel and Palestinians will be conducted in phases beginning with talks on interim self-governing arrangements. These talks will be conducted with the objective of reaching agreements within one year. Once agreed the interim self-governing arrangements will last for a period of five years. Beginning the third year of the period of self-governing arrangements, negotiations will take place on permanent status. It is the aim of the U.S. government that permanent status negotiations will be concluded by the end of the transitional period.

- Palestinians are free to argue for whatever outcome they believe best meets their requirements. The U.S. will accept any outcome agreed by the parties. In this regard and consistent with long-standing U.S. policies, confederation is not excluded as a possible outcome of negotiations on final status.

- The U.S. believes that no party should take unilateral actions that seek to predetermine issues that can only be reached through negotiations. In this regard the U.S. has opposed and will continue to oppose settlement activity in territories occupied in 1967 which remain an obstacle to peace.

- Any party will have access to the sponsors at any time.

- We are prepared to work hard with you in the period ahead.

B. U.S. Letter of Assurances to Syria

[The points below, taken from the letter as published on 15 October in the Saudi daily Asharq al-Awsat, were reproduced in Mideast Mirror

the same day.]

1. The peace conference and the talks that follow must be based on Security Council Resolutions 242 and 338.

2. The object of the conference is to prepare for direct bilateral Arab-Israeli talks within two days and also for multilateral talks within two weeks. The bilateral talks will run on two parallel tracks: direct talks between Israel and the neighboring states, and direct talks between Israel and "the Palestinians."

3. The U.S. intends to work actively towards a comprehensive settlement of the Arab-Israeli conflict and do everything it can to keep the two-track process going in that direction. The U.S. is not an advocate of linkage between the "various forms of negotiations," but believes that speedy action in all negotiations to arrive at an agreement is needed and would serve the interests of a comprehensive settlement.

4. The conference will convene under U.S.-Soviet auspices and can reconvene with the approval of all parties.

5. The role of the UN consists in the dispatch by the UN secretary-general of a representative to attend the conference as an observer.

The U.S. and the USSR will keep the secretary-general informed of the progress of the negotiations. Any agreements reached by the parties will be registered at the UN secretariat and communicated to the Security Council, whose endorsement will be sought by the participating parties. The U.S., cognizant of all parties' interests in the success of this process, will not, as long as the process is actively under way, support any parallel or conflicting action by the Security Council.

6. The final settlement can be reached only on the basis of mutual concessions during the negotiations. The U.S. will throughout these negotiations continue to be committed to the fact that Security Council Resolution 242 and the land-for-peace principle are applicable to all fronts, including the Golan Heights.

7. The U.S. does not intend to recognize or accept any unilateral action on the part of Israel vis-à-vis the extension of its laws, sovereignty or administration to the territory of the Golan Heights.

8. The U.S. will continue to oppose Israeli settlement activity in the territories occupied in 1967, which remains an obstacle to peace.

9. The U.S. is prepared to serve as guarantor of the security of whatever borders Israel and Syria agree on.

10. The U.S. will continue to act as a mediator that genuinely seeks a settlement of the Arab-Israeli conflict on the basis of recognition of all the parties' "needs and requirements." The U.S. and the USSR will remain the "moving force" in this process to help the parties make progress towards a comprehensive peaceful settlement.

The U.S. and USSR are ready to remain in constant touch with any of the parties at any time, and the U.S. is also ready to participate in the negotiations in any of their stages with the approval of the parties involved.

C. U.S. Letter of Assurances to Lebanon

[*The following summary, reported in the London-based Lebanese daily al-Hayat, was translated in Mideast Mirror on 16 October.*]

- An assurance that Security Council Resolution 425, which calls for an Israeli withdrawal from Lebanon, has nothing to do with resolution 242 and will be treated as a separate issue.
- An assurance that the withdrawal of Israeli troops and the withdrawal of Syrian troops from Lebanon are two separate issues, the former addressed by resolution 425 and the latter by the Taef agreement, which also calls for the withdrawal of all non-Lebanese forces from Lebanon.

D. U.S. Letter of Assurances to Israel

[*The Jerusalem Post on 16 October listed what it reported to be all the clauses of the 17-point Letter of Assurances to Israel. The list was reproduced in Mideast Mirror the same day.*]

1. The U.S. sees the objective of the Middle East negotiations as the attainment of genuine peace and reconciliation between the peoples of the region, accompanied by peace treaties and full diplomatic relations.

2. The opening conference will have no power to make decisions, hold votes or impose positions.

3. Negotiations will be direct only.

4. The U.S. will not support linkage between the various bilateral negotiations.

5. No party need sit with another party against its wishes.

6. The U.S. has no intention of bringing about a dialogue between Israel and the PLO or negotiations between them.

7. Palestinians taking part in negotiations must be resident of the West Bank or the Gaza Strip who accept phased direct negotiations in two tracks and are ready to live at peace with Israel.

8. The U.S. will not support the creation of an independent Palestinian state.

9. Israel holds its own interpretation of Security Council Resolution 242, alongside other interpretations.

10. Israel is entitled to secure and defensible borders.

11. The U.S. will take steps to enlarge the circle of peace in the Middle East.

12. The U.S. will take steps to bring the Arab economic boycott to an end and to have UN Resolution 3379 equating Zionism and racism annulled.

13. The U.S. will consult closely with Israel and show due consideration for Israel's positions in the peace process.

14. The U.S. reconfirms ex-president Gerald Ford's written commitment to ex-premier Yitzhak Rabin of September 1975 regarding the importance of the Golan Heights to Israel's security.

15. The U.S. would be ready to give its own guarantees to any border agreed upon between Israel and Syria.

16. Israel is entitled to a secure border with Lebanon and Security Council Resolution 425 on Lebanon must be implemented in a manner assuring the stability and security of the border.

17. The U.S. is committed to Israel's security and to the maintenance of Israel's qualitative edge.

II. U.S.-Soviet Letter of Invitation to Peace Talks in Madrid, 18 October 1991.

[*The following is the full text of the invitation to the Madrid peace conference jointly issued by U.S. Secretary of State James Baker and Soviet Foreign Minister Boris Pankin to Israel, Syria, Jordan, Lebanon, and the Palestinians. A text of the invitation was made available by al-Hayat to the Mideast Mirror, which published it on 21 October 1991.*]

18 October 1991

Your Excellency:

On behalf of President Gorbachev and President Bush, we are very pleased to convey the attached invitation. After extensive consultations with Israel, Arab states, and the Palestinians, we have concluded that an historic opportunity exists to advance the prospects for genuine peace throughout the region. The United States and the Soviet Union are deeply committed to helping the parties realize this opportunity.

We look forward to working with you closely in this historic endeavor, and count on your continuing support and active participation.

To facilitate preparations for the confer-

ence and ensuring negotiations, we urgently request your positive response as soon as possible, but no later than 6:00 P.M. Washington time, 23 October.

Sincerely,

*James A. Baker, III
Boris Dmitriyevich Pankin*

Invitation

After extensive consultations with Arab states, Israel, and the Palestinians, the United States and the Soviet Union believe that an historic opportunity exists to advance the prospects for genuine peace throughout the region. The United States and the Soviet Union are prepared to assist the parties to achieve a just, lasting and comprehensive peace settlement, through direct negotiations along two tracks, between Israel and the Arab states, and between Israel and the Palestinians, based on United Nations Security Council Resolutions 242 and 338. The objective of this process is real peace.

Toward that end, the president of the U.S. and the president of the USSR invite you to a peace conference, which their countries will co-sponsor, followed immediately by direct negotiations. The conference will be convened in Madrid on 30 October 1991.

President Bush and President Gorbachev request your acceptance of this invitation no later than 6 P.M. Washington time, 23 October 1991, in order to ensure proper organization and preparation of the conference.

Direct bilateral negotiations will begin four days after the opening of the conference. Those parties who wish to attend multilateral negotiations will convene two weeks after the opening of the conference to organize those negotiations. The co-sponsors believe that those negotiations should focus on region-wide issues such as arms control and regional security, water, refugee issues, environment, economic development, and other subjects of mutual interest.

The co-sponsors will chair the conference which will be held at ministerial level. Governments to be invited include Israel, Syria, Lebanon and Jordan. Palestinians will be invited and attend as part of a joint Jordanian-Palestinian delegation. Egypt will be invited to the conference as a participant. The European Community will be a participant in the conference, alongside the United States and the Soviet Union and will be represented by its presidency. The Gulf Cooperation Council will be invited to send its secretary-general to

the conference as an observer, and GCC member states will be invited to participate in organizing the negotiations on multilateral issues. The United Nations will be invited to send an observer, representing the secretary-general.

The conference will have no power to impose solutions on the parties or veto agreements reached by them. It will have no authority to make decisions for the parties and no ability to vote on issues or results. The conference can reconvene only with the consent of all the parties.

With respect to negotiations between Israel and Palestinians who are part of the joint Jordanian-Palestinian delegation, negotiations will be conducted in phases, beginning with talks on interim self-government arrangements. These talks will be conducted with the objective of reaching agreement within one year. Once agreed the interim self-government arrangements will last for a period of five years. Beginning the third year of the period of interim self-government arrangements, negotiations will take place on permanent status. These permanent status negotiations, and the negotiations between Israel and the Arab states, will take place on the basis of resolutions 242 and 338.

It is understood that the co-sponsors are committed to making this process succeed. It is their intention to convene the conference and negotiations with those parties who agree to attend.

The co-sponsors believe that this process offers the promise of ending decades of confrontation and conflict and the hope of a lasting peace. Thus, the co-sponsors hope that the parties will approach these negotiations in a spirit of good will and mutual respect. In this way, the peace process can begin to break down the mutual suspicions and mistrust that perpetuate the conflict and allow the parties to begin to resolve their differences. Indeed, only through such a process can real peace and reconciliation among the Arab states, Israel and the Palestinians be achieved. And only through this process can the peoples of the Middle East attain the peace and security they richly deserve.

III. Delegations to Madrid

[The biographical information about the various participants was taken from FBIS and Mideast Mirror.]

A. Palestinian-Jordanian Delegation

[Israel's refusal to talk with Palestinians ex-

cept within the framework of a Jordanian delegation resulted in the formation of a joint Jordanian-Palestinian negotiating team. Although the joint delegation, like the others, was to have fourteen members, a formula was devised whereby the Jordanians and the Palestinians would each appoint fourteen delegates, seven of whom would sit at the negotiating table at one time.]

A.1. Palestinian Delegation and Steering Committee

[Israel posed as a further condition to its participation in the talks that the Palestinians had to be residents of the West Bank (excluding East Jerusalem) or Gaza Strip and have no formal links with the PLO, and that the PLO would have no role in the selection process. While Israel closed its eyes to the fact that this latter condition was ignored, the former was complied with in the delegation's composition.

In order to give a formal role to categories of Palestinians whose presence on the delegation was rejected by Israel—and notably to some of the leading figures that had been meeting over the past months with Secretary of State James Baker—a steering committee was set up of seven members, four from Jerusalem and three from the diaspora; Israel expressed unhappiness that the steering committee members also received formal invitations to attend the conference. The members of the delegation and steering committee are as follows:]

Haydar Abd al-Shafi, 72, head of the delegation. A leading nationalist from Gaza; a physician by training and head of the Palestinian Red Crescent Society in Gaza; a founding member of the Palestine National Congress and its first deputy speaker in May 1964. Twice deported for three months each (in 1967 and 1970); long associated with the Palestinian left.

Samir Abdallah, 41, economics professor at Najah University; close to the Palestine Communist Party.

Fraih Abu-Meddain, 47, head of Gaza Bar Association; pro-Fateh.

Zakariya al-Agha, 49, an internist and head of the Arab Medical Association in Gaza; a principal member of the Palestinian delegation meeting with Secretary Baker. Has been in prison, under town arrest, travel ban, and administrative detention; pro-Fateh.

Mamduh al-Aker, 48, a surgeon and urologist from Nablus but practicing in Ramallah; an independent activist with close ties to

Faisal Husseini and Hanan Ashrawi.

Saeb Ereikat, 36, a professor of political science at Najah University in Nablus; pro-Fateh.

Elias Freij, 71, mayor of Bethlehem since 1972—the only remaining elected mayor in the occupied territories who has not been deposed. Considered close to Jordan.

Abderrahman Hamad, 45, originally from Gaza; dean of the Faculty of Engineering at Bir Zeit University in the West Bank; pro-Fateh.

Nabil Ja'bari, 45, a dental surgeon and chairman of the Board of Trustees of Hebron University; imprisoned for two months in 1988.

Sameh Kanaan, 38, employee of Nablus Chamber of Commerce; spent thirteen years in Israeli prison until 1985 prisoner exchange between Israel and PFLP-GC; pro-Fateh.

Nabil Kassis, 44, physics professor at Bir Zeit University and the university's vice-president for academic affairs.

Ghassan Khatib, 36, a professor of economic development at Bir Zeit University; founder of Jerusalem Media Communications Center in Jerusalem; spent four years in prison; close to the Palestine Communist Party.

Sami Kilani, 42, a physics professor at Najah University in Nablus; a poet and writer and board member of the Palestinian Writers' Union; spent three years in prison; close to the Democratic Front for the Liberation of Palestine (DFLP) (Abd Rabbuh faction).

Mustafa Natsheh, 52, an engineer, elected as deputy mayor of Hebron in 1976; succeeded the elected mayor, Fahd Kawasme, when the latter was deported in 1980; himself deposed by Israeli authorities in 1983; pro-Fateh.

Steering Committee

Faisal Husseini, 51, head of the steering committee and preeminent Palestinian leader in the occupied territories; headed the Palestinian delegations meeting with Secretary Baker over the last months (barred from the delegation as an East Jerusalemite). Founder and head of Arab Studies Society, Jerusalem; served a year in Israeli prison and numerous administrative detention terms; pro-Fateh.

Hanan Ashrawi, 45, spokesperson for the delegation; one of the leading members of the Palestinian delegation meeting with Secre-

tary Baker (barred from the Madrid delegation because she holds a Jerusalem I.D.); professor of English literature at Bir Zeit University.

Zahira Kamal, 45, an East Jerusalem teacher and head of Women's Action Committees; close to DFLP (Abd Rabbuh faction).

Anis Kassem, 52, an expert in international law living in Amman; chief editor of the *Palestine Yearbook of International Law*.

Rashid Khalidi, 42, professor of Middle East history at the University of Chicago, formerly taught at Columbia University and American University of Beirut; author of several books and many articles on the Middle East.

Camille Mansour, 46, professor of political science at the Sorbonne (Paris I); author of a number of books; former director of research at the Institute for Palestine Studies, Beirut.

Sari Nusseibeh, 42, professor of philosophy at Bir Zeit University and resident of East Jerusalem; a leading pro-PLO moderate; author; co-founder of several public affairs bodies in the occupied territories.

A.2. Jordanian Delegation

[The inclusion on the Jordanian delegation of two diaspora Palestinians from Jerusalem, Walid Khalidi and Anwar Khatib, was widely reported as a means of circumventing Israel's veto of these categories in the Palestinian delegation.]

Kamil Abu Jaber, foreign minister and head of delegation; former professor of political science.

Abdel Salam Majali, head of delegation for the bilateral talks; former advisor to King Hussein and former minister of health and education.

Muhammad al-Adwan, ambassador to the Soviet Union.

Fuad Ayyoub, King Hussein's press secretary, ambassador to Great Britain.

Adnan al-Bakhit, historian and vice president of Jordan University, head of its center for maps and documents and former head of its strategic studies center.

Muhammad Bani-Hani, head of the Jordan Valley Authority and an expert on water issues.

Musa Breizat, a strategist and political researcher at the Royal Court.

Talal al-Hassan, ambassador to Belgium and the European Community.

Ghassan al-Jundi, international law expert.

Awwad Khalidi, ambassador to France.

Walid Khalidi, research fellow at Harvard Uni-

versity's Center for Middle East Studies and historian of the Palestine question; co-founder of Institute for Palestine Studies in Beirut and the Royal Scientific Society in Amman; born in Jerusalem with Jordanian and U.S. passports.

Aoun Khasawneh, legal advisor to Crown Prince Hassan and an expert on international law.

Anwar Khatib, governor of East Jerusalem from 1966 until Jordan relinquished its ties with the West Bank in 1988.

Abdelhafez Mar'ei, army general and head of the military intelligence department.

B. Syrian Delegation

Faruk al-Sharaa, foreign minister and head of delegation.

Muwaffak al-Allaf, chief negotiator; former ambassador (retired).

Zuheir Akkad, ambassador to Spain.

Ahman Arnous, head of the foreign minister's office.

Brigadier Rizkallah Elias, university professor.

Saber Falhout, head of the Syrian Journalists' Union.

Dia'eddin Fattal, ambassador to the United Nations.

Nasrat Mulla Haidar, member of the Supreme Court.

Zakariya Ismail, former ambassador (retired).

Najdi al-Jazzar, head of the international organizations department of the Foreign Ministry.

Muhammad Khadr, ambassador to Great Britain.

Ahmad Fat'hi al-Masri, ambassador to the UN in Geneva.

Maj. General Adnan Tayyara, head of the Syrian delegation to the Mixed Armistice Commission.

Walid al-Mu'allim, ambassador to the United States.

C. Lebanese Delegation

Faris Bouez, foreign minister and head of delegation.

Naji Abu-Assi, ambassador to Senegal.

Isabella Edde, information advisor.

Elias Haddad, foreign ministry advisor.

Abbas Hamiyeh, former ambassador to Spain.

Mahmoud Hammoud, ambassador to Great Britain.

Zafer al-Hassan, director of political affairs at the Foreign Ministry.

Yusuf Istanyus, counselor.

Judge Antoine Khair, State Consultative Council.

Ja'far Ma'awi, head of economic affairs at the

Foreign Ministry.
Ambassador Samir Mubarak, attached to the Central Administration in Beirut.
Ambassador Jihad Murtada, head of the Center for Legal Research and Studies at the Foreign Ministry.
Ghassan Salameh, a writer on Middle East affairs.
Suhail Shammas, secretary general of the Foreign Ministry.

D. Egyptian Delegation

[The presence on the Egyptian delegation of a number of members known for their anti-Israel, pro-PLO sentiments was much remarked upon.]

'Amr Musa, foreign minister and head of delegation.
Ahmad Abul-Gheit, served at the embassy in Washington and was a member of the Camp David negotiating team.
Mahmud Abu Nasr, former permanent representative to the Arab League.
Salah Amer, professor of international law at Cairo University and member of Egypt's legal team during the Taba dispute.
Ali Eddin Hilal Dessouki, head of Cairo University's Center for Political Research and Studies; associated with the al-Ahram Center for Political and Strategic Studies; has written extensively on the Palestine question and the Arab-Israeli conflict.
Nabil Fahmi, member of foreign minister's cabinet; son of Ismail Fahmi.
Ahmad Fakhr, retired general and former chief of Egypt's military intelligence.
Waguih Hamdi, director of the Arab East department at the Foreign Ministry.
Qadri Hefni, a psychology professor at Ain al-Shams University and author of several studies on the Arab-Israeli conflict.
Lotfi al-Kholi, a leading political writer, former chief editor of *al-Tali'a* and weekly columnist in *al-Ahram*.
Yunan Labib Rizk, professor of modern history at Ain al-Shams; has written extensively on Israel, Zionism, and the Palestine problem.
Reda Shehata, director of the Foreign Minister's Bureau.
Ramzi al-Shaer, a prominent jurist and president of Zaqaziq University.

E. Israeli Delegation

Yitzhak Shamir, prime minister and head of delegation.
Yossi Ben-Aharon, Prime Minister Shamir's chief of staff, expected to lead bilateral negotiations with Syria.

Elyakim Rubinstein, cabinet secretary, expected to lead bilateral negotiations with the Jordanian-Palestinian delegation.
Asad Asad, special advisor to the prime minister on Druze affairs.
Shlomo Ben-Ami, deputy director-general of the Foreign Ministry in charge of North American affairs.
Eliahu Ben-Elissar, head of Knesset's Foreign Affairs and Defense Committee; first Israeli ambassador to Egypt.
Eytan Ben Tsur, ambassador to Spain.
Sarah Doron, chairwoman of the Likud faction in the Knesset.
Joseph Hadass, acting director-general of the Foreign Ministry.
Uzi Landau, Likud MK.
Salai Meridor, advisor to Defense Minister Moshe Arens.
Yekutiel Mor, brigadier general; a senior official in Defense Ministry.
Benyamin Netanyahu, former deputy foreign minister and former Israeli ambassador to the UN.
Zalman Shoval, ambassador to the United States.

IV. Israeli Prime Minister Yitzhak Shamir's Letter to Secretary of State Baker, Jerusalem, 28 October 1991 (main points).

[Two days before leaving for the Madrid conference, Prime Minister Shamir sent Secretary Baker a two-page letter explaining Israel's basic positions on a Palestinian state, Jerusalem, interim arrangements, and the border issue. Excerpts from the letter were first published in *Yedi'ot Aharonot* on 30 October; the following day *Hadashot* published an account of what it claimed to be a more complete version, involving nine clauses. FBIS translated the *Hadashot* report on 31 October.]

1. Israel calls on the United States to voice its opposition to a Jordanian-Palestinian confederation because there is no difference between such a confederation and an independent Palestinian state. (In other words, the Americans are expected to renege on a promise they gave on that issue to the Palestinians).

2. Jerusalem is not up for discussion. No East Jerusalem inhabitant can participate in the discussions on the future of Jerusalem. (In other words, this is a new demand that the two East Jerusalem delegates in the Jordanian delegation not participate in the negotiations).

3. Israel is not bound by promises the United States made in its letters of assurances to the Arab sides in the negotiations.

4. Israel adopts the Camp David Accords in toto and whoever does not adopt them in toto cannot make use of isolated components of the accords.

5. Progress in the bilateral and multilateral talks will be simultaneous, and any progress within one framework will be linked to progress in the other.

6. The goal of the peace talks is a peace treaty.

7. Israel disqualifies anybody appointed or authorized by the PLO or anybody who presents himself as a representative of that organization.

8. The United States will ensure that the Palestinian delegation does not operate as an independent delegation.

9. Israel demands that an effort be made to adopt most of the components of the 1983 peace treaty between Israel and Lebanon.

V. Opening Addresses in Madrid

A. U.S. President George Bush, 30 October 1991 (excerpts).

[President Bush's address was made available by the Office of the Press Secretary at the White House.]

... Peace will only come as the result of direct negotiations, compromise, give-and-take. Peace cannot be imposed from the outside by the United States or anyone else. While we will continue to do everything possible to help the parties overcome obstacles, peace must come from within.

We come here to Madrid as realists. We do not expect peace to be negotiated in a day, or a week, or a month, or even a year. It will take time; indeed, it should take time—time for parties so long at war to learn to talk to one another, to listen to one another. Time to heal old wounds and build trust. In this quest, time need not be the enemy of progress.

What we envision is a process of direct negotiations proceeding along two tracks, one between Israel and the Arab states; the other between Israel and the Palestinians. Negotiations are to be conducted on the basis of UN Security Council Resolutions 242 and 338.

The real work will not happen here in the plenary session, but in direct bilateral negotiations. This conference cannot impose a settlement on the participants or veto agreements; and just as important, the conference

can only be reconvened with the consent of every participant. Progress is in the hands of the parties who must live with the consequences.

Soon after the bilateral talks commence, parties will convene as well to organize multilateral negotiations. These will focus on issues that cross national boundaries and are common to the region: arms control, water, refugee concerns, economic development. Progress in these fora is not intended as a substitute for what must be decided in the bilateral talks; to the contrary, progress in the multilateral issues can help create an atmosphere in which long-standing bilateral disputes can more easily be settled.

For Israel and the Palestinians, a framework already exists for diplomacy. Negotiations will be conducted in phases, beginning with talks on interim self-government arrangements. We aim to reach agreement within one year. And once agreed, interim self-government arrangements will last for five years; beginning the third year, negotiations will commence on permanent status. No one can say with any precision what the end result will be; in our view, something must be developed, something acceptable to Israel, the Palestinians, and Jordan, that gives the Palestinian people meaningful control over their own lives and fate and provides for the acceptance and security of Israel.

We can all appreciate that both Israelis and Palestinians are worried about compromise, worried about compromising even the smallest point for fear it becomes a precedent for what really matters. But no one should avoid compromise on interim arrangements for a simple reason: nothing agreed to now will prejudice permanent status negotiations. To the contrary, these subsequent negotiations will be determined on their own merits.

Peace cannot depend upon promises alone. Real peace—lasting peace—must be based upon security for all states and peoples, including Israel. For too long the Israeli people have lived in fear, surrounded by an unaccepting Arab world. Now is the ideal moment for the Arab world to demonstrate that attitudes have changed, that the Arab world is willing to live in peace with Israel and make allowances for Israel's reasonable security needs.

We know that peace must also be based on fairness. In the absence of fairness, there will be no legitimacy—no stability. This applies above all to the Palestinian people, many of whom have known turmoil and frustration above all else. Israel now has an opportunity to demonstrate that it is willing to

enter into a new relationship with its Palestinian neighbors; one predicated upon mutual respect and cooperation.

Throughout the Middle East, we seek a stable and enduring settlement. We've not defined what this means; indeed I make these points with no map showing where the final borders are to be drawn. Nevertheless, we believe territorial compromise is essential for peace. Boundaries should reflect the quality of both security and political arrangements. The United States is prepared to accept whatever the parties themselves find acceptable. What we seek, as I said on 6 March, is a solution that meets the twin tests of fairness and security. . . .

To succeed, we must recognize that peace is in the interest of all parties—war, absolute advantage of none. The alternative to peace in the Middle East is a future of violence and waste and tragedy. . . .

Today, we can decide to take a different path to the future—to avoid conflict. I call upon all parties to avoid unilateral acts, be they words or deeds, that would invite retaliation or, worse yet, prejudice or even threaten this process itself. I call upon all parties to consider taking measures that will bolster mutual confidence and trust—steps that signal a sincere commitment to reconciliation.

I want to say something about the role of the United States of America. We played an active role in making this conference possible; both the secretary of state, Jim Baker, and I will play an active role in helping the process succeed. Toward this end, we've provided written assurances to Israel, to Syria, to Jordan, Lebanon, and the Palestinians. In the spirit of openness and honesty, we will brief all parties on the assurances that we have provided to the other. We're prepared to extend guarantees, provide technology and support, if that is what peace requires. And we will call upon our friends and allies in Europe and in Asia to join with us in providing resources so that peace and prosperity go hand in hand.

Outsiders can assist, but in the end, it is up to the peoples and governments of the Middle East to shape the future of the Middle East. It is their opportunity and it is their responsibility to do all that they can to take advantage of this gathering, this historic gathering, and what it symbolizes and what it promises.

No one should assume that the opportunity before us to make peace will remain if we fail to seize the moment. Ironically, this is an opportunity born of war—the destruction of past wars, the fear of future wars. The time

has come to put an end to war—the time has come to choose peace. . . .

B. Soviet President Mikhail Gorbachev, 30 October 1991 (excerpts).

[The following excerpts, taken from the full text of President Gorbachev's speech translated in FBIS on 30 October, relate to the Middle East. The bulk of the address was taken up with the situation of the Soviet Union.]

. . . Let me say a few words about the role of the two powers whose presidents are now before you as cochairmen of the conference. It was the will of history that unless there had been an improvement and then a radical change in Soviet relations we would not have witnessed the profound qualitative transformations in the world that now make it possible to speak of an entirely new period, a period of peace in world history. Movement in that direction has begun.

The fact that a realistic hope has emerged for an Arab-Israeli settlement can only be understood in this context.

Cooperation between the two powers and other members of the UN Security Council was indispensable to stop the aggression against Kuwait and to reaffirm the effectiveness of the new criteria in international relations. Right after that, just as was agreed between President Bush and me early in September 1990 at our Helsinki meeting on the subject of the Gulf war, vigorous joint efforts began, aimed at achieving a Middle East settlement.

All that we and the Americans have done to that end signifies that proper conclusions have been drawn from the Gulf war. Our joint participation in the process of settlement was prompted by a desire to offer our good offices, not to impose solutions from outside that would run counter to the national interests of states in the region.

Thus, as a result of major bilateral and multilateral efforts, a signal was sent to the parties involved in the conflict that they need to negotiate, to work together toward finding a realistic balance of interests which alone may form the foundation of a durable peace.

Today we have a unique chance. It would be unforgivable to miss this opportunity. Success is in everybody's interest not only because the rights of the peoples and nations and of individuals are increasingly recognized today as a universal foundation of the world order, but also for another reason of particular urgency and gravity. The Middle East has become one of the most heavily armed regions of the world, where lethal weapons and

nuclear technologies are spreading and where other weapons of mass destruction are also present.

This is a justified cause for alarm. The international community is entitled to expect that this conference will come up with decisions that will put to rest this concern. In my view, the conference can only succeed if no one seeks a victory over the other side but all seek a common victory over the cruel past. I am speaking of peace, rather than a cessation of the state of war. A durable peace implies the realization of and respect for the rights of the Palestinian people.

We have restored diplomatic relations with Israel. Now that profound democratic changes are taking place in our country and in the world and that a real process of settlement of the Middle East crisis is getting underway, the absence of such relations was becoming a nonsense. We hope and will try to make sure that this would benefit the peoples of our two countries, and the entire Arab world.

Peace in the Middle and Near East would benefit all. The region has a vast potential. Turned to constructive pursuits, it will help not only to resolve the problems of the nations that live there but will also become an important pillar of global international progress and prosperity.

We must break the fetters of the past and do away with animosity, militarism, terrorism, hostage-taking, and actions that turn people into refugees.

Our country, as a participant in the Middle East [peace] process and a neighbor that has maintained long-standing and extensive ties with the nations of the region, has a special interest in the success of this conference.

The pace and methods of resolving problems that have emerged at the present stage of world development will have a strong bearing on the settlement of conflicts in the Middle East and elsewhere. . . .

C. EC Representative, Dutch Foreign Minister Hans van den Broek, 30 October 1991 (excerpts).

[Foreign Minister van den Broek, whose country holds the revolving six-month EC presidency, addressed the conference in the EC's capacity as observer. His speech, in English, was carried in its entirety in FBIS on 31 October.]

. . . The Twelve consider that it is of the greatest importance that the sides have committed themselves to accepting the timetable outlined for this conference—direct negotiations on the basis of UN Resolutions 242 and 338

in two ways, between Israel and the Palestinians on one side and between Israel and her Arab neighbors on the other. Political negotiations should be consolidated by multilateral talks on the basis of regional cooperation in different spheres of mutual interest.

We hope and intend to work closely with all sides to guarantee progress, according to these criteria. Taking into account geographical proximity, a greatly shared historic patrimony, and the intense political, cultural, economic, and humanitarian relations with the people of the Middle East, the Community and its member states cannot but have a great interest in the region's future, with which it shares so many things. Furthermore, we want to share in this building of peace. The Twelve's guiding principles throughout all negotiations are those which, for so long, have guided our position. They continue to be the same. These principles are: UN Security Council Resolutions 242 and 338; the principle of land for peace; the right of all states of the region, including Israel, to live within secure and recognized borders; and the correct expression of the right to self-determination of the Palestinian people. Our positions on matters related to the occupied territories, including East Jerusalem, are also well known.

In our view, a global solution should include these very principles, but we do not pretend to give a recipe as to how they should be applied. What is essential now, at the beginning of this conference, is that the way should be open for substantial progress. That is why it is essential for measures to be approved to build confidence. They will contribute to the creation of a stable environment, which is what progress in these negotiations requires. A halt to Israel's settlement activity in the occupied territories is an essential contribution of this type. A rejection of the Arab trade boycott of Israel is another prerequisite.

Regarding the situation in the occupied territories, it is important for both sides now to show a certain self-control and that Israel should respect the articles of the fourth Geneva Convention. We hope that there will be a tangible improvement in the situation in the occupied territories, even before the application of provisional or other agreements. . . .

D. Head of the Egyptian Delegation, Foreign Minister 'Amr Musa, 30 October 1991 (excerpts).

[The Egyptian foreign minister's speech, much commented upon in Israel for what was perceived

as its hardline tone, was broadcast live in Arabic on Cairo Egyptian Space Channel and translated in FBIS on 31 October.]

... The peace which we strive to establish, consolidate, and guarantee must accord with the land-for-peace formula in Security Council Resolution 242, which has unambiguously confirmed the UN Charter's firmly established principle stipulating that seizing land by force is inadmissible, and which guarantees all states' right to live in peace and security.

This peace has its own components, pillars, and elements. It means right for right, commitment for commitment, and security for security. This alone, we are confident, would achieve the dictum: Peace for peace.

It is inconceivable that principles the world has endorsed and approved can be subject to negotiation, interpretation, or one-upmanship. Withdrawal from the territories that have been occupied since 1967—the West Bank, including East Jerusalem, Gaza, and the Syrian Golan Heights in implementation of Security Council Resolution 242; and from southern Lebanon in implementation of Security Council Resolution 425—is the right approach to establish a genuine peace based on justice and dignity. Recognition of the Palestinian people's right is the primary guarantee to peaceful coexistence between Israel and Palestinians and all Arabs everywhere.

The Arabs have not come to concede rights that enjoy recognition and support under international law, the principles of justice, and the UN Charter and resolutions. Nor have they come to relinquish obligations they must implement in accordance with the same laws and principles. They have come in good faith and mutual confidence to search for common ground and acceptable formulas that respond to concerns, reconcile the various demands, and achieve agreement on arrangements and methods that will secure justly and equitably the legitimate needs of all parties without infringing on the rights of any party. We call on Israel to take the same approach.

The launching of the historic peace process must not stumble through hurdles that may obstruct its progress toward a comprehensive and permanent settlement. A number of basic requirements must be secured and respected:

1. The Palestinian people's legal status cannot be contested. The Palestinian people are not merely inhabitants or residents in conquered land (*aradi majtuhah*), but they have their own distinguished national

character with the same characteristics as all other peoples.

2. The West Bank, Gaza, and the Syrian Golan Heights are occupied territory subject to full implementation of Security Council Resolution 242 and the Geneva agreements. These are not conquered land or promised land. The territories have their legal owners. Claims that are not based on principles of legitimacy and international law have no place in today's world.

3. The settlements being established in the occupied territories since 1967 are illegal, and further settlements will prevent any possible progress toward genuine peace and will cast doubt on the credibility of the process itself. They must be stopped so that they will not obstruct the peace process or destroy the foundations of the negotiations.

4. Jerusalem has its own situation. It must remain free, open, and holy to all Muslims, Christians, Jews, and other peoples. The force of occupation must not exercise any illegal exploitation of or sovereignty over the holy city. The unilateral decisions made by the occupation authority to annex the city are decisions we consider without any credibility; the situation of the city must thus be subject to negotiations and be decided through agreement within the framework of legitimacy formulated by the resolutions on which the international community concurred.

The Arab-Israeli conflict is essentially based on the Palestinian-Israeli conflict, with any movement or progress in it depending on a settlement of the Palestinian problem—land and rights. But it also requires Israel's ending its 1967 occupation of Syrian territory and withdrawing to Syria's international border.

Our march toward this must be reasoned and wise, aiming for justice and fairness. It must accommodate equal rights and obligations and be based on international legality and a correct, conscientious understanding of history.

The peace conference marks a new watershed in Middle East history, gathering yesterday's enemies and foes at one meeting, seeking to cement the wide cracks between them. It embodies the people's aspiration and desire for peace, and we are hopeful that the conference, and the peace process it will create, will settle the historic Arab-Israeli struggle.

E. Head of the Israeli Delegation, Prime Minister Yitzhak Shamir, 31 October

1991 (excerpts).

[Prime Minister Shamir's address, carried live in English over Jerusalem Israel Television Network, was reproduced in FBIS on 31 October.]

. . . Ladies and gentlemen, to appreciate the meaning of peace for the people of Israel, one has to view today's Jewish sovereignty in the Land of Israel against the background of our history. Jews have been persecuted throughout the ages in almost every continent. Some countries barely tolerated us; others oppressed, tortured, slaughtered, and exiled us. This century saw the Nazi regime set out to exterminate us. The Shoah—the Holocaust, the catastrophic genocide of unprecedented proportions which destroyed a third of our people—became possible because no one defended us. Being homeless, we were also defenseless. But it was not the Holocaust which made the world community recognize our rightful claim to the Land of Israel. In fact, the rebirth of the State of Israel so soon after the Holocaust has made the world forget that our claim is immemorial. We are the only people who have lived in the Land of Israel without interruption for nearly 4,000 years. We are the only people, except for a short Crusader kingdom, who have had an independent sovereignty in this land. We are the only people for whom Jerusalem has been a capital. We are the only people whose sacred places are only in the Land of Israel. No nation has expressed its bond with its land with as much intensity and consistency as we have. For millennia, our people repeated at every occasion the cry of the psalmist: If I forget thee, Jerusalem, may my right hand lose its cunning. For millennia, we have encouraged each other with the greeting: Next year in Jerusalem. For millennia, our prayers, literature, and folklore have expressed powerful longing to return to our land. Only Eretz Yisra'el, the Land of Israel, is our true homeland.

Any other country, no matter how hospitable, is still a diaspora, a temporary station on the way home. To others, it was not an attractive land; no one wanted it. Mark Twain described it only 100 years ago as a desolate country which sits in sackcloth and ashes—a silent, mournful expanse which not even imagination can grace with the pomp of life.

The Zionist movement gave political expression to our claim to the Land of Israel, and in 1922, the League of Nations recognized the justice of this claim. They understood the compelling historic imperative of establishing a Jewish homeland in the Land

of Israel. The United Nations organization reaffirmed this recognition after World War II.

Regrettably, the Arab leaders, whose friendship we wanted most, opposed a Jewish state in the region. With a few distinguished exceptions, they claimed that the Land of Israel is part of the Arab domain that stretches from the Atlantic to the Persian Gulf. In defiance of international will and legality, the Arab regimes attempted to overrun and destroy the Jewish state even before it was born. The Arab spokesmen at the United Nations declared that the establishment of a Jewish state would cause a bloodbath which would make the slaughters of Genghis Khan pale into insignificance. In its declaration of independence on 15 May 1948, Israel stretched out its hand in peace to its Arab neighbors, calling for an end to war and bloodshed. In response, seven Arab states invaded Israel. The UN resolution that partitioned the country was thus violated and effectively annulled.

The United Nations did not create Israel. The Jewish state came into being because the tiny Jewish community in what was Mandatory Palestine rebelled against foreign imperialist rule. We did not conquer a foreign land; we repulsed the Arab onslaught, prevented Israel's annihilation, declared its independence, and established a viable state and government institutions within a very short time.

After their attack on Israel failed, the Arab regimes continued their fight against Israel with boycott, blockade, terrorism, and outright war. Soon after the establishment of Israel, they turned against the Jewish communities in Arab countries. A wave of oppression, expropriation, and expulsion caused a mass exodus of some 800,000 Jews from lands they had inhabited from before the rise of the Islam. Most of the Jewish refugees, stripped of their considerable possessions, came to Israel. They were welcomed by the Jewish state, they were given shelter and support, and they were integrated into Israeli society, together with half a million survivors of the European Holocaust.

The Arab regimes' rejection of Israel's existence in the Middle East and the continuous war they have waged against it are part of history. There have been attempts to rewrite this history, which depicts the Arabs as victims and Israel as the aggressor. Like attempts to deny the Holocaust, they will fail. With the demise of totalitarian regimes in most of the world, this perversion of history will disappear.

In their war against Israel's existence, the Arab governments took advantage of the cold war. They enlisted the military, economic, and political support of the communist world against Israel, and they turned a local regional conflict into an international powder keg. This caused the Middle East to be flooded with arms, which fueled wars and turned the area into a dangerous battleground and a testing arena for sophisticated weapons.

At the UN, the Arab states mustered the support of other Muslim countries and the Soviet bloc. Together, they had an automatic majority for countless resolutions that perverted history, paraded fiction as fact, and made a travesty of the UN and its charter.

Arab hostility to Israel has also brought tragic human suffering to the Arab people. Tens of thousands have been killed and wounded; hundreds of thousands of Arabs who lived in Mandatory Palestine were encouraged by their own leaders to flee from their homes. Their suffering is a blot on humanity. No decent person—least of all a Jew of this era—can be oblivious to this suffering. Several hundreds of thousands of Palestinian Arabs live in slums known as refugee camps in Gaza, Judaea, and Samaria. Attempts by Israel to rehabilitate and house them have been defeated by Arab objections. Nor has their fate been any better in Arab states. Unlike the Jewish refugees who came to Israel from Arab countries, most Arab refugees were neither welcomed nor integrated by their hosts. Only the Kingdom of Jordan awarded them citizenship. Their plight has been used as a political weapon against Israel. The Arabs who have chosen to remain in Israel—Christian and Muslim—have become full-fledged citizens, enjoying equal rights and representation in the legislature, in the judiciary, and in all walks of life.

We, who over the centuries were denied access to our holy places, respect the religion of all faiths in our country. Our law guarantees freedom of worship and protects the holy places of every religion.

Distinguished cochairmen, ladies, and gentlemen. I stand before you today in yet another quest for peace—not only on behalf of the State of Israel, but in the name of the entire Jewish people that has maintained an unbreakable bond with the Land of Israel for almost 4,000 years. Our pursuit of accommodation and peace has been relentless. For us, the ingathering of Jews into their ancient homeland, their integration into our society, and the creation of the necessary infrastructure are at the very top of our national agenda.

A nation that faces such a gigantic chal-

lenge would most naturally desire peace with all its neighbors. Since the beginning of Zionism, we formulated innumerable peace proposals and plans. All of them were rejected. The first crack in the wall of hostility occurred in 1977, when the late President Anwar al-Sadat of Egypt decided to break the taboo and come to Jerusalem. His gesture was reciprocated with enthusiasm by the people and government of Israel, headed by Menahem Begin. This development led to the Camp David Accords and a treaty of peace between Egypt and Israel. Four years later, in May 1983, an agreement was signed with the lawful government of Lebanon. Unfortunately, this agreement was not fulfilled because of outside intervention. But a precedent was set, and we look forward to courageous steps, similar to those of Anwar al-Sadat. Regrettably, not one Arab leader has seen fit to come forward and respond to our call for peace.

Today's gathering is a result of a sustained American effort based on our own peace plan of May 1989, which in turn was founded on the Camp David Accords. According to the American initiative, the purpose of this meeting is to launch direct peace negotiations between Israel and each of its neighbors and multilateral negotiations on regional issues among all the countries of the region. We have always believed that only direct bilateral talks can bring peace. We have agreed to precede such talks with this ceremonial conference, but we hope that Arab consent to direct bilateral talks indicates an understanding that there is no other way to peace. In the Middle East, this has special meaning, because such talks imply mutual acceptance, and the root cause of the conflict is the Arab refusal to recognize the legitimacy of the State of Israel.

The multilateral talks that would accompany the bilateral negotiations are a vital component in the process. In these talks, the essential ingredients of coexistence and regional cooperation will be discussed. There cannot be genuine peace in our region unless these regional issues are addressed and resolved.

We believe the goal of the bilateral negotiations is to sign peace treaties between Israel and its neighbors and to reach an agreement on interim self-government arrangements with the Palestinian Arabs. But nothing can be achieved without goodwill. I appeal to the Arab leaders—those who are here and those who have not yet joined the process: Show us and the world that you accept Israel's existence. Demonstrate your readiness to accept

Israel as a permanent entity in the region. Let the people in our region hear you speak in the language of reconciliation, coexistence, and peace with Israel. In Israel, there is an almost total consensus for the need for peace. We only differ on the best ways to achieve it. In most Arab countries, the opposite seems to be true. The only differences are over the ways to push Israel into a defenseless position and, ultimately, to destruction. We would like to see in your countries an end to poisonous preachings against Israel. We would like to see an indication of the kind of hunger for peace which characterizes Israeli society.

We appeal to you to renounce the jihad against Israel; we appeal to you to denounce the PLO Covenant which calls for Israel's destruction; we appeal to you to condemn declarations that call for Israel's annihilation, like the one issued by the rejectionist conference in Tehran last week; we appeal to you to let Jews who wish to leave your countries go. And we address a call to the Palestinian Arabs: Renounce violence and terrorism. Use the universities in the administered territories, whose existence was made possible only by Israel, for learning and development, not agitation and violence. Stop exposing your children to danger by sending them to throw bombs and stones at soldiers and civilians.

Just two days ago, we were reminded that Palestinian terrorism is still rampant, when the mother of seven children and the father of four were slaughtered in cold blood. We cannot remain indifferent and be expected to talk with people involved in such repulsive activities.

We appeal to you to shun dictators like Saddam Hussein who aim to destroy Israel. Stop the brutal torture and murder of those who do not agree with you. Allow us and the world community to build decent housing for the people who now live in refugee camps. Above all, we hope you finally realize that you could have been at this table long ago, soon after the Camp David Accords were first concluded, had you chosen dialogue instead of violence, coexistence instead of terrorism.

Ladies and gentlemen, we come to this process with an open heart, sincere intentions, and great expectations. We are committed to negotiating without interruption, until an agreement is reached. There will be problems, obstacles, crises, and conflicting claims, but it is better to talk than to shed blood. Wars have not solved anything in our region; they have only caused misery, suffering bereavement, and hatred.

We know our partners to the negotiations

will make territorial demands on Israel but, as an examination of the conflict's long history makes clear, its nature is not territorial. It raged well before Israel acquired Judaea, Samaria, Gaza, and the Golan in a defensive war. There was no hint at recognition of Israel before the war in 1967, when the territories in question were not under Israel's control.

We are a nation of 4 million. The Arab nations from the Atlantic to the Gulf number 170 million. We control only 28,000 square km. The Arabs possess a land mass of 14 million square km. The issue is not territory, but our existence. It will be regrettable if the talks focus primarily and exclusively on territory. It is the quickest way to an impasse.

What we need, first and foremost, is the building of confidence, the removal of the danger of confrontation, and the development of relations in as many spheres as possible. The issues are complex, and the negotiations will be lengthy and difficult. We submit that the best venue for the talks is in our region, in close proximity to the decisionmakers, not in a foreign land. We invite our partners to this process to come to Israel for the first round of talks. On our part, we are ready to go to Jordan, to Lebanon, and to Syria for the same purpose. There is no better way to make peace than to talk in each other's home. Avoiding such talks is a denial of the purpose of the negotiations. I would welcome a positive answer from the representatives of these states here and now. We must learn to live together. We must learn to live without war, without hatred. . . .

F. Head of the Jordanian Delegation, Foreign Minister Kamil Abu Jaber, 31 October 1991 (excerpts).

[Dr. Abu Jaber's address, carried live in English over Amman Jordan Television, was reproduced in FBIS on 31 October.]

. . . Today we have an historic opportunity for peace in a land that has not tasted it for a long time. We must remember that the extremists and the rejectionists who speak in absolute terms are still lurking in the wings. It is from there that they issue their often repeated clichés and venomous threats. Inasmuch as peace is a good in itself and inherent value, it is also a battle against the absolutist ideologues invoking ancient hatreds. Many think that the situation should not be resolved, but left to future generations to deal with.

Those of vision, however, see it differently, considering the immediacy of the need to reach a peaceful settlement at this particu-

lar moment of world history, with its interdependence between peoples and nations. King Hussein said: "We must be involved in the drive for peace, because it concerns our present and our future. Otherwise, the outcome, God forbid, will be ominous dangers. . . ."

We take to heart and respect the words of President Bush in his 6 March 1991 address before the American Congress when he said: "I expressed my hope that out of the horrors of war might come new momentum for peace. We have learned in the modern age geography cannot guarantee security, and security does not come from military power alone. By now, it should be plain," the president said, to all parties that the peacemaking in the Middle East requires compromise.

Peace cannot, indeed must not, reflect the military balance of the belligerents now. It should essentially reflect the hope of a better future that will end once and for all our living in the midst of conflicting tragedies. It should bring us all in step with a new world that will shatter the shadows, the misery, and the fog that engulfs our lives. . . .

More land is not more security. Occupation is against every legal principle. And the shape it has taken in the Arab occupied territories contravenes the United Nations Charter and the Fourth Geneva Convention. The building of settlements and the expropriation of land are both in clear contravention of the rules of international law. The justice that Jordan seeks requires resort to law—law that governs the actions of men, freeing them to live secure in a stable order and institutionalized universe. That, and that alone, can assure the proper division of labor and resources. And that alone can guarantee not only survival, but freedom and security. The technology of war has far outdistanced our appreciation of its destructiveness and danger. Otherwise, how can we continue to contemplate our security in missiles, nuclear, biological, and chemical weapons?

Our cause, his majesty said, is not only between us and Israel, but also between the world and Israel; between the supremacy of international law and the flouting of it. The whole world rejects what Israel's leadership is saying, because it contravenes international legitimacy. Indeed, a relatively growing segment of the Israelis themselves are not far from this world view. The king added that our world today is peace-oriented, and that the Arabs and the rest of the world will come together in their mutual desire and interest to find a peaceful solution. That is one of the bases of the Jordanian position: a search for peace, secure in the support of the entire

Arab world, indeed the whole world community and in particular the Palestinians. We and the Palestinians have a just cause, which must be addressed and resolved with equity and with fairness. Our second basis for entering this peace process is our expectation that there will be no asymmetry or double standards.

The third basis of the Jordanian approach is that our cause and that of our Palestinian brethren is intricately linked by ties of history, culture, religion, language, demography, geography, as well as human suffering and human aspirations and national aspirations. The king said: We would have preferred an independent Palestinian delegation, though we have no objection to providing an umbrella for our Palestinian brethren, since we are keenly aware that both Jordanians and Palestinians are besieged as the parties directly and adversely affected by the continuation of the status quo of the Arab-Israeli conflict.

Fourth, the peace we seek must be based on United Nations Security Council Resolutions 242 and 338. The objective is real peace. We must emphasize that our understanding of resolution 242 is that it is based on the principle of the inadmissibility of the acquisition of territory by war, and the exchange of land for peace. The deliberations preceding its adoption, and in which Jordan participated, were based on that principle. Our position is firmly based on United Nations resolutions and international law.

We are aware that Israel's creation was the result of UN Resolution 181 of 29 November 1947. It is in accordance with the strength of these resolutions, as well as the general principles of international law, that Jordan demands the total withdrawal of Israeli forces from occupied Jordanian, Palestinian, Syrian, and Lebanese lands.

The three dimensions of the Jordanian position—the Jordanian, the Palestinian, and the regional—are founded on international law. Resolution 242 is a valid international instrument unanimously agreed upon by the international community. It is binding on all member states of the United Nations in accordance with Article 25 of the UN Charter.

Arab sovereignty must be restored in Arab Jerusalem. In the context of peace, Jerusalem will represent the essence and symbol of peace between the followers of the three great monotheistic religions. It is God's will that has made the historic city important to them all.

The illegal settlements should be removed, not augmented. The issue of Pales-

tinian refugees and that of the displaced must be solved in accordance with relevant UN resolutions. The Palestinian people must be allowed to exercise their right of self-determination in their ancestral homeland. The fulfillment of these demands is a question of the credibility of the UN resolutions. Let me speak plainly, let me speak plainly that Jordan has never been Palestine and will not be so.

Withdrawal from Lebanon and the application of UN Security Council Resolution 425 is also an essential prerequisite for the establishment of regional peace.

Fifth, the peace we seek as a result of negotiations is a permanent one, a just one, a comprehensive peace; peace that will focus on region-wide issues, such as arms control and regional security, water, the environment, the fate of the Palestinian refugees and the displaced, and the economic balance among the peoples of the area through joint development programs.

Peace must mean security for all, protected by all in their hearts and their souls, because it is founded on justice and honor.

Sixth, our position is also predicated on the vision of a better future that will replace the present bitterness and frustration. And, in the words of King Hussein, enable us to transform these realities into positive forces that will take us from despair to hope, from confrontation and the four decades of suffering, anxiety, and pain that accompanied it, and which left an imprint on our lives, to peace and its promise of security, stability, opportunities, and prosperity for all; from the no-war, no-peace situation and its real dangers, to a condition of certainty and ease which will enhance the creativity and the hopes of the younger generation. . . .

G. Head of the Palestinian Delegation, Haydar Abd al-Shafi, 31 October 1991.

[The speech was carried over Amman Jordan Television in English (italicized passages in Arabic) and reproduced in full in FBIS on 1 November 1991. The Israeli government expressed surprise and displeasure over the fact that the Jordanians and the Palestinians, officially part of the same delegation, were each allotted 45 minutes for their addresses instead of having to share the time between them.]

In the name of God, the merciful, the compassionate. O esteemed audience. Allow me first to extend greetings of thanks and appreciation to the State of Spain, king, government, and people, for hosting this historic conference. I would also like to extend greet-

ings of pride and appreciation for the sons of the Palestinian people who are still struggling for freedom and independence. I will now speak on their behalf to you and the various democratic powers in the world in English.

Mr. Baker, Mr. Pankin, ladies and gentlemen: On behalf of the Palestinian delegation, we meet in Madrid, a city with a rich texture of history, to weave together the fabric which joins our past with future, to reaffirm a wholeness of vision which once brought about a reverse of civilization and a world order based on harmony in diversity. Once again, Christian, Muslim, and Jew face the challenge of heralding a new era enshrined in global values of democracy, human rights, freedom, justice, and security. From Madrid, we launch this quest for peace, a quest to place the sanctity of human life at the center of our world, and to redirect our energies and resources from the pursuit of mutual destruction to the pursuit of joint prosperity, progress, and happiness.

We, the people of Palestine, stand before you in the fullness of our pain, our pride, and our anticipation, for we long harbored a yearning for peace and a dream of justice and freedom. For too long, the Palestinian people have gone unheeded, silenced and denied. Our identity negated by political expediency; our right for struggle against injustice maligned; and our present existence subdued by the past tragedy of another people. For the greater part of this century we have been victimized by the myth of a land without a people and described with impunity as the invisible Palestinians. Before such willful blindness, we refused to disappear or to accept a distorted identity. Our intifada is a testimony to our perseverance and resilience waged in a just struggle to regain our rights. It is time for us to narrate our own story, to stand witness as advocates of truth which has long lain buried in the consciousness and conscience of the world. We do not stand before you as supplicants, but rather as the torch-bearers who know that, in our world of today, ignorance can never be an excuse. We seek neither an admission of guilt after the fact, nor vengeance for past inequities, but rather an act of will that would make a just peace a reality.

We speak out, ladies and gentlemen, from the full conviction of the rightness of our cause, the verity of our history, and the depth of our commitment. Therein lies the strength of the Palestinian people today, for we have scaled walls of fear and reticence, and we wish to speak out with the courage and integrity that our narrative and history deserve.

The cosponsors have invited us here today to present our case and to reach out to the other with whom we have had to face a mutually exclusive reality on the land of Palestine. But even in the invitation to this peace conference, our narrative was distorted and our truth only partially acknowledged.

The Palestinian people are one, fused by centuries of history in Palestine, bound together by a collective memory of shared sorrows and joys, and sharing a unity of purpose and vision. Our songs and ballads, full of tales and children's stories, the dialect of our jokes, the image of our poems, that hint of melancholy which colors even our happiest moments, are as important to us as the blood ties which link our families and clans. Yet, an invitation to discuss peace, the peace we all desire and need, comes to only a portion of our people. It ignores our national, historical, and organic unity. We come here wrenched from our sisters and brothers in exile to stand before you as the Palestinians under occupation, although we maintain that each of us represents the rights and interests of the whole.

We have been denied the right to publicly acknowledge our loyalty to our leadership and system of government. But allegiance and loyalty cannot be censored or severed. Our acknowledged leadership is more than [the] justly democratically chosen leadership of all the Palestinian people. It is the symbol of our national unity and identity, the guardian of our past, the protector of our present, and the hope of our future. Our people have chosen to entrust it with their history and the preservation of our precious legacy. This leadership has been clearly and unequivocally recognized by the community of nations, with only a few exceptions who had chosen for so many years shadow over substance. Regardless of the nature and conditions of our oppression, whether the disposition and dispersion of exile or the brutality and repression of the occupation, the Palestinian people cannot be torn asunder. They remain united—a nation wherever they are, or are forced to be.

And Jerusalem, ladies and gentlemen, that city which is not only the soul of Palestine, but the cradle of three world religions, is tangible even in its claimed absence from our midst at this stage. It is apparent, through artificial exclusion from this conference, that this is a denial of its right to seek peace and redemption. For it, too, has suffered from war and occupation. Jerusalem, the city of peace, has been barred from a peace conference and deprived of its calling. Palestinian Jerusalem, the capital of our homeland and

future state, defines Palestinian existence, past, present, and future, but itself has been denied a voice and an identity. Jerusalem defies exclusive possessiveness or bondage. Israel's annexation of Arab Jerusalem remains both clearly illegal in the eyes of the world community, and an affront to the peace that this city deserves.

We come to you from a tortured land and a proud, though captive people, having been asked to negotiate with our occupiers, but leaving behind the children of the intifada, and a people under occupation and under curfew who enjoined us not to surrender or forget. As we speak, thousands of our brothers and sisters are languishing in Israeli prisons and detention camps, most detained without evidence, charge, or trial, many cruelly mistreated and tortured in interrogation, guilty only of seeking freedom or daring to defy the occupation. We speak in their name and we say: Set them free. As we speak, the tens of thousands who have been wounded or permanently disabled are in pain. Let peace heal their wounds. As we speak, the eyes of thousands of Palestinian refugees, deportees, and displaced persons since 1967 are haunting us, for exile is a cruel fate. Bring them home. They have the right to return. As we speak, the silence of demolished homes echoes through the halls and in our minds. We must rebuild our homes in our free state.

And what do we tell the loved ones of those killed by army bullets? How do we answer the questions and the fear in our children's eyes? For one out of three Palestinian children under occupation has been killed, injured, or detained in the past four years. How can we explain to our children that they are denied education, for schools are so often closed by the army? Or why their life is in danger for raising a flag in a land where even children are killed or jailed? What requiem can be sung for trees uprooted by army bulldozers? And most of all, who can explain to those whose lands are confiscated and clear waters stolen, a message of peace? Remove the barbed wire. Restore the land and its life-giving water. The settlements must stop now. Peace cannot be waged while Palestinian land confiscated in myriad ways and the status of the occupied territories is being decided each day by Israeli bulldozers and barbed wire. This is not simply a position. It is an irrefutable reality. Territory for peace is a travesty when territory for illegal settlement is official Israeli policy and practice. The settlements must stop now.

In the name of the Palestinian people, we wish to directly address the Israeli people

with whom we have had a prolonged exchange of pain: Let us share hope, instead. We are willing to live side by side on the land and the promise of the future. Sharing, however, requires two partners, willing to share as equals. Mutuality and reciprocity must replace domination and hostility for genuine reconciliation and coexistence under international legality. Your security and ours are mutually dependent, as entwined as the fears and nightmares of our children. We have seen some of you at your best and at your worst. For the occupier can hide no secrets from the occupied, and we are witness to the toll that occupation has exacted from you and yours.

We have seen you agonize over the transformation of your sons and daughters into instruments of a blind and violent occupation. And we are sure that at no time did you envisage such a role for the children whom you thought would forge your future. We have seen you look back in deepest sorrow at the tragedy of your past, and look on in horror at the disfigurement of the victim-turned-oppressor. Not for this have you nurtured your hopes, dreams, and your offspring. This is why we have responded with solemn appreciation to those of you who came to offer consolation to our bereaved, to give support to those whose homes were being demolished, and to extend encouragement and counsel to those detained behind barbed wire and iron bars. And we have marched together, often choking together in the nondiscriminatory tear gas or crying out in pain as the clubs descended on both Palestinian and Israeli alike, for pain knows no national boundaries, and no one can claim a monopoly on suffering. We once formed a human chain around Jerusalem, joining hands and calling for peace. Let us today form a moral chain around Madrid and continue that noble effort for peace and a promise of freedom for our sons and daughters. Break through the barriers of mistrust and manipulated fears. Let us look forward in magnanimity and in hope.

To our Arab brothers and sisters, most of whom are represented here in this historic occasion, we express our loyalty and gratitude for their life-long support and solidarity. We are here together seeking a just and lasting peace, whose cornerstone is freedom for Palestine, justice for the Palestinians, and an end to the occupation of all Palestinian and Arab lands. Only then can we really enjoy together the fruits of peace, prosperity, security, and human dignity and freedom.

In particular, we address our Jordanian colleagues in our joint delegation: Our two

peoples have a very special historic and geographic relationship. Together, we shall strive to achieve peace. We will continue to strive for our sovereignty, while proceeding freely and willingly to prepare the grounds for a confederation between the two states of Palestine and Jordan, which can be a cornerstone for our security and prosperity.

To the community of nations on our fragile planet, to the nations of Africa and Asia, to the Muslim world, and particularly to Europe, on whose southern and neighborly shores we meet today, from the heart of our collective struggle for peace, we greet you and acknowledge your support and recognition. You have recognized our rights and our government, and have given us real support and protection. You have penetrated the distorting mist of racism, stereotyping, and ignorance, and committed the act of seeing the invisible and listening to the voice of the silenced. Palestinians under occupation and in exile have become a reality in your eyes, and with courage and determination, you have affirmed the truth of our narrative. You have taken up our cause and our case, and we have brought you into our hearts. We thank you for caring and daring to know the truth, the truth which must set us all free.

To the cosponsors and participants in this occasion of awe and challenge, we pledge our commitment to the principle of justice, peace, and reconciliation based on international legitimacy and uniform standards. We shall persist in our quest for peace to place before you the substance and determination of our people, often victimized but never defeated. We shall pursue our people's right to self-determination to the exhilaration of freedom and to the warmth of the sun as a nation among equals.

This is the moment of truth. You must have the courage to recognize it and the will to implement it, for our truth can no longer be hidden away in the dark recesses of inadvertency or neglect. People of Palestine look at you with a straightforward, direct gaze, seeking to touch your heart, for you have dared to stir up hopes that cannot be abandoned. You cannot afford to let us down, for we have lived up to the values you espouse, and we have remained true to our cause.

We, the Palestinian people, made the imaginative leap in the Palestine National Council of November 1988, during which the Palestine Liberation Organization launched its peace initiative based on Security Council Resolution 242 and 338, and declared Palestinian independence based on Resolution 181 of the United Nations, which gave birth to

two states in 1948, Israel and Palestine. December 1988, a historic speech before the United Nations in Geneva led directly to the launching of the Palestinian-American dialogue. Ever since then, our people have responded positively to every serious peace initiative and have done the utmost to ensure the success of this process. Israel, on the other hand, has placed many obstacles and barriers in the path of peace to negate the very validity of the process. Its illegal and frenzied settlement activity is the most glaring evidence of its rejectionism, the latest settlement being erected just two days ago. These historic decisions of the Palestine National Council wrench the course of history from inevitable confrontation and conflict towards peace and mutual recognition. With our own hands and in an act of sheer will, we have molded the shape of the future of our people. Our parliament has articulated the message of the people, with the courage to say "yes" to the challenge of history, just as it provided the reference in its resolutions last month in Algiers and in the Central Council meeting this month in Tunis to go forward to this historic conference. We cannot be made to bear the brunt of other people's "no's." We must have reciprocity. We must have peace.

Ladies and gentlemen: In the Middle East, there is no superfluous people outside time and place, but rather a state sorely missed by time and place. The state of Palestine must be born on the land of Palestine to redeem the injustice of the destruction of its historical reality and to free the people of Palestine from the shackles of their victimization.

Our homeland has never ceased to exist in our minds and hearts, but it has to exist as a state on all the territories occupied by Israel in the war of 1967 with Arab Jerusalem as its capital in the context of that city's special status and its nonexclusive character.

This state, in a condition of emergence, has already been a subject of anticipation for too long, should take place today rather than tomorrow. However, we are willing to accept the proposal for a transitional stage provided interim arrangements are not transformed into permanent status. The time frame must be condensed to respond to the dispossessed Palestinians' urgent need for sanctuary and to the occupied Palestinians' right to gain relief from oppression and to win recognition of their authentic will.

During this phase, international protection for our people is most urgently needed. And the *de jure* application of the Fourth Geneva Convention is a necessary condition. The phases must not prejudice the outcome.

Rather, they require an internal momentum and motivation to lead sequentially to sovereignty. Bilateral negotiations on the withdrawal of Israeli forces, the dissolution of Israeli administration, and the transfer of authority to the Palestinian people cannot proceed under coercion or threat in the current asymmetry of power. Israel must demonstrate its willingness to negotiate in good faith by immediately halting all settlement activity and land confiscation while implementing meaningful confidence-building measures.

Without genuine progress, tangible constructive changes and just agreements during the bilateral talks, multilateral negotiations will be meaningless. Regional stability, security, and development are the logical outcome of an equitable and just solution to the Palestinian question, which remains the key to the resolution of wider conflicts and concerns.

In its confrontation of wills between the legitimacy of the people and the illegality of the occupation, the intifada's message has been consistent: to embody the Palestinian state and to build its institutions and infrastructure. We seek recognition for this creative impulse which nurtures within it the potential nascent state.

We have paid a heavy price for daring to substantiate our authenticity and to practice popular democracy in spite of the cruelty of occupation. It was a sheer act of will that brought us here; the same will which asserted itself in the essence of the intifada as the cry for freedom, an act of civil resistance and people's participation and empowerment.

The intifada is our drive towards nation-building and social transformation. We are here today with the support of our people, who have given itself the right to hope and to make a stand for peace. We must recognize as well that some of our people harbor serious doubts and skepticism about this process. Within our democratic, social, and political structures, we have evolved a respect for pluralism and diversity and we shall guard the opposition's right to differ within the parameters of mutual respect and national unity.

The process launched here must lead us to the light at the end of the tunnel. And this light is the promise of a new Palestine—free, democratic, and respectful of human rights and the integrity of nature.

Self-determination, ladies and gentlemen, can neither be granted nor withheld at the will of the political self-interest of others. For it is enshrined in all international charters and humanitarian law. We claim this right;

we firmly assert it here before you and in the eyes of the rest of the world. For it is a sacred and inviolable right which we shall relentlessly pursue and exercise with dedication and self-confidence and pride.

Let's end the Palestinian-Israeli fatal proximity in this unnatural condition of occupation, which has already claimed too many lives. No dream of expansion or glory can justify the taking of a single life. Set us free to reengage as neighbors and as equals on our holy land.

To our people in exile and under occupation, who have sent us to this appointment, laden with their trust, love, and aspirations, we say that the load is heavy and the task is great, but we shall be true. In the words of our great national poet Mahmud Darwish: *My homeland is not a suitcase, and I am no traveler.*

To the exiled and the occupied we say you shall return and you shall remain and we will prevail, for our cause is just. We will put on our embroidered robes and *kafiyehs* in the sight of the world and celebrate together on the day of liberation.

Refugee camps are not fit for people who were raised on the land of Palestine in the warmth of the sun and freedom. The hail of Israeli bombs almost daily pouring down on our defenseless civilian population in the refugee camps of Lebanon is no substitute for the healing rain of the homeland. Yet, the international will had ensured their return in United Nations Resolution 194—a fact willfully ignored and unenacted. Similarly, all other resolutions pertinent to the Palestinian question beginning with resolution 181, through resolutions 242 and 338, and ending with Security Council Resolution 681, have until now been relegated to the domain of public debate rather than real implementation. They formed a larger body of legality, including all relevant provisions of international law within which any peaceful settlement must proceed. If international legitimacy and the rule of law are to prevail and govern relations among nations, they must be respected and impartially and uniformly implemented. We as Palestinians require nothing less than justice.

Palestinians everywhere: Today we bear in our hands the precious gift of your love and your pain, and we shall set it down gently here before the eyes of the world and say there is a right here which must be acknowledged—the right to self-determination and statehood. There is strength and there is the scent of sacred incense in the air. Jerusalem, the heart of our homeland and the cradle of

the soul, is shimmering through the barriers of occupation and deceit.

The deliberate violation of its sanctities is also an act of violence against the collective human, cultural, and spiritual memory and an aggression against its enduring symbols of tolerance, magnanimity, and respect for cultural and religious authenticity.

The cobbled streets of the old city must not echo with the discordant beat of Israeli military boots. We must restore to them the chant of the *muezzin*, the chimes of the church, the call of the ram, and the prayers of all the faithful calling for peace in the city of peace.

From Madrid let's light the candle of peace and let the olive branch blossom. Let's celebrate the rituals of justice and rejoice in the hymns of truth, for the awe of the moment is a promise to the future, which we all must redeem.

Palestinians will be free and will stand tall among the community of nations in the fullness of the pride and dignity which, by right, belongs to all people. Today, our people under occupation are holding high the olive branch of peace. In the words of Chairman Arafat in 1974 before the UN General Assembly: *Let not the olive branch of peace fall from my hands. Let not the olive branch of peace fall from the hands of the Palestinian people.* May God's mercy, peace, and blessings be upon you.

H. Head of the Lebanese Delegation, Foreign Minister Faris Bouez, 1 November 1991 (excerpts).

[*The Lebanese foreign minister's speech, delivered in Arabic, was carried over Beirut Radio and translated in FBIS on 1 November.*]

... Gentlemen: Lebanon has been and continues to be a peace-loving country that participated in establishing the United Nations, chaired one of its General Assembly's sessions, contributed toward the foundation of other international organizations, particularly the International Court of Justice—of which Lebanon is a member—and participated in charting human rights laws. Lebanon is committed to international legitimacy and to all resolutions adopted by the UN Security Council and General Assembly, as well as the provisions of international law. Lebanon urges setting up a new world order in which the principles of law, the rejection of aggression, and the solving of disputes by peaceful means prevail.

Lebanon attaches a basic importance to implementing resolution 425 because the

1949 armistice continues to govern the situation between Lebanon and Israel. The eighth article of the armistice stipulates that this agreement should remain in force until the two sides achieve a peaceful solution. For all these reasons, Lebanon has endeavored and continues to endeavor to implement resolution 425, adopted by the UN Security Council on 19 March 1976. This resolution calls for full respect of the territorial integrity, sovereignty, and political independence of Lebanon within its recognized international borders, and calls on Israel to halt its military operations against Lebanon's territorial integrity and immediately withdraw its forces from all Lebanese territory.

The resolution established a UN interim force in southern Lebanon to ensure the Israeli forces' withdrawal, consolidate world peace and security, and help the Lebanese government restore its immediate authority in the region. Resolution 425 met obstacles which prevented its immediate, full, and unconditional implementation—Israel's constant refusal to implement it. These obstacles will only make Lebanon more insistent that it be fully implemented.

Lebanon sees in the resolution a challenge to the international community to prove it is seriously committed to its resolutions. Implementing this resolution will prove that the international community does not have double standards, and that its commitment to international law and independent countries' sovereignty over their territories is not limited to one specific area or case.

I remind you that Lebanon was the first Arab country to denounce the aggression against Kuwait. Lebanon did not prevaricate for a moment, basing its stand on the principle of sovereignty and independence but finding it hard to see international law forcibly applied to a fraternal Arab country, albeit an aggressor.

I stress to you: The Lebanese government, while wishing this conference full success, will spare no efforts in the endeavor to implement resolution 425, regardless of the course of this conference and regardless of its final outcome. We informed the countries calling for this conference, the United States and the Soviet Union, that our acceptance is based on this stand.

I praise many friendly countries for supporting our stand, particularly the United States, which told us that resolution 425 does not depend on a comprehensive solution in the region and is not linked to it, although such a solution would enhance peace and stability in Lebanon.

Resolution 425 is an independent and integral resolution that has a detailed mechanism for its implementation. It is not linked in any way whatsoever to the existing efforts to implement international resolutions on the Arab territories occupied in 1967, particularly resolutions 242 and 338.

While wishing these endeavors quick and complete success, we stress that Lebanon is primarily concerned with liberating all its territory. Lebanon, which does not accept any alternative to resolution 425, expects the peace efforts and the signs of the new world order to contribute to eliminating the obstacles to implementing this resolution and even end all procrastination in implementing it.

When this resolution is implemented, Lebanon will be fully committed to controlling security on its recognized borders and will not allow any security violations. The justification for resistance to the occupation will then disappear.

As for the borders themselves, they are taken into account by resolution 425, which is based on the 1949 armistice agreement. They are internationally recognized borders and are in no way subject to negotiation.

Gentlemen: Lebanon is in the Middle East. It has embraced its ideas, ideologies, religions, and philosophies. It has suffered from the conflicts afflicting it. Hence, the Lebanese are probably more aware than others—since their country is the meeting point between East and West and borders the sea—that there can be no real peace in the region except a comprehensive peace for all its regions and countries. None of this region's peoples will enjoy peace when raging volcanoes, oppressed peoples, and violated rights abut their borders.

Lebanon, a constituent and active member of the Arab League, is committed to the Arab cause—especially the Palestinian people's issue and their right to self-determination and to return to their lands—to the liberation of the occupied Arab territories, including Jerusalem, and the achievement of a just peace in the region.

Lebanon wants to stress its solidarity with the Arab stand that aims to implement Security Council Resolutions 242 and 338, the two resolutions that constitute the principal basis for convening this conference—that is, land for peace. Continuing the settlement policy will inevitably have a negative effect on all efforts to achieve peace in the region.

The Palestinian issue is the core of the Middle East conflict. A just and comprehensive solution to it is bound to allow the region to enjoy the stability, security, and confidence

it deserves. This applies particularly to our homeland, Lebanon, which paid the highest price for the Palestinian people's expulsion from their land. Lebanon was the target of two major Israeli military incursions in 1978 and 1982, causing immense loss of life and destroying property. I regret to remind you that the Israeli attacks have not stopped.

Lebanon, with its small area—10,452 sq km—its own social, political, and economic makeup, and modest natural resources, has succeeded with difficulty in hosting Palestinian evacuees awaiting a solution to their problem. Lebanon cannot provide these people with a dignified life or permanently absorb them without harming its own domestic situation, provoking struggles and conflicts on its territory over social, economic, employment, and political matters. Lebanon warns against resolving the Palestinian people's problem by settling this fraternal people's sons on a small, densely populated territory, demographically delicate and sensitive. This might turn the struggle for survival into a dangerous affair, and instead of restoring Palestine to its people it might cause Lebanon to be lost.

Resettlement plans disregard people's natural affiliation and attachment to their land, where land is the source of identity, love of homeland akin to religious faith, and a person's origin bound to the soil. Land, according to the Lebanese and Palestinian peoples' belief and philosophy, like that of their Arab brothers, is closely bound to identity, heritage, and ancient origin. Abandoning this origin justifies hate, frustration, and revolt in the minds of these peoples.

Making things worse is uprooting citizens from their homelands and birthplace on various impractical pretexts, separating them from their land, their culture, the soil they tilled, and their achievements, and forcing them, in their hundreds of thousands, to emigrate from a far continent's vast territories to a small, disputed land they have not seen before and with which they have no bond. By this I mean encouraging Soviet citizens to emigrate, uprooting them from their natural society. . . .

It is high time for this region to become a base of international law and not an exception to it; it is time for this region to again become a crossing point for the continents rather than a barrier to rapprochement. It is time for the people of this region, who are known for their heritage and noble origins, to resume their historic position in exploring the horizons of humanity and charting its future. . . .

I. Head of the Syrian Delegation, Foreign Minister Faruk al-Sharaa, 31 October 1991 (excerpts).

[*Mr. Sharaa's address was recorded from Amman Jordan Television and translated from the Arabic by FBIS on 1 November.*]

. . . Mr. President: We have never been warmongers and advocates of destruction. Syria has always called for the attainment of a just and comprehensive peace on the basis of UN resolutions, and it has stressed a true intention and serious desire for peace. At the height of the October war, His Excellency President Hafiz al-Asad said: We have no fondness for killing or destruction; we are only defending ourselves against killing and destruction. We are not and have never been aggressors. We have been and still are defending ourselves against aggression. We want death for no one; we are protecting our people against death. We cherish freedom and want it for ourselves and others.

Peace and the theft of others' territory do not go together. For peace to be permanent and stable, it must encompass all the parties to the conflict on all fronts. Developments in our region have borne out the validity of this truth. Israel used its peace treaty with Egypt to annex Jerusalem in 1980 and the Golan Heights in 1981, and to invade Lebanon in 1982. Obviously, Israel committed this series of aggressive acts at a quicker pace than its withdrawal from Egyptian Sinai. Following each aggression, the UN Security Council convened and issued unanimous resolutions: Resolution 476, which declared the annexation of Jerusalem to be null and void; resolution 497, which declared the imposition of Israeli laws in the Golan Heights to be null and void and without any basis in international legal authority; and resolution 425, which demanded an unconditional Israeli withdrawal from Lebanon. But, like resolutions 242 and 338, these resolutions have failed to be implemented thanks to Israel's rejection and stubbornness and the cold war climate between East and West. As for now, with the cold war over and confrontation and competition between the United States and the USSR giving way to a new era of détente and cooperation, and with the peace conference getting underway, the peoples of the region and the world are waiting for these resolutions to be enforced as soon as possible through serious and productive talks.

In this context, it is worth noting that Security Council Resolutions 242 and 338, which form the foundations of the peace conference, were passed as a compromise among

the permanent Security Council members, the majority of which, as is known, have been sympathetic to Israel since its inception. Hence, the implementation of these two resolutions must not be subject to fresh compromises at the bilateral talks. They must be implemented fully and on all fronts. The preamble to resolution 242 clearly states the inadmissibility of the acquisition of territory by war. This means that every inch of Arab territory occupied by the Israelis through war and force—the Golan Heights, the West Bank and Jerusalem, and the Gaza Strip—must revert to their rightful owners in full.

World public opinion now realizes more than ever before, especially in the aftermath of the Gulf crisis, that double standards are no longer acceptable in this age; that the principles of international law, not the law of the jungle, must be respected; and that the UN resolutions, not brute force, must be put in force. The world states have also recently realized that only Israel resists the peace efforts with all the power at its disposal and continues its occupation of others' territory by force. Today, all states realize that Israel adopts a sterile and worn-out ideology based on expansion, the building of settlements, and the displacement of Arabs from their territories, on which they have lived for centuries, to replace them with new immigrants who have never lived in our region at any time in history.

In this regard, Syria would like to remind the cosponsors of the conference, and through them the international community, that the Israeli occupation of the Syrian and Palestinian territories has led to the displacement of approximately half a million Syrian citizens from the Golan Heights. Those citizens, to date, have not been able to return to their homes. Moreover, there are over a quarter of a million Palestinian refugees in Syria who are deprived of their right to the homeland of their fathers and forefathers in Palestine.

Israel's allegations for bringing world Jewry to it at the expense of the indigenous Arab inhabitants are supported neither by legal nor humanitarian principles. Had the world adopted these allegations, all Christians should have been urged to emigrate to the Vatican and all Muslims to holy Mecca. It is an amazing paradox that Israel rejects the implementation of UN Resolution 194 issued in 1948 stipulating the repatriation of Palestinian refugees and compensating those unwilling to return, on the pretext that there is not enough territory, at a time Israel continues to urge hundreds of thousands of new Jewish

immigrants to settle in the same territory and to abandon their original homelands, such as the Soviet Union, which has an area estimated at one-sixth of the world.

We believe that the time of fallacies and meaningless pretexts that are only aimed to justify the continued occupation and annexation is over. All parties, aggressors and victims alike, are now before an historic opportunity, which may not recur, to end long decades of destructive conflict, and to establish a just, comprehensive, and durable peace which would extricate the region from the whirlpool of wars, and signal the beginning of a new epoch in which peoples of the region would devote their efforts to achieve prosperity and development.

A just peace necessitates that no Arab territories remain under Israeli occupation and that the Palestinian people must not remain deprived of their right to self-determination. If the objective, indeed, is for the peoples and states of the region to coexist and to enjoy security, peace, and prosperity, and to place their potential and abundant resources in the service of their economies and development, would it be feasible to achieve this aspired objective without the termination of the occupation and return of rights?

The Arabs have offered much for the sake of peace. They have explicitly announced that they aspire for peace, asking only to enjoy the basic rights that the UN Charter guarantees to all peoples and which the international community and the world at large have acknowledged for any people. As for Israel, it alone of all world states insists on keeping the Arab territories that it occupied by force under the pretext of security, as if geographic expansion can guarantee security in the age of scientific and technological progress. If the world adopts this Israeli logic, how many wars and conflicts would erupt among neighbor countries under this pretext? . . .

The Syrian Arab delegation has come to this conference in spite of Syria's many reservations on its form and prerogatives to seek a just and honorable peace that comprehensively covers all the aspects and fronts of the Arab-Israeli conflict. Our delegation has come equipped with an inexhaustible reserve of goodwill and a real and serious desire for a just peace, and with a determination to contribute in rendering the peace process a success and having it attain its noble objective. This is balanced by a determination to reject any exploitation of the current peace process to legalize what is not legitimate and what is unacceptable in the eyes of the United Nations, its charter, and its resolutions, or to

achieve any gains, no matter how minimal, that will reflect the weight of the aggression or be a reward to the aggressor.

This is Syria's firm stand based on the principles of international legitimacy and the UN resolutions. This stand mandates Israel's withdrawal from every inch of the occupied Syrian Golan, the West Bank, Jerusalem, the Gaza Strip, and southern Lebanon. It also mandates securing the Palestinian people's legitimate national and political rights, foremost being their right to self-determination.

The establishment of settlements in the occupied Arab territories is an illegal act and is considered null and void. It is a major obstacle on the road to peace. This dictates their elimination. The continued settlement activity in the occupied Arab territories after the peace process has started is tangible proof that Israel does not want to attain real peace. . . .

Our eagerness to make the peace process succeed, however, requires that multilateral talks—which are not in the context of resolution 242—not begin except after gaining a substantial, concrete achievement in bilateral talks that confirms the removal of the major obstacles to peace. This is because Israel, as everyone knows, is not concerned with implementing resolutions 242 and 338 on the basis of land for peace, but is concerned only with engaging itself, along with the region's states, in negotiations on regional cooperation while continuing to consolidate its occupation of Arab territories. This contradicts the objective on whose basis this conference has been convened.

Mr. President: We have come for a just and honorable peace that rests on right and international legitimacy, not for a fake peace that reflects the conditions of the aggressor and the weight of the occupation. We have come for a real peace that includes all the fronts of the Arab-Israeli conflict, not for a peace that deals with one aspect of the conflict and creates new conflicts and tensions in the region. . . .

J. U.S. Secretary of State James Baker, 1 November 1991 (excerpts).

[Secretary Baker's address was made available by the U.S. Department of State.]

. . . Our work—making peace through negotiations—has just begun. As we look at the challenges ahead, it is worth noting and learning from what we have already accomplished.

- For decades, agreement on whether to negotiate eluded the parties. This

weekend, direct, bilateral negotiations aimed at comprehensive, genuine peace will start.

- For decades, agreement on what to negotiate eluded the parties. This weekend, negotiations should begin on the accepted basis of United Nations Security Council Resolutions 242 and 338.
- For decades, agreement on how to negotiate eluded the parties. This weekend, negotiations will begin on two tracks and in phases; and in a few weeks, those parties who wish to participate will convene to organize multilateral negotiations on a wide range of issues that affect the well-being of all peoples in the region.

These are not mere platitudes. During these eight months of diplomacy, though the parties sometimes fell back on old slogans and outmoded code words, they also came to understand the need to engage concretely and pragmatically to resolve problems. I said often that the parties would probably stake out maximum positions, especially as they got closer to negotiations.

This is not surprising, especially in a public forum. The key, however, is to get beyond the rhetoric and into the direct negotiations.

A basic tenet of American thinking is that negotiations are the best way to resolve disputes and achieve peace. Negotiations do not guarantee peace. But without negotiations, there is no way to produce genuine peace and no mechanism to develop understandings that can endure.

The United States is willing to be a catalytic force, an energizing force, and a driving force in the negotiating process. Our involvement in this process will be rooted solidly in the core principles enunciated by President Bush last March. They will remain the cornerstone that guides our participation in the negotiating process.

The U.S. is and will be an honest broker. We have our own positions and views on the peace process, and we will not forego our right to state these. But, as an honest broker with experience—successful experience—in Middle East negotiations, we also know that our critical contribution will often be to exert quiet, behind-the-scenes influence and persuasion.

Let no one mistake our role as an honest broker to mean that we will change long-standing U.S. policy positions; and let no one mistake our policy positions as undercutting our determination to help the parties reach

fair and mutually acceptable solutions to problems. As President Bush and I have both said this week, it is not our policies that matter; it is those of the parties. They are the ones that must negotiate peace.

This week, the parties provided insight into their thinking about a negotiated settlement. They outlined three broad requirements in the search for peace:

- First, we heard a yearning for peace—the wish of peoples in the region to live in a mutually satisfying relationship with neighbors, a relationship characterized by peace treaties, economic relations, cultural ties, and political dialogue.
- Second, we heard an emphasis on land—the desire of peoples in the region to exercise authority and political governance over territory they consider part of their national, political, historical or religious patrimony.
- Third, we heard a need for security—the requirement of people to live free of fear, and the obligation of governments to do their best to protect their citizens.

What the parties in fact said this week is that these core issues—land, peace, and security—are inseparable elements in the search for a comprehensive settlement.

The parties have made clear that peace by itself is unachievable without a territorial solution and security; that a territorial solution by itself will not resolve the conflict without there also being peace and security; and that security by itself is impossible to achieve without a territorial solution and peace. The process on which we are embarked can work only if all issues are put on the table, and if all issues are satisfactorily resolved.

One key issue is the style of negotiations. Today, the Soviet Union and the United States are on the same side of the table—literally and figuratively—in striving for global peace and the resolution of regional conflicts. Today, and in the future, we will work together in pursuit of a Middle East settlement.

The United States, at the highest levels, will remain intimately engaged in this process. We expect to be available to the parties throughout this process. The United States and the Soviet Union are prepared to participate directly in the negotiations themselves, with the consent of all parties.

We will do our part. But we cannot do your part as well. The United States and the Soviet Union will provide encouragement, advice, recommendations, proposals, and views

to help the peace process. Sometimes, you will be satisfied with our views, sometimes frustrated. Sometimes, we will support your positions, and sometimes not. Sometimes we will act quietly and behind the scenes, and sometimes we will make known our views and positions in public. None of this, however, will relieve you—the parties—of the obligation of making peace. If you won't do it, we certainly can't. As I have said from the beginning of this effort, we cannot want peace more than you, the parties most directly affected by its absence.

Parties in this process cannot reasonably be expected to operate outside their political environment; but they should be expected to educate, shape, guide, and lead politics and opinion. Leaders in the region have taken difficult and courageous decisions to get to this conference and to negotiations. More difficult and more courageous decisions will be required to settle this conflict. . . .

This week, many have focused on the need for steps that would build confidence and trust. The United States continues to believe that confidence-building measures are important for the process and for the parties themselves.

I want to be perfectly honest, standing here as I am before colleagues with whom I have spent many, many hours since last March. The unwillingness of the parties to take confidence-building steps has been disappointing. You have dealt successfully with formulas and positions. You have agreed on terms of reference that are fair and equitable. You have launched a process of negotiations that can succeed. But you have failed to deal adequately with the human dimension of the conflict.

As I traveled through the region, I witnessed terrible scenes of human tragedy, suffering and despair. Innocent civilians caught in the crossfire of a conflict they wish would end. Refugees and displaced persons wandering across the vast expanses of time. Mothers and fathers, afraid of the future that awaits their children. And children, being schooled in the lessons of animosity and conflict, rather than friendship and accommodation.

Formulas, terms of reference and negotiations are not enough. Support for a negotiating process will not be sustainable unless the human dimension is addressed by all parties. A way must be found to send signals of peace and reconciliation that affect the peoples of the region. Don't wait for the other side to start; each of you needs to get off the mark quickly. You should know best what is

needed.

Through negotiations and through these and other steps, you can demonstrate respect for the rights of others. You can express understanding of the fears of others. You can touch the people—the women, men, and children—who are the victims of the Arab-Israeli conflict. We can only succeed at the table, if we find ways of reaching out to one another away from the table.

The challenges have been great, and the obstacles have been many, on the road to peace. Your decisions over these eight months of intensive diplomacy have created a new baseline of realism and commitment to peace. This conference has been vital in breaking down the barriers of communication, and in establishing for all to see that Arab and Israeli leaders can meet face to face.

In closing, let me speak to each of you personally and directly.

For over four decades, the world waited for this week. Peace-loving peoples everywhere tried time and again to get you—the makers of this intractable conflict—to join together to discuss your differences. This week, here in Madrid, you finally have met and held such a meeting.

This has been a start—a good start—an historic start that has broken old taboos—an important start that opens further opportunities.

But it is only a start—and that's not enough. You must not let this start become an end.

When you walk out these doors, you carry with you great responsibilities. You carry with you the responsibility to your peoples to seek peace. You carry with you the responsibility to the world to build a comprehensive and just peace. You carry with you the responsibility to yourselves to break with the past and pursue a new future.

For if you do not seize this historic opportunity, no one will blame anyone outside your region.

You now shoulder the destiny and challenge of making peace, as you enter direct negotiations with your neighbors. The continuation and success of this process is in your hands. The world still looks to each of you to make the choice for peace.

VI. Closing Remarks in Madrid

A. Israeli Prime Minister Yitzhak Shamir, 1 November 1991.

[The speech was carried live in English over Jeru-

salem Qol Yisra'el and reproduced in FBIS the same day.]

Distinguished cochairmen, ladies, and gentlemen: Let me first apologize as I have to leave this hall immediately after my statement, together with some of my colleagues, in order to return to Israel before sunset, in time for the advent of our holy day of rest. I trust no one will see in this a sign of disrespect.

Let me also express again our thanks and appreciation to our Spanish hosts and to the cosponsors for putting so much effort in making this conference possible.

For two days, we have sat in this hall, armed with a lot of patience, to listen to what our Arab neighbors have to say. We have heard much criticism and many charges. We can respond to each and every charge, to every misrepresentation of history and fact—and there were quite a few—and we can refute every contention. We, too, can cite morality, justice, and international legality in our favor. But is this what we have come here for? Such futile exchanges and rebuttals have been taking place for the last forty-three years at the United Nations and in countless international gatherings. They have not brought us one inch closer to mutual understanding and peace. This is precisely why we have persistently called for direct face-to-face talks. Nevertheless, we came here out of goodwill, hoping there might be change, a turn for the better in tone and content that would lead us to a new and more promising chapter, and we have not given up this hope.

Let me, therefore, make just a few remarks—not for the sake of polemics, but to shed light on a few facts. Syria's representative wants us and the world to believe that this country is a model of freedom and protection of human rights, including those of the Jews. Such a statement stretches incredulity to infinite proportions. The ancient Jewish community in Syria has been exposed to cruel expression, torture, and discrimination of the worst kind. Most of the Jews fled the country over the years, and the few thousands left are living in perpetual terror. Anyone who tries to cross the border is incarcerated in prison, beaten and tortured, and his family exposed to punishment and constant fear.

But not only are the Jews the victims of the Syrian regime. To this day, Syria is the home of a host of terrorist organizations that spread violence and death to all kinds of innocent targets, including civil aviation and women and children of many nations. I could go on and recite a litany of facts that demonstrate the extent to which Syria merits

the dubious honor of being one of the most oppressive, tyrannical regimes in the world, but this is not what we have come here for.

To the Lebanese people, our neighbors to the north, we send a message of sympathy and understanding. They are suffering under the yoke of Syrian occupation and oppression and are denied even the capacity to cry out in protest. We bear no ill will to the courageous and suffering Lebanese, and we join them in the hope that they will soon regain their independence and freedom. We have no designs on Lebanese territory, and in the context of a peace treaty and the removal of the Syrian presence, we can restore stability and security on the borders between our two countries.

In many respects, we have a situation of *de facto* nonbelligerency with the Kingdom of Jordan. We sincerely believe that a peace treaty with Jordan is achievable. In the context of such a treaty, we will determine together the secure and recognized boundaries and lay the foundation for a relationship of mutual cooperation and neighborly relations. Both countries stand to gain from a relationship of peace, and we hope to achieve it through direct, bilateral negotiations.

I listened attentively to the statement of the Palestinian Arab spokesman in the joint Jordanian-Palestinian delegation. The Palestinian Arabs are our closest neighbors and in many respects their lives are intertwined with ours. This is one more reason for the importance we attach to an accommodation with this community. The Palestinian Arab spokesman made a valiant effort at recounting the sufferings of his people. But let me say that listing history and perversion of facts will not earn them the sympathy which they strive to acquire. Was it not Palestinians who slaughtered a major part of the Jewish community of Hebron without any provocation? Was it not Palestinians who rejected every peace proposal since the beginning of the century and responded by violence? Was it not Palestinians who produced a leader who collaborated with the Nazis in the extermination of Jews during the Holocaust? Was it not the Palestinians who called their Arab brethren in 1948 to come and help them destroy the Jewish state? Was it not the Palestinians who rejoiced and danced on the roofs when Iraqi Scud missiles were falling on Tel Aviv? Have they forgotten that more Palestinians were killed by their own brethren in a few recent years than in clashes with Israeli security forces? Even to this very day, under conditions which you describe as occupation, is it not a fact that any Jew who strays into an Arab village risks his life, but tens of

thousands of Palestinian Arabs work freely in every town and village in Israel and no one molests them?

We have presented the Palestinians a fair proposal, one that offers them a chance to improve their lot immensely. I appeal to them to accept our proposal and join us in negotiations.

Ladies and gentlemen, we have come here to seek together the road that would lead us to peace and accommodation rather [than] to engage in a match of charges and countercharges. Peace is not just words or a signature on a piece of paper. Peace is a frame of mind and a set of actions that are the opposite of hostility and create a climate of mutual trust, tolerance, and respect.

With an open heart, we call on the Arab leaders to take the courageous step and respond to our outstretched hand in peace. Yesterday I extended an invitation to come to Israel for the first round of peace negotiations and begin a sincere exchange that would lead to agreement. We hope you will accept our invitation. We will readily reciprocate. I am sure I speak for every man, woman and child in Israel who join me in the hope that, after all, this gathering will be registered in history as a turning point away from hostility, and forward to coexistence and peace. Thank you.

B. Head of the Palestinian Delegation, Haydar Abd al-Shafi, 1 November 1991.

[*Dr. Abd al-Shafi's remarks, carried live in English over Amman Jordan Television, were reproduced in FBIS the same day.*]

Good morning, ladies and gentlemen. It is indeed regrettable and disheartening that Mr. Shamir didn't find anything worthy of response in our statement of yesterday except to deal what was there to present the hardships and difficulties that our people are living under occupation. Now, it seems to me very obvious that Mr. Shamir wants to draw us back into the situational polemics and recriminations for which we have decided not to subscribe any more. That Mr. Shamir has left the audience today on the pretext of the Sabbath, also in my opinion, is not warranted. I think our deliberations here are as important as any religious rite. Friday is a holy day for us, and we choose to stay in this audience, rather than to go for our religious rites.

Mr. Pankin, Mr. Baker, ladies and gentlemen: We wish first to congratulate the cosponsors for succeeding where so many have failed before. The fact of the conference itself convening is no negligible feat, but a tribute to

sheer persistence, tenacity, and hard work. For this we extend our appreciation.

For this historic conference to succeed, it requires—to borrow a literary phrase—a willing suspension of disbelief, the predisposition and ability to enter alien terrain where the signals and signposts are often unfamiliar and the topography uncharted. This solemn endeavor on which we are embarking here in Madrid demands of us a minimal level of sympathetic understanding in order to begin the process of engagement and communication. For this interdependent age demands the rapid evolution of a shared discourse that is capable of generating new and appropriate perceptions, on the basis of which forward-looking attitudes may be formed and accurate road maps drawn.

Failing this, time will not spare us and our peoples will hold us accountable. Thus, we have the task—rather, the duty—of rising above static and hard-set concepts of discarding teleological arguments and regressive ideology, and of abandoning rigid and constricting positions. Such attitudes barricade the speaker behind obdurate and defensive stances, while antagonizing or locking out the audience. Eliciting instant responses through provocation and antagonism would, admittedly, generate energy, but such energy can only be short-lived and, ultimately, destructive. Energy with direction—real momentum emerges from a responsible and responsive engagement between equals, using recognizable terms of reference regardless of the degree of disagreement.

In all honesty, we the Palestinian delegation came here to present you with a challenge, to lay our humanity before you and to recognize yours, to transcend the confines of the past, and to set the tone for a peace process within the framework of mutuality, expansiveness, and acknowledgement. We deliberately refused to limit the options before us to one, or to fall into the trap of reductive entrenchment with a rigid either-or argument.

Ladies and gentlemen, peace requires courage to make and perseverance to forge. In his opening speech, President Bush sent a strong message, not just to the participants, but to the world as a whole, a peace pledge with the dual signs of fairness and legitimacy as necessary components. We were gratified, for the Palestinian initiative is firmly grounded in these two principles. Most speeches which followed reaffirmed them and sought to demonstrate seriousness of intent. The Israeli statement, however, remains the exception, imprisoned in its own anachronistic and antagonistic rhetoric, incapable of re-

sponding to the tone and implications of the occasion. But the days of domination, of manipulative politics, are over. And the emergent realities of our contemporary world are consecrating the principles of moral politics and global harmony as the criteria and measures of value. We further find it incomprehensible how Israel can violate with impunity the integrity of the process and the consensus of the participants. UN Security Council Resolution 242 and the principle of territory for peace constitute the terms of reference and the source of legal authority for the conference and negotiations as stated in the letters of invitation. The positive response of the Palestinian people was primarily in recognition and appreciation of this commitment. The essence of 242, as formulated in its own preamble, is the inadmissibility of acquisition of territory by war, thus containing within it an internal and binding definition which renders it incapable of being variously and subjectively interpreted or applied.

We came here to realize its implementation, not to indulge in exegesis or semantics, or to be party to its negation or extraction from the peace agenda. This is not only an Arab and Palestinian requirement, it is also a demand of the international community and a test of validation for the new era in global politics. The same terms articulated in 242 apply to East Jerusalem, which is not only occupied territory, but also a universal symbol and a repository of cultural creativity, spiritual enrichment, and religious tolerance. That today an apartheid-like pass system bars many Palestinians from entering our holy city is both painful and provocative. The gates of Jerusalem must be open. Palestinian Jerusalem is the vehicle of our self-definition and the affirmation of our uninterrupted existence on our land.

Ladies and gentlemen, the issue is land. And what is at stake here is the survival of the Palestinian people on what is left of our olive groves and orchards, our terraced hills and peaceful valleys, our ancestral homes, villages, and cities. International legitimacy demands the restoration of the illegally occupied Arab and Palestinian lands to their rightful owners. Israel must recognize the concept of limits—political, legal, moral, and territorial—and must decide to join the community of nations by accepting the terms of international law and the will of the international community.

No amount of circumlocution or self-deception can alter that fact. Security can never be obtained through the acquisition of other people's territory, and geography is not the

criterion for security. The opposite is actually true. Retaining or expanding occupied territory is one sure way of perpetuating hostility and resentment. We are offering the Israeli people a unique chance for genuine security through peace. Only by solving the real grievances and underlying causes of instability and conflict can genuine and long-standing stability and security be obtained.

We the people of Palestine hereby offer the Israelis an alternative path to peace and security: Abandon mutual fear and mistrust; approach us as equals, within a two-state solution; and let us work for the development and prosperity of our region based on mutual benefit and well-being. We have already wasted enough time, energy, and resources locked in this violent embrace of mutual destruction and defensiveness. We urge you to take this opportunity and rise to meet the challenge of peace.

Settlements on confiscated Palestinian land and the expropriation of our resources will surely sabotage the process launched by this conference, for they are major obstacles to peace. They constitute a flagrant violation of Palestinian rights and the Fourth Geneva Convention. All settlement activity and confiscation of Palestinian land must stop, for these measures constitute the institutionalized plunder of our people's heritage and future.

Palestinians are a people with legitimate national rights. We are not the inhabitants of territories, or an accident of history, or an obstacle to Israeli expansionist plans, or an abstract demographic problem. You may wish to close your eyes to this fact, but we are here in the sight of the world, before your very eyes. And we shall not be denied. In exile or under occupation, we are one people, united despite adversity, determined to exercise our right to self-determination and to establish an independent state, led by our own legitimate and acknowledged leadership. The question of all our refugees will be dealt with during the permanent-status negotiations under the terms of UN Resolution 194.

We have already declared our acceptance of transitional phases as part of this process, provided they had the logic of internal coherence and interconnection within a specified, limited time frame and without prejudging the permanent status.

During the transitional phase, Palestinians must have meaningful control over decisions affecting their lives and fate. During this phase, the immediate repatriation of the 1967 displaced persons and the reunion of separated families can be carried out.

We have also expressed the need for pro-

tection and third-party intervention in the course of bringing about a settlement under such conditions of disequilibrium between occupier and occupied. For peace as a state of civilizations between societies, real peace between peoples cannot precede the solution of the problems which are the core of the conflict. It is the solution which opens the door to peace and not the other way around.

On these grounds, we hereby publicly and solemnly call upon the cosponsors of the conference, directly or through the United Nations, to place the whole of the occupied Palestinian territories under their trusteeship, pending a final settlement. Palestinian people are willing to entrust you with the protection of their lives and lands, until a fair and legitimate peace is achieved. They are the same people, our Palestinian people, who have celebrated the occasion of this conference by offering olive branches to the Israeli occupation soldiers. Palestinian children were decorating army tanks with this symbol of peace. Our Palestinian people under occupation and in exile were here with us during the past three days, in our minds and hearts, and it is their voice that you have heard.

To the cosponsors and to the international community that seeks the achievement of a just peace in the Middle East, you have given us a fair hearing. You cared enough to listen, and for that we thank you. Thank you.

C. Syrian Foreign Minister Faruk al-Sharaa, 1 November 1991 (excerpts).

[The following excerpts of the Syrian foreign minister's speech were published in the New York Times on 2 November 1991.]

... Distinguished co-chairmen, an important point which must be raised as long as the conference has its objective as peace: the head of the Israeli delegation, in his statement yesterday recognized that he will not return not one inch of land, particularly when he mentioned the surface area. He spoke of a surface area that surpasses the surface area of Palestine under mandate. That shows, indeed, that confirms and proves that he wishes to maintain occupation on the West Bank, the Gaza Strip, the Golan and Jerusalem. Whoever wants to look at the facts will discover that truth.

The Arabs are the only people who have lived in Palestine for thousands of years, even when the Jews came from the south through Sinai, the Palestinians were there, in Palestine. And they have been there since.

Let's not get into that. But let me just wonder about one thing. The head of the Is-

raeli government, if he says that it is a Jew's right to return to Palestine following an absence of more than 2,000 years, how can it not be the right of a Palestinian, a Palestinian who left Palestine not 40 years ago?

I really had wanted to focus on peace for which we have come. Before that I shall just show you if I may a photograph, an old photograph of Mr. Shamir at the age of thirty-two.

The information was widely distributed in Europe at the time. The caption says he is thirty-two years old, he is 165 centimeters tall. And then the other descriptions we all know. However, why was this picture distributed? It was distributed because he was wanted. He himself recognized that he was a terrorist. That he practices terrorism. And that he helped in the assassination of Count Bernadotte, the UN mediator in Palestine, as I recall, in 1948. He kills peace mediators. And then he talks of Syria, Lebanon, and terrorism.

Let me give you another example on this subject. Israel shot down in 1954 a Syrian; it kidnapped, hijacked a Syrian aircraft in 1954, a civilian aircraft.

He also says, no, he did not say that Israel occupied; he does not recognize occupation. He said that 1967, the war in '67 was a defensive war. The media tells us that the Arabs attacked Israel in 1967. They are really holding in contempt all historians, and history itself. Just the last word.

Regardless of who occupied who, regardless of who initiated the war in 1967, the resolution, distinguished cochairmen, is clear. It states, it provides that it is inadmissible to acquire the territory of others by war. Those territories must be returned.

Very briefly, in conclusion, distinguished cochairmen, we have come for peace, and we shall continue to work for peace proceeding from our faith in such a peace. We declare with determination and resolution that we shall work to achieve a comprehensive and just peace, which would liberate the land and guarantee the rights and securities of all. We shall find it very strange indeed where this Israeli side attempted to create pretexts to prevent the continuation of this process in Madrid. . . .

VII. U.S. Secretary of State James Baker's Press Conference, Madrid, 3 November 1991 (excerpts).

[The text of the secretary of state's press conference was made available by the State Department's Office of the Assistant Secretary/Spokesman.]

[The text of the secretary of state's press conference was made available by the State Department's Office of the Assistant Secretary/Spokesman.]

. . . Let me begin by saying that the Madrid conference was a beginning. I think it was a good beginning. Today the parties have taken another critical step beginning direct bilateral negotiations between Israel and the joint Jordanian-Palestinian delegation, Israel and Lebanon, and Israel and Syria. There have been, and as I have said before, there will be obstacles in this process to be overcome, but they have not deterred us until now, and they do not, in my view, diminish the importance of what has happened this week.

Let me emphasize another point that I made in my address to the peace conference on Friday. The parties have not agreed on venue and, in fact, as you know, the major issue that we had to work over the weekend was where to hold the bilateral negotiations. This is still an open question, and it is one that will need to be resolved as the negotiations proceed. The United States and the Soviet Union expressed the hope that the parties themselves will continue to negotiate in order to reach an understanding. In the absence of agreement, we will work together with the parties. And we will make proposals as necessary.

The United States and the Soviet Union intend to maintain our position that bilateral negotiations should be face-to-face and take place separately between an Israeli delegation and each of the other delegations.

On behalf of the cosponsors I want all to know that the arrangements that have been so laboriously worked out for these initial bilateral meetings will not be considered preconditional for future rounds of talks.

Amidst all of the procedural wrangling, it is important, I think, not to lose sight of the breakthrough represented by the start of direct bilateral negotiations. As I have stressed all along, direct negotiations are the only way in which real progress is going to be made, and the only way in which real progress—real peace—is ever going to be achieved.

I want to take special note of the steadfast commitment of the Jordanian-Palestinian delegation to beginning bilateral negotiations. And I want to express appreciation to all those who have gone the extra mile to make these opening meetings possible today, particularly the government of Israel.

From the initial reports I have received from the delegations themselves, I am especially pleased with the quality of the first negotiating session between the Israeli and joint Jordanian-Palestinian delegations. As they

told me, and as their public statement made clear, they surely intend to proceed in a serious and constructive fashion, and that gives us reason to believe that we really are entering a new phase in the Middle East. . . .

Q: If there's no solution to the venue problem, how long will the Syrians, or how long are the Syrians committed to remain in the process if they're committed at all? And secondly, apart from the fact that the Israelis and the Palestinians held historic first talks, what specifically did they accomplish that causes you to use the work "breakthrough?"

SECRETARY BAKER: First of all, let me say with respect to the question about any country staying in the process or not staying in the process, I think we ought to look at the actions of all of the countries so far. They have all entered the process, and many of them against the predictions of a lot of people that they would not enter the process. They have all entered the first two phases of the process. We of course have a third phase—the multilateral negotiations—and Syria has made clear its reservations about those multilateral negotiations. But I have no reason to think that any country is on the verge of pulling out of the process just because we have a continuing discussion or difference of opinion with respect to what the venue should be for the bilateral negotiations. I think if that was going to be the case, I think we might have seen it before now.

With respect to the second part of your question, I can only tell you that I had a personal briefing from the representatives of the joint Jordanian-Palestinian delegation, and from the representatives of the Israeli delegation who participated in those talks. They both used the same types of terms. In fact, the terms that they used in their public statements—constructive, forthcoming. Are there lots of questions and lots of differences? You bet. . . .

Q: Mr. Secretary, when you started this whole process, you talked about confidence-building measures, and I remember asking you a question about that in the King David. Now, we've come a long way. The Palestinians have made a lot of sacrifices as far as the delegation is concerned. The Palestinians in the occupied territories have changed their—instead of throwing stones, they're throwing olive branches. Now when will the Israelis stop building settlements, release the prisoners, and get the process—give the hope to the Palestinians?

SECRETARY BAKER: You know I said

night before last, I think, when I was here that the question of settlements and the question of a suspension of the intifada, these are all issues that should be put on the table in the negotiations.

We did have some discussions with the delegation members tonight about the importance of steps being taken that will permit the Palestinian delegation representatives to freely move in terms of carrying out their responsibilities as negotiators. I don't know whether that falls under the heading of confidence-building measures or not, but I have to tell you that I think a lot of what the Palestinian representatives had to say at the conference was well received in many places around the world.

I think that the talks between Israelis and Palestinians have really gotten off to a better start, frankly, than I would have expected, and I think that confidence-building measures ought to, at some point in the process, be put on the table and be negotiated. I think they will be.

Q: Mr. Secretary, what are the modalities and framework that you propose the system and negotiation for interim government agreement which was agreed among the Palestinians, the Jordanians and the Israelis? And, could you elaborate on this idea of self-government—interim self-government—for the Palestinians?

SECRETARY BAKER: I can't answer the first part of your question because we have not made specific suggestions and I don't know where you—if you have the idea that we have, I don't know where you have gotten that idea.

Q: (Inaudible)

SECRETARY BAKER: Well, let me say what the concept generally is, is that there should be for a transitional period, interim self-government arrangements for Palestinians. Those can take many, many different forms and variations. I should interject here that it's our hope, as it indicated in our notice of invitation, that we could conclude those negotiations within a year, we hope. We have, at least, begun the negotiations with the objective of trying to conclude them in one year. But, there are many, many things that Palestinians can and should do to govern themselves—that fall under the heading of interim self-government arrangements, transitional arrangements.

If you go back and look at the—some of the talks that followed Camp David, you will see many of the ideas suggested there. There

are a whole host of them and I won't run down the full list.

Q: Mr. Secretary, is it your understanding that the various Israeli delegations have accepted the principle of having a Bush administration representative on hand, on call, in case the talks should run—you know, should run into trouble? And, such a person would be consulted in the event of an impasse?

SECRETARY BAKER: I think you ought to direct that question to the Israeli government representative who, I understand, will be doing a briefing here later tonight. Let me tell you what the position of the United States has been and continues to be. We want to see—first we wanted to see a process develop. I think one has developed. I hope one has developed. Now, we want to see it move forward. We want to serve as a catalyst to produce that movement in any way that we can. If the best way for us to do that is to not be involved at all, that's what we want. If the best way for us and our cosponsor, the Soviet Union, to do that is to be in the room and intimately involved, then that's what we would like. However, the ground rules are that the parties will negotiate bilaterally without anybody else in the room unless the parties themselves invite others in the room. We have said we expect to—we and the Soviets—would expect to be the driving force behind this process and we would be available, if wanted.

Q: Thank you, Mr. Secretary, but I'm afraid I'm going to put my question in Arabic, if you don't mind. (No translation)

SECRETARY BAKER: I can't answer the last part of your question. I think that's directed more properly to the media in the West. Let me say, with respect to the intentions of the United States and my own intentions, we intend to stay fully engaged—as fully engaged as we can and for as long as we think that the parties are serious about peace. And, right now, we are convinced that the parties are serious. If they weren't, I don't think they would have come to Madrid, notwithstanding some suggestions to the contrary. And, if they weren't, I certainly don't think they would be sitting down together face-to-face, but my own view is we should

stay engaged, fully engaged for as long as the parties themselves are serious about peace.

Q: Mr. Secretary, following up a little bit on Saul's question, in July I think it was, when President Asad said yes to your three-layer proposal, that really broke the logjam and made all this possible. Yet, now in the last three or four days, not only were they dithering over the venue, but putting heavy, heavy pressure on the Palestinians and Jordanians not to go forward. One, do you feel President Asad broke his word to you, or at the very least stretched it? And, two, does it give you any doubts about the willingness of the Syrian government to follow through on this commitment?

SECRETARY BAKER: The answer to your question is that I absolutely do not think that President Asad, in any way or to any extent, broke any commitment.

I take note of the fact that Syrians and Israelis are sitting down face-to-face beginning at 10:20 Sunday night, which is four days after the opening of the conference. And, my view about the role of Syria in this process remains what I said in my speech to the conference, that I do believe their earlier commitment was very, very important and that until given some reason to think to the contrary, I believe, that when they tell us that this represents a historical change in their policy approach, we have no reason to disbelieve that.

They are at the table. They attended the conference and, yes, it was difficult to arrange all of this, and—but, let me go back to what I said a couple of nights ago, I think. Well, no I guess I said it today on the television program.

What looks to us, perhaps, like insignificant little issues of procedure or modalities, can be very, very large issues to the parties who are involving themselves in this process. And, I am not speaking now just about Syria. I am speaking about all of the parties. It took a great deal of courage, I think, for a lot of the parties to make the commitment to come to Madrid, to engage in bilateral negotiations and to engage, some of them, in multilateral negotiations.

Thank you very much.

ANNEX NO. 5



General Assembly
Security Council

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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

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

ANNEX NO. 6

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.
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 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.
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.

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.

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.
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, Absan, Beit Hanun and Jericho.
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 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.
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.

For the Government of the
State of Israel

For the PLO

Witnessed By:

The United States of America

The Russian Federation

The Arab Republic of Egypt

May 4, 1994

Yasser Arafat
Chairman
The Palestine Liberation Organization

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 no 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.

ANNEX NO. 7

AGREEMENT ON

PREPARATORY TRANSFER OF POWERS AND RESPONSIBILITIES

The Government of the State of Israel and the Palestine Liberation Organization (hereinafter "the PLO"), the representative of the Palestinian people;

Lead to the implementation of Security Council Resolutions 242 and 338;

FOLLOWING

the Agreement on the Gaza Strip and the Jericho Area as signed at Cairo on May 4, 1994 (hereinafter "the Gaza-Jericho Agreement");

DESIROUS

of putting into effect the Declaration of Principles on Interim Self-Government Arrangements as signed at Washington, D.C. on September 13, 1993 (hereinafter "the Declaration of Principles"), and in particular Article VI regarding preparatory transfer of powers and responsibilities and the Agreed Minutes thereto;

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;

HEREBY AGREE

to the following arrangements regarding the preparatory transfer of powers and responsibilities in the West Bank:

REAFFIRMING

their desire to achieve a just, lasting and comprehensive peace settlement through the agreed political process;

Article I

Definitions

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;

For the purpose of this Agreement, unless otherwise indicated in the attached Protocols:

REAFFIRMING

their understanding that the interim self-government arrangements, including the preparatory arrangements to apply in the West Bank contained in this Agreement, are an integral part of the whole peace process and that the negotiations on the permanent status will

- a. the term "the Palestinian Authority" means the Palestinian Authority established in accordance with the Gaza-Jericho Agreement;
- b. the term "Joint Liaison Committee" means the Joint Israeli-Palestinian Liaison Committee established pursuant to Article X of the Declaration of Principles;

c. the term "Interim Agreement" means the interim agreement referred to in Article VII of the Declaration of Principles; and

d. the term "Israelis" also includes Israeli statutory agencies and corporations registered in Israel.

Article II

Preparatory Transfer of Powers and Responsibilities

1. Israel shall transfer and the Palestinian Authority shall assume powers and responsibilities from the Israeli military government and its Civil Administration in the West Bank in the following spheres: education and culture, health, social welfare, tourism, direct taxation and Value Added Tax on local production (hereinafter "VAT"), as specified in this Agreement (hereinafter "the Spheres").

2. For the purposes of this Agreement, the Palestinian Authority shall constitute the authorized Palestinians referred to in Article VI of the Declaration of Principles.

3. The Parties will explore the possible expansion of the transfer of powers and responsibilities to additional spheres.

Article III

Scope of the Transferred Powers and Responsibilities

1. The scope of the powers and responsibilities transferred in each Sphere, as well as specific

2. In accordance with the Declaration of Principles, the jurisdiction of the Palestinian Authority with regard to the powers and responsibilities transferred by this Agreement will not apply to Jerusalem, settlements, military locations and, unless otherwise provided in this Agreement, Israelis.

3. The transfer of powers and responsibilities under this Agreement does not include powers and responsibilities in the sphere of foreign relations, except as indicated in Article VI(2)(b) of the Gaza-Jericho Agreement.

Article IV

Modalities of Transfer

1. The transfer of powers and responsibilities in the sphere of education and culture pursuant to this Agreement will be implemented on August 29, 1994. The transfer of powers and responsibilities in the remaining Spheres will be implemented in accordance with Article XI below.

2. The transfer of powers and responsibilities shall be coordinated through the Civil Affairs Coordination and Cooperation Committee referred to in Article X below and shall be implemented in accordance with the arrangements set out in this Agreement in a smooth, peaceful and orderly manner.

3. Upon the signing of this Agreement, the Israeli side shall provide the Palestinian side with, or enable free access to, all information that is necessary for an effective and smooth transfer.

4. On the date of the transfer of powers and responsibilities, Israel shall also transfer all movable and immovable property which exclusively serves the offices of the Civil Administration in the Spheres, including premises, whether government-owned or rented, equipment, registers, files and computer programs. The treatment of property which serves the offices transferred to the Palestinian Authority as well as offices which are not so transferred will be as mutually agreed between the two sides, such as on the basis of sharing or exchange.

5. The coordination of the transfer of powers and responsibilities pursuant to this Article shall also include a joint review of the Civil Administration contracts the duration of which extends beyond the date of the transfer with a view to deciding which contracts will remain in force and which will be terminated.

Article V

Administration of the Transferred Offices

1. The Palestinian Authority shall be fully responsible for the proper functioning of the offices included in the Spheres and for the management of their personnel in all aspects, including employment and placement of employees, payment of their salaries and pensions and ensuring other employee rights.
2. The Palestinian Authority will continue to employ Palestinian Civil Administration employees currently employed in the offices included in each Sphere and shall maintain their rights.

3. The main office of each of the Spheres will be situated in the Jericho Area or in the Gaza Strip. The Palestinian Authority will operate the existing subordinate offices in the West Bank. The two sides may agree on the establishment of additional subordinate offices in the West Bank, if necessary, in such locations as mutually agreed.

4. The Palestinian Authority has the right to coordinate its activities in each of the Spheres with other Spheres in which it is empowered.

Article VI

Relations Between the Two Sides

1. With regard to each Sphere, the Palestinian Authority shall coordinate with the Civil Administration on issues relating to other spheres in which the Palestinian Authority is not empowered.
2. The military government and its Civil Administration shall assist and support the Palestinian Authority in promoting the effective exercise of its powers and responsibilities. In addition, the military government and its Civil Administration shall, in exercising their own powers and responsibilities, take into account the interests of the Palestinian Authority and do their utmost to remove obstacles to the effective exercise of powers and responsibilities by the Palestinian Authority.
3. The Palestinian Authority shall prevent any activities with a military orientation within each of the Spheres and will do its utmost to maintain

decorum and discipline and to avoid disruption in the institutions under its responsibility.

4. The Palestinian Authority will notify the military government and its Civil Administration and will coordinate with them regarding any planned public large-scale events and mass gatherings within the Spheres.
5. Nothing in this Agreement shall affect the continued authority of the military government and its Civil Administration to exercise their powers and responsibilities with regard to security and public order, as well as with regard to other spheres not transferred.

Article VII

Legislative Powers of the Palestinian Authority

1. The Palestinian Authority may promulgate secondary legislation regarding the powers and responsibilities transferred to it. Such legislation includes amendments and changes to the existing laws, regulations and military orders specified in Appendix A to each Annex.
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 Israel which may, within a period of thirty (30) days, notify the Palestinian Authority that it opposes such legislation for any of the following reasons:

- (1) it exceeds the powers and responsibilities transferred to the Palestinian Authority;
 - (2) it is inconsistent with the provisions of this Agreement; or
 - (3) it otherwise affects legislation or powers and responsibilities which were not transferred to the Palestinian Authority.
4. Where Israel opposes proposed legislation, it shall specify the reason for the opposition.
 5. If Israel has no reservations concerning the proposed legislation, it shall accordingly notify the Palestinian Authority at the earliest opportunity. If at the end of the thirty-day period Israel has not communicated any opposition concerning the proposed legislation, such legislation shall enter into force.
 6. The Palestinian Authority may, in the event of opposition to the proposed draft legislation, submit a new draft or request a review by the Legislation Subcommittee established under the Gaza-Jericho Agreement.
 7. The Legislation Subcommittee shall attempt to reach a decision on the merits of the matter within thirty days. If the Legislation Subcommittee is unable to reach a decision within this period, the Palestinian Authority shall be entitled to refer the matter to the Joint Liaison Committee. The Joint Liaison Committee shall consider the matter immediately and will attempt to settle it within thirty days.

8. Where, upon communicating to Israel proposed legislation consisting of detailed technical regulations, the Palestinian Authority states that such regulations fulfill the requirements of paragraph 3 above and requests a speedy review, Israel shall immediately respond to such a request.

9. Legislation regarding the West Bank shall be published as a separate part of any publication of legislation regarding the Gaza Strip and the Jericho Area issued by the Palestinian Authority.

Article VIII

Law Enforcement

1. The Palestinian Authority may bring disciplinary proceedings concerning persons it employs in the West Bank before disciplinary tribunals operating in the Gaza Strip or the Jericho Area.

2. The Palestinian Authority may, within each of the Spheres, authorize employees to act as civilian inspectors to monitor compliance with laws and regulations in that Sphere, within the powers and responsibilities transferred to the Palestinian Authority. Such inspectors shall operate in each Sphere separately and shall not be organized into a central unit. These inspectors shall not wear uniforms or carry arms, and shall not in any other way have the nature of a police force. They shall be required to carry the identification documentation referred to in paragraph 3 below. The number of employees to be authorized as civilian inspectors shall be agreed upon by both sides. The names of these employees shall be notified to Israel and, where these employees enjoy

privileges pursuant to subparagraph 3 below, shall be agreed upon by both sides.

3. The Palestinian Authority shall issue the civilian inspectors in the West Bank with identification documentation specifying the office in which they are employed. Such documentation shall be used for identification and will not grant privileges, except those agreed in the Civil Affairs, Coordination and Cooperation Committee referred to in Article X below, or immunities. This committee shall determine the format of the identification documentation.

4. Except as specifically provided in this Agreement, all powers and responsibilities regarding law enforcement, including investigation, judicial proceedings and imprisonment, will continue to be under the responsibility of the existing authorities in the West Bank.

Article IX

Rights, Liabilities and Obligations

1. a. The transfer of powers and responsibilities to the Palestinian Authority under this Agreement will include all related rights, liabilities and obligations arising with regard to acts or omissions which occurred prior to the transfer. Israel and the Civil Administration 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 or the Civil Administration 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 or the Civil Administration 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 or the Civil Administration by any court or tribunal in respect of such a claim, the Palestinian Authority shall, once the award has been paid by Israel, 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 Palestinian Authority shall not bear financial responsibility.
- g. Notwithstanding subparagraphs 1.d through 1.f above, Israel may, pursuant to agreement within the Legal Subcommittee of the CAC established under the Gaza-Jericho Agreement, request an Israeli court or tribunal to dismiss a claim brought before it and, with regard to a pending claim, dismiss the claim and transfer the proceedings to a local court or tribunal.
- h. Where a claim has been so transferred or where a new claim has been brought in a local court or tribunal subsequent to the dismissal of the claim pursuant to subparagraph 1.g above, the
- Palestinian Authority 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.
- i. The Legal Subcommittee referred to in subparagraph 1.g above shall agree on arrangements for the transfer of proceedings from Israeli courts or tribunals pursuant to subparagraph 1.g above and, where necessary, for the provision of legal assistance by Israel to the Palestinian Authority in defending such claims.
2. In accordance with paragraph 1 above:
 - a. The Palestinian Authority may bring legal proceedings in respect of any acts or omissions relating to powers and responsibilities transferred under this Agreement which occurred prior to the date of the transfer. Israel shall provide the Palestinian Authority with the legal assistance necessary to bring such proceedings.
 - b. The Palestinian Authority may collect any taxes due under Annexes V and VI on the date of the transfer of powers and responsibilities in respect of these taxes, and shall assume responsibility for the payment of any rebates or refunds.
 3. Subject to the provisions of this Article, the transfer-of powers and responsibilities 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 X

Liaison and Coordination

1. The Joint Civil Affairs Coordination and Cooperation Committee established in accordance with the Gaza-Jericho Agreement, (hereinafter "the CAC"), will deal with all issues of mutual concern regarding this Agreement.
2. The operation of the CAC shall not impede daily contacts between representatives of the Civil Administration and the Palestinian Authority in all matters of mutual concern.

Article XI

Budgetary Issues

1. The military government and its Civil Administration shall provide the Palestinian Authority with full information concerning the budget of each Sphere.
2. The Palestinian Authority shall immediately employ personnel who will promptly begin the process of becoming acquainted with the current budget issues. On the date of the transfer of powers and responsibilities in each of the Spheres, these personnel will assume responsibility for all accounts, assets and records on behalf of the Palestinian Authority.
3. Israel shall continue to provide the services of Israeli experts currently employed in the fields of income tax and VAT to ensure a smooth transition

and efficient establishment of the taxation system of the Palestinian Authority. The terms of their employment shall be agreed upon by the two sides.

4. The Palestinian Authority will do its utmost to establish its revenue collection system immediately with the intent of collecting direct taxes and VAT.
5. The two sides will jointly approach the donor countries during the upcoming meetings of the Consultative Group and of the Ad Hoc Liaison Committee, scheduled for September 8 through 10, 1994 in Paris, with a request to finance the shortfall that may be created in the collection of the direct taxes and the VAT during the initial period while the Palestinian Authority establishes its own revenue collection system.
6. The two sides will meet no later than three days after the conclusion of these meetings in order to decide on the date of transfer of powers and responsibilities in the remaining Spheres, based, among other things, on the response of the donor countries to the joint request.
7. The CAC will provide the donor countries, when necessary, with information to help adjust the allocation of contributions as a result of variations in tax collection.
8. The Palestinian Authority shall also assume full responsibility for any additional expenditures beyond the agreed budget which is attached as Schedule 1, as well as for any shortfall in tax collection that is not actually covered by the donor countries.
9. If actual revenues from the Spheres, including the donor contributions, exceed the budgeted revenues, the excess shall be applied to development of the Spheres.

10. The inclusion of the sphere of VAT in the spheres to be transferred to the Palestinian Authority shall constitute the adjustment referred to in paragraph (3) of the Agreed Minute to Article VI(2) of the Declaration of Principles, and no further adjustment shall be required.

Article XII

Mutual Contribution to Peace and Reconciliation

With regard to each of the Spheres, Israel and the Palestinian Authority will ensure that their respective 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.

Article XIII

Final Clauses

1. This Agreement shall enter into force on the date of its signing.
2. The arrangements established by this Agreement are preparatory measures and shall remain in force until and to the extent superseded by the Interim Agreement or by any other agreement between the Parties.

3. 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.

4. 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.

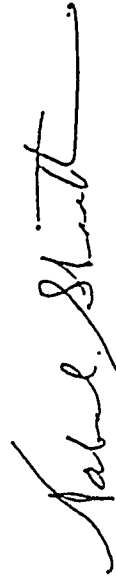
5. The Gaza Strip and the Jericho Area shall continue to be an integral part of the West Bank and the Gaza Strip. The status of the West Bank shall not be changed for the period of this Agreement. Nothing in this Agreement shall be considered to change this status.

6. The Preamble to this Agreement and the Annexes, Appendices and Schedules attached hereto, shall constitute an integral part hereof.

Done at Erez this twenty-ninth day of August 1994.


D. Rothschild

For the
Government of the
State of Israel


For the PLO

Schedule 1

Six-month Budget for the Spheres

\$ Million

1. Total Expenditures	<u>54.58</u>
Education and Culture	26.2
Health	18.7
Social Welfare	4.3
Tourism	0.075
Direct Taxes	2.3
VAT	3.0

\$ Million

2. Total Revenues	<u>54.58</u>
Income Tax	23.15
VAT	22.15
Property Tax	0.215
Health Insurance	9.06

Protocol Concerning Preparatory Transfer of Powers and Responsibilities in the Sphere of Education and Culture

1. The powers and responsibilities of the military government and its Civil Administration in the sphere of education and culture will be transferred to and will be assumed by the Palestinian Authority.
2. The sphere of education and culture shall include all matters dealt with in the laws, regulations and military orders listed in Appendix A, as well as the responsibility over higher education, special education, cultural and educational training activities, cultural and educational institutions and programs, and private, public, non-governmental or other educational or cultural activities or institutions.

Appendix A

Laws, Regulations and Military Orders in the Sphere of Education and Culture

1. Education Law, No. 16, 1964
2. Regulations regarding the Structure of the Ministry of Education and Culture, No. 21, 1965
3. Regulations regarding the Collection of Contributions in Schools, No. 22, 1965

4. Regulations regarding the Structure of Managers' Offices in the Districts and Regions, No. 24, 1965
5. Regulations regarding Licensing of Teaching, No. 23, 1965
6. Regulations regarding Scientific Delegations, No. 155, 1966
7. Regulations regarding Grants for Educational Programs and Textbooks, No. 1, 1965
8. Regulations regarding the Appointment of Women Teachers, No. 2, 1965
9. Regulations regarding Needy Heirs of Education and Culture Employees, No. 57, 1960
10. Regulations regarding the Jordanian Committee for Arabization, Translation and Publishing, No. 11, 1967
11. Regulations regarding Private Educational Institutions, No. 27, 1966
12. Regulations regarding Adult Education and the Elimination of Illiteracy, No. 120, 1965
13. Regulations regarding Cultural Centers, No. 28, 1966
14. Regulations regarding the Jordanian Scientific Research Council, No. 53, 1964
15. Regulations regarding the Nationalization of Textbooks, No. 4, 1956
16. Regulations regarding the Education Tax, No. 1, 1956
17. Regulations regarding the Financing of Examinations and Certificates of High Schools and Secondary Education, No. 39, 1967
18. Order regarding the Education Law No. 16 of 1964 (Amendment No. 2) (Judea and Samaria), No. 1076, 1983
19. Order regarding the Use of Textbooks (Judea and Samaria) (Amendment), No. 183, 1967
20. Regulations regarding General Examination Fees in the Teachers' Colleges, 1991
21. Directives regarding Success, Completion and Failure in Schools, No. 1, 1965
22. Directives regarding General Matriculation Examinations, No. 2, 1965
23. Order regarding Education Tax (Judea and Samaria), No. 501, 1972
24. Civil Service Regulations, No. 23, 1966, including Amendments Nos. 14, 28, 61 and 92
25. Regulations for Dispatch of Scientific Delegations, No. 115, 1966, including Amendments Nos. 16 and 43
26. Regulations regarding Employee Pensions and Social Insurance, No. 6, 1966, including Amendments Nos. 116- and 183
27. Financial Regulations, No. 1, 1951
28. Requisition Regulations, No. 87, 1965
29. Regulations regarding Employees Commuting to and from Work, No. 18, 1967, including Amendment No. 73
30. Regulations regarding the Provision of Honors for Employees, No. 9, 1966.

Annex II

31. Regulations regarding Issuing Certificates and Diplomas, No. 15, 1966
32. Regulations regarding Graduation Examinations, No. 17, 1966, including Amendment No. 71
33. Regulations regarding Placement of Administrative employees, No. 1, 1966
34. Regulations regarding the Provision of Student Services, No. 58, 1964
35. Regulation regarding the Provision of Assistance to Students, No. 5, 1960, including Amendment No. 25
36. Regulations regarding the Scouts Youth Movement, No. 1, 1957
37. Regulations regarding Summer Seminars, No. 34, 1960
38. Regulations regarding the Leasing of Properties for Government Service, No. 16, 1961, including Amendment No. 153
39. Regulations regarding the Acquisition of Books for School and College Libraries, No. 11, 1966, including amendment No. 153
40. Regulations regarding Health Insurance for Employees, No. 104, 1965
41. Regulations regarding Colleges, No. 151, 1966
42. Regulations regarding the Evaluation of Certificates, No. 110, 1966, including Amendment No. 74
43. Law regarding Student Transfer, No. 7, 1967
44. Regulations regarding Room and Board, No. 36, 1967
- Protocol Concerning Preparatory Transfer of Powers and Responsibilities in the Sphere of Health
1. The powers and responsibilities of the military government and its Civil Administration in the sphere of health will be transferred to and will be assumed by the Palestinian Authority.
2. The sphere of health shall include all matters dealt with in the laws, regulations and military orders listed in Appendix A, including the responsibility over all health institutions, whether private, public, non-governmental or other.
3. In exercising its security authority, the military government will do its utmost to respect the dignity of patients and medical staff and will act with a view to prevent any damage to medical installations or equipment.
4. The transfer of powers and responsibilities to the Palestinian Authority shall not affect the authority of Israel and of the Israeli military government in the West Bank to exercise its powers and responsibilities in criminal matters, such as the performance of autopsies, the investigation of narcotic offenses, etc.
5. The Palestinian Authority shall inform the Civil Administration in a routine manner of births or deaths occurring within the medical institutions under its responsibility.
6. The Palestinian Authority shall apply the present standards of vaccination of Palestinians and shall improve them according to internationally-accepted standards in the field.

7. The Palestinian Authority shall take necessary measures to ensure that the health institutions and medical staff under its responsibility inform the Civil Administration in the West Bank of any Israeli hospitalized in a Palestinian hospital upon his or her admission.

Arrangements for moving such hospitalized Israelis shall be agreed upon.

8. The Palestinian Authority shall take necessary measures to ensure that the health institutions and medical personnel under its responsibility inform the Israel Police in the West Bank of any person wounded by any kind of weapon or explosive who is treated or hospitalized in a Palestinian medical institution, upon his or her admission, and of any death from unnatural causes.

9. The Palestinian Authority shall make available for transfer the corpse of any deceased from unnatural causes, for an autopsy in the Institute of Forensic Medicine, immediately upon request by the military commander.

Upon request of the Palestinian Authority, a Palestinian physician may be present at any autopsy performed, provided that the participation of the said representative shall not inordinately delay the performance of the autopsy.

The Palestinian Authority shall ensure that no prior autopsy of the corpses so transferred shall be conducted.

10. Israel and the Palestinian Authority shall exchange information regarding epidemics and contagious diseases, shall cooperate in combatting them, and shall develop methods of exchange of medical files and documents.

11. The Palestinian Authority shall enter into agreements with the Israeli medical institutions on arrangements regarding complementary medical services for Palestinians in these institutions including their hospitalization in Israeli hospitals. Israel shall assist the Palestinian Authority in reaching such agreements as necessary.

12. The health systems of Israel and of the Palestinian Authority will maintain good working relations in all matters, including mutual assistance in providing first aid in cases of emergency, medical instruction, professional training and exchange of information.

13. A joint committee of experts will discuss health issues that require coordination and cooperation between the Palestinian Authority and the relevant departments of the Civil Administration, including, inter alia, the environment department.

14. A committee will be established to facilitate coordination and cooperation on health and medical issues between the Palestinian Authority and the Israeli Ministry of Health.

Appendix A

Laws, Regulations and Military Orders in the Sphere of Health

1. Public Health Law No. 43, 1966, except for articles 7(1), 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 69, 70, 71, 72, 73, 74, 75, 76, 77

- article 10(2) but not including supervision over water sources;
 article 15 but only when approved by the military commander
2. Regulations regarding Supervision of Medications and their Manufacture, No. 134, 1966, only with regard to medications
 3. Regulations regarding Health Insurance, No. 146, 1966
 4. Regulations regarding Burial of Deceased, Cemeteries, Transfer of Bodies and Re-opening of Graves, 1981, except for articles 5, 7, 8(a), 9, 10, 11, 12, 13, 14, 15
 5. Regulations regarding Public Health Supervision of Radiation-Equipment for Medical Treatment, 1981
 6. Pharmacologists' Bureau Law, No. 10, 1957
 7. Order regarding the Pharmacologists' Bureau Law, No. 10, 1957, (Amendment), No. 1053, 1983
 8. Internal Regulations of the Pharmacologists' Bureau, 1961, as amended 1980
 9. Order regarding Medical and Sanitation Professions (Licensing and Practice), No. 745, 1978
 10. Medical Association Law, No. 14, 1954
 11. Dental Association Law, No. 11, 1956
 12. Internal Regulations of the Dental Association, 1960
 13. Order regarding Health Services, No. 746, 1978

14. Order regarding Notification of Casualties, No. 163, 1967
15. Regulation regarding Health Services, 1978
16. Notification regarding Health Services, Program of Health Services and Payment for Health Services, 1981
17. Order regarding Dangerous Drugs, No. 558, 1973
18. Order regarding Cosmetics, No. 1103, 1983
19. Regulations regarding Cosmetics (Fees), 1984

Annex III

- Protocol Concerning Preparatory Transfer of Powers and Responsibilities in the Sphere of Social Welfare
1. The powers and responsibilities of the military government and its Civil Administration in the sphere of social welfare will be transferred to and will be assumed by the Palestinian Authority.
 2. The sphere of social welfare shall include all matters dealt with in the laws, regulations and military orders listed in Appendix A, as well as responsibility over governmental and non-governmental organizations and institutions, including charitable societies and institutions, and voluntary and non-profit organizations.

3. The Palestinian Authority will supervise registered foreign organizations of the type mentioned in paragraph 2 above, that currently operate in the West Bank and will register others only if their goals are not inconsistent with the peace process.
4. The transfer of powers and responsibilities to the Palestinian Authority shall not affect the continued authority of the military government and its Civil Administration to exercise their powers and responsibilities for security and public order as well as for other spheres not transferred, including, inter alia, the establishment of a vice squad.
5. The Palestinian Authority may exercise the Regulation on Welfare Insurance for Civil Servants (No. 6 of 1966) with regard to its employees.
6. Juvenile Offenders:
Israel and the Palestinian Authority will determine arrangements for the following:
 - a. The serving of sentences in the West Bank passed by courts in Israel concerning juvenile offenders, residents of the West Bank.
 - b. The transfer of information necessary for the preparation of briefs by probation officers in connection with juvenile offenses.
7. Confidentiality:
Arrangements will be made to protect confidentiality and individual privacy in the exchange of information between Israel and the Palestinian Authority in the sphere of social welfare.

8. The respective social welfare systems of Israel and the Palestinian Authority will maintain a positive working relationship in all aspects, including general and professional training, and the exchange of information.

Appendix A

Laws, Regulations and Military Orders in the Sphere of Social Welfare

1. Bureau of Social Affairs Law, No. 14, 1956
2. Social Assistance Regulations, No. 14, 1959
3. Regulations regarding Assistance to Youth, No. 48, 1959
4. Amended Law regarding Assistance to Youth, No. 16, 1954
5. Regulations regarding the Collection of Charitable Donations, No. 1, 1957
6. Regulations regarding the Collection of Charitable Donations, No. 103, 1963
7. Regulations regarding Assistance to University Students, No. 5, 1960, except for Articles 5 and 6
8. Regulations regarding Assistance and Rehabilitation, No. 42, 1963
9. Law regarding Charitable Societies and Social Welfare Institutions, No. 33, 1966
10. Jordanian Regulations regarding Social Services Institutions, No. 128, 1965

Annex IV

Protocol Concerning Preparatory Transfer of Powers and Responsibilities in the Sphere of Tourism

1. The powers and responsibilities of the military government and its Civil Administration in the sphere of tourism will be transferred to and will be assumed by the Palestinian Authority.

2. The sphere of tourism shall include all matters dealt with in the laws, regulations and military orders listed in Appendix A.

This includes the responsibility for regulating, licensing, grading, supervising and developing the tourist industry and its services within the scope of such terms in the laws, regulations and military orders listed in Appendix A, as well as maintaining and promoting foreign and domestic tourism, developing visitors' interest in tourist sites and encouraging the development of tourist services around them in coordination with the Civil Administration, or if the site is under the responsibility of another authority - in coordination with that other authority. It also includes organizing exhibitions, popular and cultural festivals and events and tourism conferences.

This sphere shall cover tourism activities conducted by private, public, non-governmental and foreign bodies.

3. In exercising its security authorities, the military government will take into account tourism considerations with the objective of minimizing any harmful effect on the industry or any consequences that may prejudice its productivity and continued development.

4. The military government and its Civil Administration will assist and support the Palestinian Authority in developing the tourism industry, promoting the expansion of tourist facilities such as hotels, restaurants and travel agencies, and in removing obstacles that may hinder the growth of the industry.

5. The transfer of powers and responsibilities to the Palestinian Authority shall not affect the continued authority of the military government and its Civil Administration to exercise their powers and responsibilities for security and public order as well as for other spheres, including the sites referred to in paragraph 2 above, authority over which has not been transferred.

6. The tourism authorities of Israel and the Palestinian Authority shall promote and encourage tourism to the region for the benefit of both sides.

7. a. Travel agents, tour companies, tour guides and other tourism businesses (hereinafter "tourism entities") authorized by the Palestinian Authority will be allowed to conduct tours that include Israel, provided that their authorization as well as their operation is in accordance with rules, professional requirements and standards agreed upon in the subcommittee on tourism of the JEC.

- b. Pending that agreement, existing tourism entities in the West Bank that are currently allowed to conduct tours that include Israel, will be allowed to continue to do so.
8. Tour buses or any other forms of tourist transport authorized by the Palestinian Authority, and operated by companies registered and licensed by it, will be allowed to enter and proceed on their tour in Israel if such buses or other vehicles conform with the standards currently in effect in the West Bank and provided that they conform with international standards that have been adopted. All such vehicles will be clearly marked as tourist vehicles.
9. Tourism companies and agencies licensed by the Palestinian Authority shall enjoy equal access to tourism-related facilities and amenities in border points of exit and entry according to the regulations of the Israeli authorities.
10. A joint committee will be established between Israel and the Palestinian Authority to facilitate coordination and cooperation on tourism issues, including the promotion of tourism.

Appendix A

Laws, Regulations and Military Orders in the Sphere of Tourism

1. Temporary Tourism Law, No. 45, 1965, except for articles 2(4)E, 4(1), 4(5), 7(2), 7(3), 14(3) article 2(5) except for provisions regarding Tourism Regions

2. Regulations regarding Equipment and Promotional Services and Constructive Activities of the Tourism Authority, No. 44, 1966
3. Financial Regulations of the Tourism Authority, No. 45, 1966
4. Tourism and Travel Agency Regulations, No. 46, 1966
5. Regulations regarding Commercial Oriental Souvenir Emporiums, No. 47, 1966
6. Regulations regarding Commercial Oriental Souvenir Emporiums, (Amendment No. 6) (Judea and Samaria), 1988
7. Regulations regarding Tour Guides and their Supervision, No. 48, 1966
8. Regulations regarding Guest Houses and their Supervision, No. 49, 1966
9. Order regarding Temporary Law for Tourism, No. 45, 1965 (Judea and Samaria), No. 917, 1981
10. Regulations regarding Tourism and Travel Agencies (Amendments 1-4) (Judea and Samaria), 1976
11. Regulations regarding Commercial Oriental Souvenir Emporiums (Amendment No. 3) (Judea and Samaria), 1982
12. Regulations regarding Commercial Oriental Souvenir Emporiums (Amendments 1-6), 1976, 1980, 1987, 1988
13. Regulations regarding Tour Guides and their Supervision (Amendment No. 5) (Judea and Samaria), 1988
14. Regulations regarding the Prohibition on Acceptance of Commissions by Tour Guides, 1976

15. Decision regarding Escorting Tourists as a Branch of Tourism (Judea and Samaria), 1982
16. Regulations regarding Guest Houses and their Supervision (Amendments 3 and 4), 1988, 1990
17. Instructions regarding Guest Houses and their Supervision (Minimal Standards for Ungraded Motels) (Judea and Samaria), 1975
18. Instructions regarding Guest Houses and their Supervision (Principles of Hotel Grading) (Judea and Samaria), 1976
19. Instructions regarding Guest Houses and their Supervision (Offering Drinking Water and Citrus Fruits during Meals) (Judea and Samaria), 1985
20. Regulations regarding Tourism Offices (Judea and Samaria), 1989
21. Regulations regarding Licensed Tourist Emporiums (Judea and Samaria), 1977

Annex V

Protocol Concerning Preparatory Transfer of Powers and Responsibilities in the Sphere of Direct Taxation

1. The powers and responsibilities of the Civil Administration in the sphere of direct taxation regarding income tax on income accrued or derived in the West Bank will be transferred to and will be assumed by the Palestinian Authority.

Powers and responsibilities regarding property tax will continue to be exercised by the Civil Administration, though the income from this tax will be transferred to the Palestinian Authority, after deducting the sums due to the municipalities.

2. The sphere of direct taxation shall include all matters dealt with in the laws, regulations and military orders listed in Appendix A, subject to the principles set forth below.
3. Without derogating from the principle of territoriality in taxation, i.e., the right of each tax administration to levy the income tax on income generated by economic activity in its area, and in accordance with the Declaration of Principles and with the Gaza-Jericho Agreement:

- a. The Palestinian Authority will levy and collect income tax on Palestinians in respect of income accrued or derived in the West Bank outside the settlements and the military locations.
- b. (1) The Civil Administration will levy and collect income tax on Israelis in respect of income accrued or derived in the West Bank outside the settlements and the military locations by any business or service which accrues or derives an annual turnover in the West Bank outside the settlements and military locations exceeding \$7,000 US.
- (2) The tax will be levied in accordance with the Palestinian tax code in force in the West Bank.
- (3) The Civil Administration will remit the tax collected to the Palestinian Authority.

(4) For the purpose of subparagraph 3(b)(1) above and paragraph 5 below, changes in the legislation regarding the definition of "accrued or derived" income shall be made in the subcommittee established under paragraph 9.

(5) In the event of disagreement regarding the implementation of this paragraph when the Palestinian Authority considers that a business or service should be taxed under this subparagraph, it may refer the matter to the above mentioned subcommittee.

4. a. For the purpose of this Annex, and for the purpose of the application of Appendix B to this Annex -

(1) A corporation will be regarded as either a Palestinian or an Israeli if the majority of its shares which grant rights to distribution of profits are held by Palestinians or by Israelis, respectively.

(2) For the purpose of subparagraph a. above, shares held by foreigners will be considered as shares held by Palestinians, except with regard to corporations, operating within the settlements and military locations.

b. Income accruing to a partnership or derived by it will be attributed to its partners in accordance with their respective rights to profits and taxed in accordance with the provisions of this Annex.

c. With regard to corporations in which Israelis and Palestinians hold shares granting equal rights to distribution of profits, corporation tax will be levied equally on each shareholder by the relevant tax authority, in accordance with the principles of this Annex.

5. In the case of income accrued or derived by a foreigner, outside the settlements and the military locations, income tax will be levied and collected by the Palestinian Authority.

6. a. When an Israeli, including the military government and its Civil Administration, remits payment to a Palestinian and the payment is income taxable by the Palestinian Authority, the Israeli will deduct tax at source in accordance with the rules of the Palestinian tax code regarding the deduction at source by Palestinian payors and transfer it to the Civil Administration.

b. All activity relating to the assessment and collection of such deductions will be carried out by the Civil Administration or by Israel.

c. The Civil Administration will transfer such deductions to the Palestinian Authority in a manner to be agreed upon.

d. Procedures for implementation of the above mentioned arrangement for deduction at source will be determined by the Joint Economic Committee established under the Gaza-Jericho Agreement.

e. Pending the determination of the above mentioned procedures:

- (1) the present system of tax deduction at source from wages and salaries will continue to apply with regard to payments to Palestinian employees; and
- (2) until 31 December, 1994, tax will be deducted at source at the rate of 5% from other payments to Palestinians referred to in subparagraph a. above, subject to existing certificates concerning the reduction of deduction at source which shall continue to remain in force notwithstanding their initial date of expiration.
- As of January 1, 1995, deduction at source from such payments will be effected only on the basis of the procedures to be agreed upon.
7. a. When a Palestinian remits payment to an Israeli, there will be no tax deduction at source.
- b. The Palestinian Authority may transfer to the Civil Administration information regarding such payments where it considers that the income of the Israeli falls under paragraph 3(b) above, in order to assist the Civil Administration in levying tax on such income.
- c. The Civil Administration will transfer to the Palestinian Authority, on a bimonthly basis, the sums collected from Israelis as advance payments in respect of taxes to be collected by the Civil Administration under paragraph 3(b) above.
- Each tax year there will be a settling of accounts between the Civil Administration and the Palestinian Authority with regard to the
- final tax collected according to paragraph 3(b), taking into account the aforementioned advance payments and any necessary resultant tax refunds.
- d. Foreigners who are subject to income tax levied by the Palestinian Authority will deduct tax at source in the same manner as Palestinians.
8. Until the Interim Agreement enters into force, Israel will transfer to the Palestinian Authority a sum equal to 75% of the income taxes collected by Israel from Palestinians employed in the settlements and military locations and in Israel.
9. The two sides will establish a joint committee composed of representatives of both tax authorities. This committee will discuss cases where one side wishes to tax businesses or services subject to the tax authority of the other side as well as cases where it is not clear by which side tax should be levied and all cases concerning double taxation.
10. Tax enforcement by the Palestinian Authority shall be in accordance with the principles set out in attached Appendix B.

Appendix A

Laws, Regulations and Military Orders in the Sphere of Direct Taxation

1. Income Tax Law, No. 25, 1964, except article 74(1), and as follows (article numbers relate to Hebrew version):

28(a)(4)-(5) - will apply to civil examinations (not to criminal investigations);

29b, 34a(a)(2), 34a(d), 49(3), 54(3), 57, 63(c)-(d), 64, 66(4) - will be subject to the principles regarding tax enforcement;

44(1) - will not apply to the military government, the Civil Administration and their employees;

21, 62, 63(c), Chapter 16 - will be subject to the principles regarding the tax enforcement;

2. Regulations regarding Depreciation for Income Tax Purposes, No. 15, 1965

3. Regulations regarding Income Tax Deductions at Source from Salaries, No. 16, 1965

4. Regulations regarding Income Tax (Bookkeeping), 1988 (which adopted the regulations regarding Bookkeeping, 1985)

5. Regulations regarding Income Tax (Forms Required for Deductions at Source), 1987

6. Regulations regarding Income Tax (Determining Payments for Services or Goods and for Contracting as an Income), 1978

7. Regulations regarding Income Tax (Deduction at Source from Payments for Services or Goods and for Contracting), 1978

8. Regulations regarding Income Tax (Determining Payments for Construction Work and Shipping as an Income), 1986

9. Order regarding Encouragement of Capital Investment, No. 1342, 1991 - with regard to income tax exemptions; except for articles 26, 27 and 28

29 and 30 - will be subject to the principles regarding tax enforcement

Appendix B

Tax Enforcement

1. With regard to tax enforcement, the Palestinian Authority shall have the powers and responsibilities set out in this Appendix, except in relation to criminal offenses.

2. Gathering of Information

Concerning gathering of information, the Palestinian Authority shall be authorized to:

- a. demand and seize documents, information and other relevant financial records from the assessee and any relevant third party.
- b. require the appearance of any person at the taxation authorities' offices in the West Bank and require that person to provide all relevant reports and documents; and
- c. enter any permanent place of business or residence of any person being assessed.

3. Tax Collection

For the purpose of tax collection, the Palestinian Authority shall be authorized to take the following measures:

- a. attachments not relating to immovable property effected by the service of documents without requiring any physical action, such as bank accounts;

- b. attachment of monies and chattels in the debtor's permanent place of business or residence only;
- c. public auctions of the attached property or assets;
- d. requests from the local courts in the West Bank to issue restraining orders prohibiting the debtor to travel abroad; and
- e. requests from the local courts in the West Bank to issue civil imprisonment orders against tax defaulters.

4. Appeals Proceedings

The Palestinian Authority may establish a tax court in the West Bank for the purpose of hearing appeals with regard to assessments and bookkeeping. The details of this tax court shall be agreed in the CAC. Until the establishment of this tax court, such appeals shall continue to be heard by the local courts.

5. Scope

- a. The Palestinian Authority shall not be authorized to take any enforcement measures against Israelis.
- b. The Palestinian Authority shall not have the power to exercise enforcement measures affecting, directly or indirectly, the military government or its Civil Administration. The two sides will agree upon the mode and procedures regarding enforcement measures that require the cooperation of the military government and its Civil Administration, with a view to assisting the

Palestinian Authority in carrying out its enforcement measures, subject to considerations of security and public order.

- c. The use of force required for the exercise of tax-enforcement measures shall be effected only by the Israeli authorities. Israel shall provide the Palestinian Authority with the necessary assistance in this regard.
- d. The enforcement measures set out in this Appendix shall be exercised by the Palestinian Authority solely for tax collection and shall not be exercised for any other purpose.

6. Cooperation and Exchange of Information

Israel and the Palestinian Authority shall cooperate, including by exchanging information, to assist each other in the exercise of their powers and responsibilities with regard to tax enforcement.

7. Legislation Regarding Tax Enforcement

Subject to the principles set out in this Appendix, the Palestinian Authority is authorized, in addition to the measures included in the legislation set out in Appendix A, to take tax enforcement measures included in the following legislation:

- a. Law regarding Collection of Public Monies, No. 6, 1952, except for articles 10, 11, 12A (appeals will be brought before the local courts), 14, 16(A) (with regard to payments owed by the Palestinian Authority)
- b. Order regarding Amendment of the Collection of Public Monies Law, No. 113, 1967

- c. Rules regarding Collection of Public Monies, 1988, except for articles 4(b)-(c), 22, 23
- d. Rules regarding Collection of Public Monies (Imprisonment of a Debtor), 1991
- e. Order regarding Taxes (Fine for Late Payment), No. 1296, 1990
- f. Order regarding Rounding Off of Sums, No. 1164, 1986.
- g. Order regarding Tax Collection. (Auxiliary Authorities) (Temporary Order), No. 1262, 1989 - with regard to permits and services provided by the Palestinian Authority

Annex VI

Protocol Concerning Preparatory Transfer of Powers and Responsibilities in the Sphere of VAT on Local Production

1. The powers and responsibilities of the Civil Administration in the sphere of VAT on local production in the West Bank will be transferred to and will be assumed by the Palestinian Authority.
2. For the purpose of this Annex the term "VAT" shall refer to Value Added Tax on local production imposed on the sale of assets and the provision of services by dealers.
 3. The sphere of VAT shall include all matters dealt with in the laws, regulations and military orders listed in Appendix A, subject to the principles set forth in this Annex.
4. In accordance with Protocol IV of the Gaza - Jericho Agreement, while the prevailing system and principles of VAT in the West Bank will continue to apply, the Palestinian VAT rate shall not be lower than 15% to 16% and the maximum annual turnover for dealers to be exempt from VAT will be decided by the Palestinian Authority, within an upper limit of 12,000 US dollars.
5. Subject to paragraph 6 below, each side will register for VAT purposes dealers who are subject to its powers and responsibilities, notwithstanding the place of their activity.
 - a. Ongoing permanent businesses will register for VAT purposes with the VAT administration of the side exercising powers and responsibilities in the place in which they are situated.
 - b. Notwithstanding subparagraph 6.a, ongoing permanent Israeli businesses situated outside the settlements and military locations will be registered for VAT purposes with the Civil Administration. The rules of Palestinian VAT legislation will apply to these businesses.

The Civil Administration will transfer to the Palestinian Authority the net VAT collected from these businesses, after deduction of their refunds.
7. For the purpose of this Annex, and for the purpose of the application of Appendix B of Annex V to this Annex pursuant to paragraph 17 below
 - a. A corporation will be regarded as either a Palestinian or an Israeli if the majority of its shares which grant rights to distribution of profits are held by Palestinians or by Israelis, respectively.

- b. For the purpose of subparagraph a. above, shares held by foreigners will be considered as shares held by Palestinians, except with regard to corporations operating within the settlements and military locations.
- c. The above mentioned principle regarding corporations will apply to partnerships, with the necessary adjustments.
- d. The registration for VAT purposes of corporations and partnerships in which Israelis and Palestinians hold equal rights to distribution of profits, will be according to the place of registration of the corporation or the partnership. Each side may bring such cases for discussion before the joint committee referred to in paragraph 16 below, if it considers that the place of registration for VAT purposes should be different.
8. Foreign dealers will be registered for VAT purposes in accordance with their place of activity.
9. The VAT levied on dealers registered for VAT purposes will accrue to the VAT administration with which the dealer is registered and the tax code of that side will apply.
10. The principles set out in paragraphs 1-9 and 16-17 of this Annex shall also apply to wage-and-profit tax on financial institutions.
11. There will be clearance of VAT revenues between Israel and the Palestinian Authority according to the following principles:
- a. The VAT clearance will apply to VAT on transactions between dealers registered with different VAT administrations. For the purpose

of this paragraph, dealers registered with the Civil Administration shall be considered to be registered with the Palestinian Authority.

- b. The following procedures will apply to clearance of VAT revenues accruing from transactions by dealers registered for VAT purposes:
- (1) To be acceptable for clearance purposes, special invoices, clearly marked for this purpose, will be used for transactions between dealers registered by the different sides.
 - (2) These 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 and that the amounts filled out in the invoice are stated also in NIS.
 - (3) For the purposes of tax rebates, such invoices will be valid for six months from their date of issue.
 - (4) Representatives of the two sides will meet once a month, on the twentieth 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 dealer issuing it;
 - (b) the name of the registered dealer issuing it;

- (c) the number of the invoice;
- (d) the date of issue;
- (e) the amount of the invoice - with a separate reference to the amount of VAT, specified both numerically and in words; and
- (f) the name and the VAT registration number of the recipient of the invoice.
- (5) The clearance claims will be settled within six 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 request, with invoices for verification purposes. Each tax administration will be responsible for providing invoices for verification purposes for six months after receiving them.
- (7) Each side will take the necessary measures 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 interconnected computer system for tax rebates to dealers and for VAT clearance between the two sides is operational, it will replace the clearance procedures specified in subparagraphs (4) and (5) above.
- (10) The two tax administrations will exchange lists of the dealers registered by them and will provide each other with the necessary documentation, if requested, for the verification of transactions.
- (11) The subcommittee established under Article VI paragraph 5 of Annex IV of the Gaza - Jericho Agreement will deal with the implementation of the provisions of this paragraph.
12. Pending the Interim Agreement, the following provisions shall apply with regard to VAT on imports:
- a. In addition to the clearance described in paragraph 11 above, VAT on imports paid by dealers registered with the Palestinian Authority who deduct input tax on such imports shall be remitted to the Palestinian Authority.
- b. The clearance shall be effected in the framework of the monthly settlement referred to in paragraph 10 above. For this purpose, the Palestinian Authority shall provide Israel with a list containing the following details.
- (1) the VAT registration number of each dealer;
- (2) the number of each import entry document; and
- (3) the VAT amount included in each import entry document.
- c. The Palestinian Authority shall verify and confirm that the list referred to in subparagraph (b) does not include imports the final destination of which is the Gaza Strip or the Jericho Area. The remittance of VAT payments in respect of these imports shall

continue to be in accordance with the Gaza-Jericho Agreement.

13. VAT paid on transactions with dealers registered with Israel by not-for-profit Palestinian organizations and institutions registered with the Palestinian Authority, or by the Palestinian Authority where the transaction relates to powers and responsibilities transferred under this Agreement, will be remitted to the Palestinian Authority in accordance with the clearance system set out in paragraph 11. The same principle will apply to VAT paid on such transactions by Palestinian local authorities, once the powers and responsibilities regarding them are transferred to the Palestinian Authority.
14. VAT paid on transactions with dealers registered with the Palestinian Authority by not-for-profit Israeli organizations and institutions, by Israeli local authorities, or by Israel, will be remitted to Israel in accordance with the clearance system set out in paragraph 11.
15. Where the zero VAT rate on transactions by dealers registered with the Palestinian Authority is conditional upon the submission of proof by the dealer that foreign currency has been deposited with a financial institution, the deposit will be made in a financial institution operating in the West Bank. The definition of foreign currency for the purposes of this paragraph may be determined within the JEC.
16. The two sides will establish a joint committee composed of representatives of both VAT administrations. This committee will deal with all issues requiring coordination and cooperation with regard to this Annex.
17. VAT enforcement by the Palestinian Authority shall be in accordance with the principles set out in Appendix B attached to Annex V.

Appendix A

Laws, Regulations and Military Orders in the Sphere of VAT

1. Law of Excise on Local Production, No. 16, 1963, except for the following articles (Hebrew Version):
2(A), 2(B), 2(E), 3, 6A(2), 6A(5), 6A(6), 6A(8)
6A(7) - will be subject to principles regarding the tax enforcement
2. Regulations Regarding Excise on Local Production (Judea and Samaria), 1985, except for the following articles (Hebrew Version):
2, 33, 118, 137, 147, 127
31(A)1, will not apply in relation to authorizing use of "other document"
53 (B), 70, 85, 86, 87A, 89, 92, 94, 103, 116, 116A(D)-(E), 117, 119(D), 129(C), 139(B) - will be subject to the principles regarding tax enforcement
35(A)2, 35(A)3, 112, 115A, 116A(C), 119, Chapter 16, 139(A) - will be subject to principles regarding tax enforcement
3. Regulations regarding Bookkeeping (Judea and Samaria), 1985
4. Notification regarding Excise on Local Production (designating Egypt as bordering country) (Judea and Samaria), 1987

ANNEX NO. 8

Further Transfer of Powers and Responsibilities

27 Aug 1995

PROTOCOL ON FURTHER TRANSFER OF POWERS AND RESPONSIBILITIES

August 27, 1995

It is hereby agreed between the Government of the State of Israel and the Palestine Liberation Organization (hereinafter "the PLO), the representative of the Palestinian people as follows:

Article I - Further Transfer of Powers and Responsibilities

Israel shall transfer and the Palestinian Authority shall assume the authorities, powers and responsibilities in the West Bank from the Israeli government and its Civil Administration in the following spheres: Labor, Commerce and Industry, Gas and Petroleum, Insurance, Postal Services, Local Government and Agriculture, as specified in this Protocol (hereinafter referred to as "the Eight Spheres").

Article II - Framework and Scope

The Annexes to this Protocol regarding each of the Eight Spheres (hereinafter "the Annexes") shall be incorporated in the Protocol concerning Civil Affairs to the Interim Agreement to be concluded between the Parties (hereinafter "the Interim Agreement").

Pending the implementation of the Interim Agreement with regard to the Eight Spheres, the provisions of the Annexes shall be subject to the provisions of this Protocol and to the Appendices attached to the Annexes (hereinafter "the Appendices").,P>

The jurisdiction of the Palestinian Authority under this Protocol shall not apply to issues that will be negotiated in the permanent status negotiations in accordance with the Declaration of Principles on Interim Self Government arrangements signed at Washington DC on September 13, 1993 and the Agreed Minutes thereto.

Article III - Legislative Powers of the Palestinian Authority

Legislative powers related to, or within, each of the Eight Spheres shall be transferred to the Palestinian Authority upon the implementation of the Interim Agreement with regard to the Eight Spheres. Notwithstanding the above, the Palestinian side shall have the right to issue administrative internal procedures regarding the Eight Spheres.

Article IV - Rights, Liabilities and Obligations

The provisions of Article XXII of the Agreement on the Gaza Strip and the Jericho Area as signed at Cairo on May 4, 1994, (hereinafter "the Gaza-Jericho Agreement") shall apply to the Eight Spheres.

In accordance with paragraph 1 above, Israel shall provide the Palestinian Authority with the information it has regarding pending and anticipated claims brought before any court or tribunal against the Israeli side with regard to the Eight Spheres.

Without prejudice to paragraph 1 above, the Palestinian Authority shall review Civil Administration contracts in the Eight Spheres which extend beyond the date of the transfer,

with a view to deciding which contracts will remain in force and which will be terminated. A list of all such contracts is attached to this Protocol as Schedule 1.

Article V - Law Enforcement

Arrangements regarding the operation of civilian inspectors to monitor compliance with laws and regulations in each of the Eight Spheres, shall be agreed upon within the Civil Affairs Coordination and Cooperation Committee established in accordance with the Gaza-Jericho Agreement (hereinafter, "the CAC"). Such inspectors may conduct internal inquiries in the Eight Spheres. In any event, such inspectors shall not wear uniforms of a police or military nature or carry arms.

All powers and responsibilities regarding law enforcement, including investigation, judicial proceedings and imprisonment, will continue to be under the responsibility of the existing authorities in the West Bank.

Article VI - Modalities of Transfer

The transfer of powers and responsibilities in the Eight Spheres pursuant to this Protocol will be implemented on the 1st day of October, 1995.

The transfer of powers and responsibilities shall be coordinated through the CAC and shall be implemented in accordance with the arrangements set out in this Protocol in a smooth, peaceful and orderly manner.

The Palestinian Authority will continue to employ the Palestinian employees of the Civil Administration who are currently employed in the offices included in each of the Eight Spheres, without derogating from the powers and responsibilities of the Palestinian Authority to deal with all employee related matters in the Eight Spheres. The Palestinian Authority shall maintain the rights, including pension rights, of present and former employees.

The main office of each of the Eight Spheres will be situated in the Jericho Area or in the Gaza Strip. The two sides agree on the operation of the existing subordinate offices and on the establishment of additional subordinate offices in the West Bank, if necessary, in such locations as mutually agreed.

With the transfer of powers and responsibilities, the Civil Administration shall transfer all its movable and immovable property which is necessary for the continued operation of the powers and responsibilities transferred therein. This property includes, inter alia, equipment, registers, files, computer programs and reports.

Article VII - Relations Between the Two Sides

With regard to each of the Eight Spheres, the Palestinian Authority shall coordinate with the Civil Administration on issues relating to other spheres, and to powers and responsibilities not transferred to the Palestinian Authority.

Each side will assist and support the other side in promoting the effective exercise of its powers and responsibilities.

The Palestinian Authority will notify the military government and its Civil Administration regarding any planned large-scale events or mass gatherings in respect of the Eight Spheres. The Palestinian Authority shall prevent any activities with a military or police orientation within each of the Eight Spheres.

Nothing in this Protocol shall affect the continued authority of the military government and its Civil Administration to exercise their powers and responsibilities with regard to security and public order, as well as with regard to other powers and responsibilities not transferred.

Provisions in the Annexes referring to the Interim Agreement (such as references to the sections on the Environment or Transportation or to the Security Annex) shall be read as relating to the continued authority of the military government and its Civil Administration.

Article VIII - Budgetary and Revenue Issues

All budgetary and revenue issues regarding the Eight Spheres will be discussed separately between the two sides.

Article IX - Final Clauses

This protocol shall enter into force on the date of its signing.

The arrangements established by this Protocol shall remain in force pending their replacement or cancellation by the Interim Agreement or by any other agreement between the Parties.

The Annexes, Appendices and Schedule attached to this Protocol shall constitute and integral part hereof.

Done at Cairo this 27th day of August 1995.

*Oren Shachor
For the Government
of the State of Israel*

*Jamil Tarifi
For the PLO*

Annex Concerning the Sphere of Labor

The sphere of Labor includes, inter alia, rights of workers, labor relation, labor conciliation, safety and hygiene in work places, labor accidents and compensation, vocational and professional training courses, cooperative associations, professional work associations and trade unions, heavy machinery equipment.

The two sides shall establish agreed procedures for mutual recognition of professional certificates and diplomas.

The Palestinian side shall ensure the completion of vocational and professional training courses currently being conducted by the Civil Administration. In this regard, the Civil Administration will transfer to the Palestinian side a proportionate amount of fees received on account of such courses, relating to the period following the date of transfer.

The Palestinian side shall continue to hold vocational training courses, at least to the same extent as has been undertaken by the Civil Administration, inter alia, in the following professions: heavy-vehicle and public transport drivers, garage managers, vehicle technicians, vehicles testers, driving teachers and driving school managers.

Cooperative Associations, Professional Work Associations and Trade Unions should act in a manner that does not violate the Cooperative Associations laws, the Professional Work Associations laws and the Trade Union laws.

The Palestinian side shall inform the Israeli side of any work related accident resulting in the injury of an Israeli. The Israeli side may conduct an investigation of such an accident coordination with the Palestinian side.

All matters regarding the production and use of explosives and gunpowder shall be dealt with in the Security Annex.

Annex Concerning the Sphere of Commerce and Industry

This sphere includes, inter alia, import and export, the planning and formulation and implementation of policies, as well as the licensing and supervision of all industrial and commercial activities, including commodities, services, wights and measures and the regulation of commerce.

In authorizing the establishment and operation of industrial plants, factories or concerns in the West Bank, both sides shall ensure that there is no detrimental impact on the environment, and on the safety of the other side. Matters regarding the environment are dealt with in Section ___ (Environmental Protection).

The production and use of weapons, ammunition or explosives are dealt with in the Security Annex.

The economic aspects of this sphere are dealt with in Annex ___ (Economic Protocol).

Annex Concerning the Sphere of Gas, Fuel and Petroleum

This sphere includes, inter alia, the planning, formulation and implementation of policies, as well as the licensing and supervision of gas, fuel and petroleum facilities. For the purposes of this paragraph, "gas, fuel and petroleum facilities" shall include, inter alia, all gas and petrol stations, installations, terminals and infrastructure, as well as agencies for the marketing, distribution, transportation, storage, sale or supply of gas, fuel or petroleum products. This sphere also includes the licensing and supervision of the import, export, and transportation in addition to the exploration, production and distribution of gas, fuel and petroleum.

In authorizing the establishment and operation of gas, fuel and petroleum facilities as defined in paragraph 1, the Palestinian side shall ensure that there is no detrimental impact on the environment or on the safety of Israel, the settlements and military installations and that a safety distance from Israel, the settlements and military installations is observed. Accordingly, the Palestinian side shall apply the American, British, and/or Israeli safety and environmental standards.

The color of all gas cylinders in use by Palestinians in the West Bank shall be different than that in use in Israel and by Israelis.

The Palestinian side will notify the Israeli side of any exploration and production of oil and gas carried out by the Palestinian side or with its permission.

Israel and the Palestinian side agree to cooperate concerning production of oil and gas in cases of joint geological structures.

All transportation of gas or fuel products, in Israel and in the West Bank, shall be in accordance with the respective laws applying which, in any event shall not fall short of the international requirements and standards concerning safety and environmental protection as applied by Israel. The transportation of gas and fuel products into Israel, the settlements and military installations shall further be subject to the requirements and modalities regarding entry into Israel.

In order to facilitate the movement of transportation of gas or fuel products in the West Bank:

The Palestinian side will issue permits to Palestinian owners, drivers and exports of vehicles transporting gas or fuel products. The issue of such permits shall be governed by the criteria regarding the recruitment to the Palestinian police according to this Agreement. The issue of such permits is not contingent upon the approval of the Israeli side. The Palestinian side shall notify the Israeli side of the permits issued by it.

The Palestinian side shall ensure that vehicles transporting gas or fuel products, as well as their parking lots, shall be guarded against any theft or unauthorized use. The Palestinian side shall inform the Israeli side, at the earliest opportunity, of any suspected theft or unauthorized use of such vehicles.

The Israeli side shall cooperate with the Palestinian side with regard to the establishment by the Palestinian side of 3-4 storage facilities for gas and petroleum, including in facilitating, inter alia, location, land a technical assistance in order to secure the purchasing needs of the Palestinians for the Israeli market.

Matter regarding the environment and transportation are dealt with in Section ___ (Environmental Protection) and Section ___ (Transportation), respectively.

Appendix Regarding the Sphere of Gas and Petroleum

Powers and responsibilities regarding exploration and production of oil and gas shall be transferred upon the transfer of the Sphere of Gas and Petroleum in accordance with the Interim Agreement.

Annex Concerning the Sphere of Insurance

This sphere includes, inter alia, the licensing of insurers and insurance agents, and the supervision of their activities, including supervision of insurer's deposits and funds and the road safety fund.

Arrangements regarding the compulsory insurance of motor vehicles and the compensation of road accident victims are dealt with in Article XI (Insurance Issues) of the Protocol on Economic Relations signed in Paris on April 29, 1994 (hereinafter: Article XI).

The Existing Fund, as defined in Article XI, shall be transferred to the Palestinian side. This transfer will include all the Existing Fund's assets and liabilities.

The Palestinian side shall be responsible for all liabilities of the Existing Fund whether arising from accidents occurring prior or subsequent to the date of transfer.

Accordingly, Israel will cease to bear any financial responsibility in this respect. If Israel is sued with regard to the aforesaid liabilities, the Palestinian side will reimburse Israel for the full amount awarded by any court against it in this respect and shall enable the Palestinian side to participate in defending the claim.

With a view to assisting the Palestinian side to deal with claims against the Existing Fund, the following provision shall apply:

A joint experts committee shall be established to examine claims against the Existing Fund (hereinafter "the Joint Committee").

Without prejudice to paragraph 3(c) above, the Joint Committee shall examine and estimate whether the assets of the Existing Fund are sufficient to meet its liabilities as they stand on the day of the transfer. In the event that the Joint Committee concludes that the Existing Fund's assets are not sufficient to meet its liabilities, the Israeli side shall cover the agreed deficit, including claims incurred but not reported (IBNR). If the Joint Committee is unable to agree on the above amount, the matter shall be referred to the JEC (Joint Economic Committee).

The Joint Committee shall submit recommendations to the Palestinian side concerning administrative or legal changes with a view to expediting settlement of the claims. The Joint Committee shall conclude its work within three months. The two sides may agree on a one time extension for another three months.

Additionally, the Israeli side will provide to the Palestinian side all the necessary assistance with regard to the Existing Fund, and advice and consultation when requested.

All claims, including pending claims, against the Existing Fund should not be brought before or heard by any Israeli court or tribunal and should only be brought before the Palestinian Courts. To this end, the two sides may take all necessary measures, including if possible, the enactment of legislation.

Annex Concerning the Sphere of Postal Services

This sphere includes, inter alia, the planning, formulation and implementation of policies, as well as the management and supervision of post offices, postal services and all monetary transactions and activities in postal units (publicly known as "the Postal Bank").

The Palestinian side shall issue postage stamps and postal stationary (hereinafter "stamps"), date stamps and all other related materials, subject to the following provisions.

Stamps shall include only the terms "the Palestinian Council" or "the Palestinian Authority", the face value and the subject. Should date stamps include the name of the issuing authority, only the above-mentioned terms may be used.

The face value shall be stated only in one of the agreed legal currencies circulating in the West Bank as detailed in Annex __ (Economic Protocol).

The design, symbols, wording and subjects of stamps and date stamps issued by the Palestinian side will be in the spirit of the peace.

In setting postal rates for international postal services, both sides shall coordinate in such a way as to prevent mutual economic harm.

Both sides shall ensure the efficient transmission and delivery of postal items, including parcels, destined for or originating from the other side. Similarly, they shall ensure the efficient transmission and delivery of such postal items arriving from, or destined for, foreign countries.

The modalities and arrangements for sending and receiving all postal items, including parcels, between the two sides will be arranged by means of a commercial agreement between the Israel Postal Authority and the Palestinian Authority.

The modalities and arrangements for sending and receiving postal items, including parcels, between the Palestinian Authority and foreign countries will be arranged by means of commercial agreements between the PLO, for the benefit of the Palestinian Authority, and the Postal Authorities of Jordan and Egypt, and a commercial agreement between the Palestinian Authority and the Israel Postal Authority.

Without derogating from the generality of Article __ of this Agreement (foreign relations), the status of the Palestinian side to this Agreement in the Universal Postal Union will remain as it is at present, and the Palestinian side will not be party to any action to alter or change its status.

The relevant customs principles detailed in Annex __ (Economic Protocol) shall also apply to postal items, including parcels, transmitted to the West Bank.

Appendix Regarding the Sphere of Postal Services

The powers and responsibilities regarding the "Postal Bank" (monetary transactions and activities in postal units) shall be transferred upon the transfer of the Sphere of Postal Services in accordance with the Interim Agreement.

Pending the Interim Agreement, the Civil Administration will continue to provide "Postal Bank" services.

In the event that the Civil Administration makes use of the services of the postal units managed by the Palestinian Authority for the purpose of granting "Postal Bank" services, it

shall transfer to the Palestinian Authority a proportional amount from the amounts transferred to it by the Israel Postal Authority, which relates to the services provided by the Palestinian Authority.

Annex Concerning the Sphere of Statistics

This sphere includes, inter alia, all phases of planning, producing and disseminating and archiving statistics from census and surveys in all areas of statistics including, but not limited to, demographic, social, economic, area, and environmental matters.

Israel shall transfer from the Civil Administration to the Palestinian side all the necessary material for maintaining and running the statistical system, such as:

The estimation procedures, forms of questionnaires, manuals, coding annuals, procedures for and results of quality control measures and analysis of surveys.

The statistical maps.

The sampling frames, including the household listings.

The basket of consumer goods and all related material, including the weights used for the CPI.

Any other professional statistical materials whenever requested.

Any other professional statistical means and methods used by the military government, Civil Administration, or on their behalf, shall also be transferred to the Palestinian side.

The Israeli side shall, through a Joint Committee to be established, transfer to the Palestinian side, if requested, any primary data from censuses and surveys, carried out by the military government, Civil Administration, or on their behalf, and archived administrative records used by the military government, Civil Administration, or on their behalf.

The Joint Committee shall decide upon the modalities and arrangements concerning the transfer of the above-mentioned materials.

Issues relating to the right to be included in the Population Registry will be dealt with in the Population Registry section of this Agreement.

The Israeli Central Bureau of Statistics and the Palestinian Central Bureau of Statistics will maintain good working relations and will cooperate in statistical matters.

Appendix Regarding the Sphere of Statistics

The Palestinian side may conduct censuses or canvasses subject to the agreement determined in the Israeli-Palestinian Elections negotiations.

Annex Concerning the Sphere of Local Government

This sphere includes, inter alia, formulation and implementation of Local Government policies, appointment of Local Government officials, approval of Local Government budgets, tenders, acquisitions, fees and tariffs, alteration of Local Government boundaries, creation

and dissolution of Local Government, Local Government election processes, Local Government inspections and the creation of joint service councils, city councils, in their capacity as local planning committees, and the operation and maintenance of the municipal water and electricity distribution systems and pricing of these services.

The term "Local Government" in this Annex includes municipal councils, village councils and all other communities which lack municipal status.

The Palestinian side has the right to make any and all alterations to the Local Government boundaries in the West Bank, within areas A and B as defined in the Security Annex.

Issues relating to the provision of Local Government services to settlements and to installations serving the Israeli military forces, are dealt with in the relevant sections. The Palestinian side shall give notice to the Israeli side of any Local Government elections. With a view to avoid friction in the context of such elections, special security arrangements will be agreed in the security liaison mechanism.

In addition to the existing powers and responsibilities of a city council, in its capacity as local planning committee, it shall also be authorized to issue building permits for various purposes, including factories, hospitals and schools, in accordance and subject to existing detailed planning schemes in force.

Municipal authorities shall continue to supply water and electricity from existing systems in accordance with existing quantities and practices.

Matters regarding planning and zoning, water and electricity are dealt with in Section ___ (Planning and Zoning), Section ___ (Water) and Section ___ (Electricity), respectively.

Appendix Regarding the Sphere of Local Government

Pending the transfer of powers and responsibilities in the Sphere of Local Government in accordance with the Interim Agreement, the Palestinian Authority shall have the powers and responsibilities transferred in accordance with the Annex on this Sphere, subject to the following provisions:

Any alterations made to boundaries of existing local authorities shall be subject to the approval of the Civil Administration.

The declaration of new local authorities, or of alterations made to the status of existing local authorities, will not involve any change in the powers and responsibilities and privileges of such local authorities unless otherwise agreed between the two sides.

The enactment or amendment of municipal by-laws shall only take effect upon the approval of both sides.

Annex Concerning the Sphere of Agriculture

This sphere includes, inter alia, veterinary services, animal husbandry, all existing experimental stations, irrigation water which has been allocated for this purpose), scientific data, forestry, pasture and grazing, licensing and supervision of agriculture, the farming and marketing (including export and import) of crops, fruit and vegetables, nurseries, forestry products, and animal produce.

Irrigation water, as well as facilities, water resources, installations and networks used in agriculture shall be dealt with in Section ___ (Water).

Relations in the agricultural sphere between the Israeli side and the Palestinian side, including the movement of agricultural produce, are dealt with in Annex ___ (Economic Protocol).

The two sides will cooperate in training and research, and shall undertake joint studies on the development of all aspects of agriculture, irrigation and veterinary services.

Forestry is part of the Agriculture sphere and will be dealt with separately in the Interim Agreement.

Appendix Regarding the Sphere of Agriculture

Powers and responsibilities regarding forestry shall be transferred upon the transfer of the Sphere of Agriculture in accordance with the Interim Agreement.

Pending the signing of the Interim Agreement, the Israeli side shall maintain the existing quantities of irrigation water in the West Bank, in accordance with existing practices.

ANNEX NO. 9

Agreed Version

Protocol Concerning the Redeployment in Hebron

In accordance with the provisions of the Interim Agreement and in particular of Article VII of Annex I to the Interim Agreement, both Parties have agreed on this Protocol for the implementation of the redeployment in Hebron.

Security Arrangements Regarding Redeployment in Hebron

1. Redeployment in Hebron

The redeployment of Israeli Military Forces in Hebron will be carried out in accordance with the Interim Agreement and this Protocol. This redeployment will be completed not later than ten days from the signing of this Protocol. During these ten days both sides will exert every possible effort to prevent friction and any action that would prevent the redeployment. This redeployment shall constitute full implementation of the provisions of the Interim Agreement with regard to the City of Hebron unless otherwise provided for in Article VII of Annex I to the Interim Agreement.

2. Security Powers and Responsibilities

- a. (1) The Palestinian Police will assume responsibilities in Area H-1 similar to those in other cities in the West Bank; and
- (2) Israel will retain all powers and responsibilities for internal security and public order in Area H-2. In addition, Israel will continue to carry the responsibility for overall security of Israelis.
- b. In this context - both sides reaffirm their commitment to honor the relevant security provisions of the Interim Agreement, including the provisions regarding - Arrangements for Security and Public Order (Article XII of the Interim Agreement); Prevention of Hostile Acts (Article XV of the Interim Agreement); Security Policy for the Prevention of Terrorism and Violence (Article II of Annex I to the Interim Agreement); Guidelines for Hebron (Article VII of Annex I to the Interim

Agreement); and Rules of Conduct in Mutual Security Matters (Article XI of Annex I to the Interim Agreement).

3. Agreed Security Arrangements

- a. With a view to ensuring mutual security and stability in the City of Hebron, special security arrangements will apply adjacent to the areas under the security responsibility of Israel, in Area H-1, in the area between the Palestinian Police checkpoints delineated on the map attached to this Protocol as Appendix 1 (hereinafter referred to as "the attached map") and the areas under the security responsibility of Israel.
- b. The purpose of the abovementioned checkpoints will be to enable the Palestinian Police, exercising their responsibilities under the Interim Agreement, to prevent entry of armed persons and demonstrators or other people threatening security and public order, into the abovementioned area.

4. Joint Security Measures

- a. The DCO will establish a sub-office in the City of Hebron as indicated on the attached map.
- b. JMU will operate in Area H-2 to handle incidents that involve Palestinians only. The JMU movement will be detailed on the attached map. The DCO will coordinate the JMU movement and activity.
- c. As part of the security arrangements in the area adjacent to the areas under the security responsibility of Israel, as defined above, Joint Mobile Units will be operating in this area, with special focus on the following places:
 - (1) Abu Sneinah
 - (2) Harat A-Sheikh
 - (3) Sha'aba
 - (4) The high ground overlooking new Route No. 35.
- d. Two Joint Patrols will function in Area H-1:
 - (1) a Joint Patrol which will operate on the road from Ras e-Jura to the north of the Dura junction via E-Salaam Road, as indicated on the attached map; and

- (2) a Joint Patrol which will operate on existing Route No. 35, including the eastern part of existing Route No. 35, as indicated on the attached map.
- e. The Palestinian and Israeli side of the JMUs in the City of Hebron will be armed with equivalent types of weapons (Mini-Ingraham submachineguns for the Palestinian side and short M16s for the Israeli side).
- f. With a view to dealing with the special security situation in the City of Hebron, a Joint Coordination Center (hereinafter the "JCC"), headed by senior officers of both sides, will be established in the DCO at Har Manoah/Jabel Manoah. The purpose of the JCC will be to coordinate the joint security measures in the City of Hebron. The JCC will be guided by all the relevant provisions of the Interim Agreement, including Annex I and this Protocol. In this context, each side will notify the JCC of demonstrations and actions taken in respect of such demonstrations, and of any security activity, close to the areas under the responsibility of the other side, including in the area defined in Article 3(a) above. The JCC shall be informed of activities in accordance with Article 5(d)(3) of this Protocol.

5. The Palestinian Police

- a. Palestinian police stations or posts will be established in Area H-1, manned by a total of up to 400 policemen, equipped with 20 vehicles and armed with 200 pistols, and 100 rifles for the protection of the police stations.
- b. Four designated Rapid Response Teams (RRTs) will be established and stationed in Area H-1, one in each of the police stations, as delineated on the attached map. The main task of the RRTs will be to handle special security cases. Each RRT shall be comprised of up to 16 members.
- c. The abovementioned rifles will be designated for the exclusive use of the RRTs, to handle special cases.
- d. (1) The Palestinian Police shall operate freely in Area H-1.
- (2) Activities of the RRTs armed with rifles in the Agreed Adjacent Area, as defined in Appendix 2, shall require the agreement of the JCC.

(3) The RRTs will use the rifles in the rest of Area H-1 to fulfill their abovementioned tasks.

e. The Palestinian Police will ensure that all Palestinian policemen, prior to their deployment in the City of Hebron, will pass a security check in order to verify their suitability for service, taking into account the sensitivity of the area.

6. Holy Sites

a. Paragraphs 2 and 3(a) of Article 32 of Appendix 1 to Annex III of the Interim Agreement will be applicable to the following Holy Sites in Area H-1:

- (1) The Cave of Othniel Ben Knaz / El-Khalil;
- (2) Elonei Mamre / Haram Er-Rameh;
- (3) Eshel Avraham / Balotat Ibrahim; and
- (4) Maayan Sarah / Ein Sarah.

b. The Palestinian Police will be responsible for the protection of the above Jewish Holy Sites. Without derogating from the above responsibility of the Palestinian Police, visits to the above Holy Sites by worshippers or other visitors shall be accompanied by a Joint Mobile Unit, which will ensure free, unimpeded and secure access to the Holy Sites, as well as their peaceful use.

7. Normalization of Life in the Old City

a. Both sides reiterate their commitment to maintain normal life throughout the City of Hebron and to prevent any provocation or friction that may affect the normal life in the city.

b. In this context, both sides are committed to take all steps and measures necessary for the normalization of life in Hebron, including:

- (1) The wholesale market - Hasbahe - will be opened as a retail market in which goods will be sold directly to consumers from within the existing shops.
- (2) The movement of vehicles on the Shuhada Road will be gradually returned, within 4 months, to the same situation which existed prior to February 1994.

8. The Imara

The Imara will be turned over to the Palestinian side upon the completion of the redeployment and will become the headquarters of the Palestinian Police in the City of Hebron.

9. City of Hebron

Both sides reiterate their commitment to the unity of the City of Hebron, and their understanding that the division of security responsibility will not divide the city. In this context, and without derogating from the security powers and responsibilities of either side, both sides share the mutual goal that movement of people, goods and vehicles within and in and out of the city will be smooth and normal, without obstacles or barriers.

Civil Arrangements Regarding the Redeployment in Hebron

10. Transfer of Civil Powers and Responsibilities

- a. The transfer of civil powers and responsibilities that have yet to be transferred to the Palestinian side in the city of Hebron (12 spheres) in accordance with Article VII of Annex I to the Interim Agreement shall be conducted concurrently with the beginning of the redeployment of Israeli military forces in Hebron.
- b. In Area H-2, the civil powers and responsibilities will be transferred to the Palestinian side, except for those relating to Israelis and their property, which shall continue to be exercised by the Israeli Military Government.

11. Planning, Zoning and Building

- a. The two parties are equally committed to preserve and protect the historic character of the city in a way which does not harm or change that character in any part of the city.
- b. The Palestinian side has informed the Israeli side that in exercising its powers and responsibilities, taking into account the existing municipal regulations, it has undertaken to implement the following provisions:

- (1) Proposed construction of buildings above two floors (6 meters) within 50 meters of the external boundaries of the locations specified in the list attached to this Protocol as Appendix 3 (hereinafter referred to as "the attached list") will be coordinated through the DCL.
- (2) Proposed construction of buildings above three floors (9 meters) between 50 and 100 meters of the external boundaries of the locations specified in the attached list will be coordinated through the DCL.
- (3) Proposed construction of non-residential, non-commercial buildings within 100 meters of the external boundaries of the locations specified in the attached list that are designed for uses that may adversely affect the environment (such as industrial factories) or buildings and institutions in which more than 50 persons are expected to gather together will be coordinated through the DCL.
- (4) Proposed construction of buildings above two floors (6 meters) within 50 meters from each side of the road specified in the attached list will be coordinated through the DCL.
- (5) The necessary enforcement measures will be taken to ensure compliance on the ground with the preceding provisions.
- (6) This Article does not apply to existing buildings or to new construction or renovation for which fully approved permits were issued by the Municipality prior to January 15th, 1997.

12. Infrastructure

- a. The Palestinian side shall inform the Israeli side, through the DCL, 48 hours in advance of any anticipated activity regarding infrastructure which may disturb the regular flow of traffic on roads in Area H-2 or which may affect infrastructure (such as water, sewage, electricity and communications) serving Area H-2.
- b. The Israeli side may request, through the DCL, that the Municipality carry out works regarding the roads or other infrastructure required for the well being of the Israelis in Area

H-2. If the Israeli side offers to cover the costs of these works, the Palestinian side will ensure that these works are carried out as a top priority.

- c. The above does not prejudice the provisions of the Interim Agreement regarding the access to infrastructure, facilities and installations located in the city of Hebron, such as the electricity

13. Transportation

The Palestinian side shall have the power to determine bus stops, traffic arrangements and traffic signalization in the city of Hebron. Traffic signalization, traffic arrangements and the location of bus stops in Area H-2 will remain as they are on the date of the redeployment in Hebron. Any subsequent change in these arrangements in Area H -2 will be done in cooperation between the two sides in the transportation sub-committee.

14. Municipal Inspectors

- a. In accordance with paragraph 4.c of Article VII of Annex I of the Interim Agreement, plainclothes unarmed municipal inspectors will operate in Area H-2. The number of these inspectors shall not exceed 50.
- b. The inspectors shall carry official identification cards with a photograph issued by the Municipality.
- c. The Palestinian side may request the assistance of the Israel Police, through the DCL of Hebron, in order to carry out its enforcement activities in Area H-2.

15. Location of Offices of the Palestinian Council

The Palestinian side, when operating new offices in Area H-2, will take into consideration the need to avoid provocation and friction. Where establishing such offices might affect public order or security the two sides will cooperate to find a suitable solution.

16. Municipal Services

In accordance with paragraph 5 of Article VII of Annex I of the Interim Agreement, municipal services shall be provided regularly and continuously to all parts of the city of Hebron, at the same quality and cost. The cost shall be determined by the Palestinian side with

respect to work done and materials consumed, without discrimination.

Miscellaneous

17. Temporary International Presence

There will be a Temporary International Presence in Hebron (TIPH). Both sides will agree on the modalities of the TIPH, including the number of its members and its area of operation.

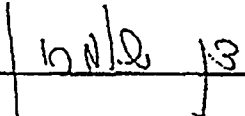
18. Annex I

Nothing in this Protocol will derogate from the security powers and responsibilities of either side in accordance with Annex I to the Interim Agreement.

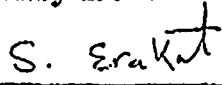
19. Attached Appendices

The appendices attached to this Protocol shall constitute an integral part hereof.

Done at Jerusalem this seventeenth day of January 1997.



 For the Government of
 the State of Israel



 For the PLO

תחילת המיפוי



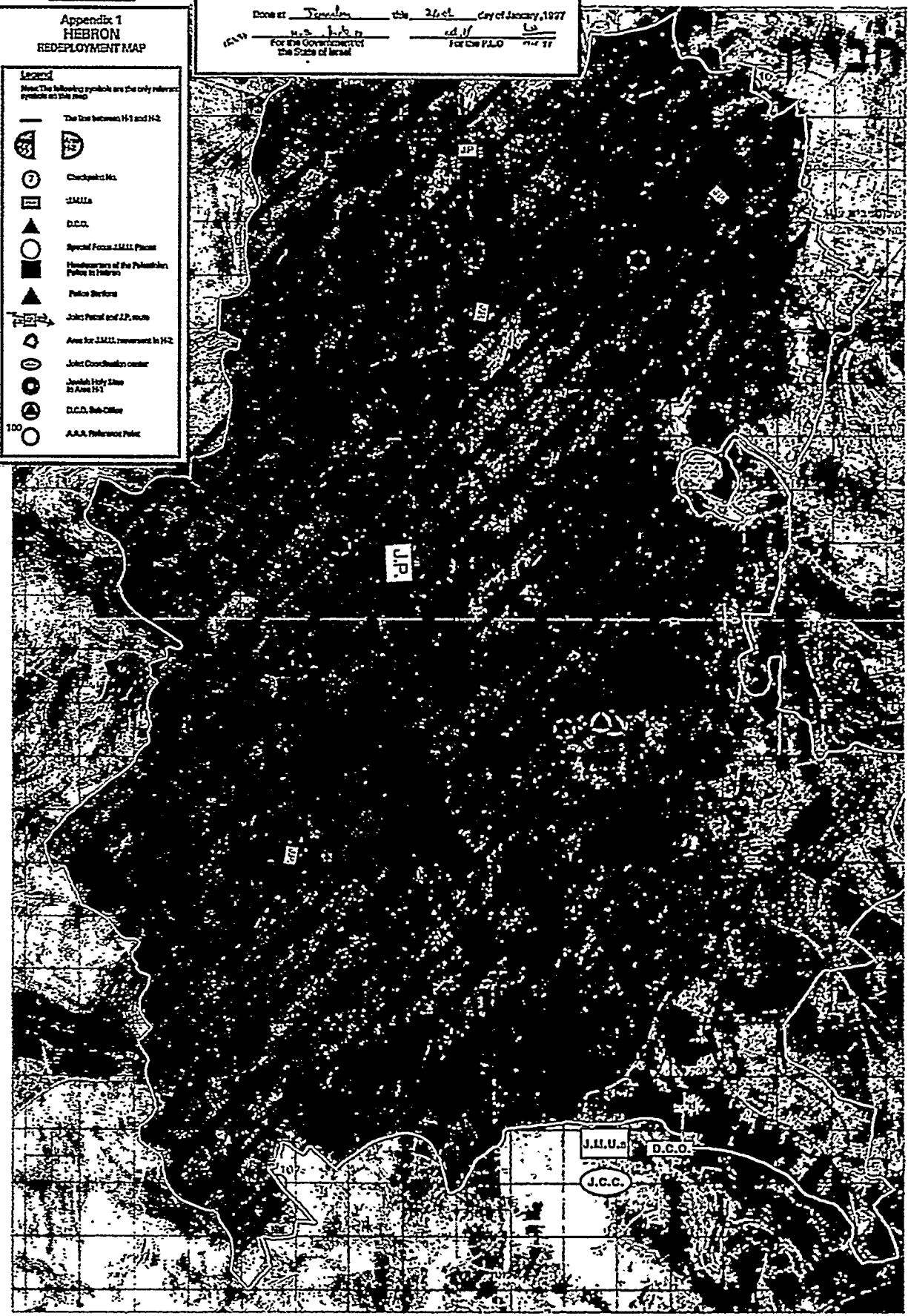
Appendix 1
HEBRON
REDEPLOYMENT MAP

Done at Tripoli the 26th day of January, 1977
by M. S. J. P. ed. of Lo
For the Government of the State of Israel For the PLO 1977

Legend

Note: The following symbols are the only relevant symbols on this map

- The line between 15-1 and 15-2
- ☉ Checkpoint No.
- ☐ J.M.I.L.S.
- ▲ D.C.O.
- Special Force J.M.I.L.S. Point
- Headquarters of the Palestinian Police in Hebron
- ▲ Police Station
- ☐ Joint Patrol and J.P. route
- ☐ Area for J.M.I.L.S. movement in 15-2
- Joint Coordination center
- ☉ Jewish Holy Sites in Area 15-1
- ☉ D.C.O. Sub-Office
- A.A.S. Reference Point



Appendix 2
(Article 5)

Agreed Adjacent Area

The Agreed Adjacent Area ("AAA") shall include the following:

- 1) An area defined by a line commencing from AAA Reference Point (RP) 100, proceeding along old Route No. 35 until RP 101, continuing by a straight line to RP 102, and from there connected by a straight line to RP 103.
- 2) An area defined by a line commencing at RP 104, following a straight line to RP 105, from there following a line immediately westward of checkpoints 4, 5, 6, 8, 9, 10, 11, 12 and 13, and from there connected by a straight line to RP 106.
- 3) An area defined by a line connecting RPs 107 and 108, passing immediately northward of checkpoint 15.

Appendix 3
(Article 11)

List of Locations

The area of Al Haram Al Ibrahimy/the Tomb of the Patriarchs (including the military and police installations in its vicinity)

Al Hisba/Avraham Avinu

Osama School/Beit Romano (including the military location in its vicinity)

Al Daboya/Beit Hadasseh

Jabal Al Rahama/Tel Rumeida

The Jewish Cemeteries

Dir Al Arbein/the Tomb of Ruth and Yishai

Tel Al Jaabra/Givaat Avot Neighborhood (including the police station in its vicinity)

The Road connecting Al Haram Al Ibrahimy/the Tomb of the Patriarchs and Qiryat Arba

Agreed Minute

(Article 7)

The leaders agreed that the process of reopening the Shuhada Road will begin immediately, and will be fully completed within four months based on the premise that the preparations agreed between the two sides have been completed in accordance with the American plan.

AMERICAN PLAN ON AL-SHUHADA STREET

January 7, 1997

As part of its ongoing support for the peace process between Israelis and Palestinians, the United States intends to finance and supervise preparations to improve and facilitate the complete reopening of al-Shuhada Street in the City of Hebron. This work will take place in conjunction with the implementation of the "Protocol Concerning the Redeployment in Hebron" concluded between the two sides.

Description of Activity:

USAID intends to fund and manage the upgrading of utilities, primarily potable water lines and sanitary sewers, in the area of al-Shuhada Street to improve access to service. In conjunction with these improvements to utilities, USAID will direct renovation of the area within al-Shuhada Street to provide a safe and attractive environment for local businesses, pedestrians and vehicular traffic. The existing street will be completely reconstructed for a distance of approximately 700 meters including Gross Square and also along a 200 meter spur of Rahme Road and a 100 meter spur leading to the Old City Gate. Major elements of this proposed activity as currently envisaged include:

- Reconstruction of water distribution mains, sanitary sewers and electrical lines
- Installation of a new water transmission line
- Installation of a new storm drain system (if appropriate)
- Paving of street with asphalt (typically, width varies from 6 to 9 meters)
- Construction of concrete brick sidewalks (typically, 2 to 3 meters in width on each side of the street) with precast concrete curbs
- Construction of concrete brick median strips with precast concrete curbs in the street
- Installation of lampposts
- Erection of safety barriers at selected locations

- Sandblasting of stone exteriors of streetfront shops, stone fences and stone masonry retaining walls
- Painting of shop doors
- Installation of awnings along streetfront shops and residences
- Installation of cast iron fencing along curbs
- Installation of lifter baskets
- Installation of planters
- Installation of new traffic signs
- Painting of curbs
- Planting of small trees, shrubs and flowers.

This plan also includes the widening of al-Shuhada Street in the vicinity of Beit Hadassah and Beit Schnerson. The details of this aspect of the plan include the following elements: the road in front of Beit Hadassah and Beit Schnerson will be widened to 13 meters; there will be sidewalks on each side of the street; each sidewalk will be separated from the street by a low stone wall with iron railings, no more than 1.25 meters high and 30 meters long; there will be equal roadways 3.55 meters wide in each direction; the two roadways will be divided by a security wall no more than 0.40 meters wide, 1.50 meters high and 30 meters long; there will be ten parking spaces on the northeast side of the street.

USAID expects that the renovation of al-Shuhada Street will commence in mid-January 1997 and will be completed as quickly as technical considerations permit. All activities will be subject to applicable laws and regulations. Continuing consultations will be held to address technical issues that may arise during the implementation of this plan.

NOTE FOR THE RECORD

The two leaders met on January 15, 1997, in the presence of the U.S. Special Middle East Coordinator. They requested him to prepare this Note for the Record to summarize what they agreed upon at their meeting.

Mutual Undertakings

The two leaders agreed that the Oslo peace process must move forward to succeed. Both parties to the Interim Agreement have concerns and obligations. Accordingly, the two leaders reaffirmed their commitment to implement the Interim Agreement on the basis of reciprocity and, in this context, conveyed the following undertakings to each other:

Israeli Responsibilities

The Israeli side reaffirms its commitments to the following measures and principles in accordance with the Interim Agreement:

Issues for Implementation

1. Further Redeployment Phases

The first phase of further redeployments will be carried out during the first week of March.

2. Prisoner Release Issues

Prisoner release issues will be dealt with in accordance with the Interim Agreement's provisions and procedures, including Annex VII.

Issues for Negotiation

3. Outstanding Interim Agreement Issues

Negotiations on the following outstanding issues from the Interim Agreement will be immediately resumed. Negotiations on these issues will be conducted in parallel:

- a) Safe Passage
- b) Gaza Airport
- c) Gaza port
- d) Passages
- e) Economic, financial, civilian and security issues
- f) People-to-people

4. Permanent Status Negotiations

Permanent status negotiations will be resumed within two months after implementation of the Hebron Protocol.

Palestinian Responsibilities

The Palestinian side reaffirms its commitments to the following measures and principles in accordance with the Interim Agreement:

1. Complete the process of revising the Palestinian National Charter
2. Fighting terror and preventing violence
 - a) Strengthening security cooperation
 - b) Preventing incitement and hostile propaganda, as specified in Article XXII of the Interim Agreement
 - c) Combat systematically and effectively terrorist organizations and infrastructure
 - d) Apprehension, prosecution and punishment of terrorists
 - e) Requests for transfer of suspects and defendants will be acted upon in accordance with Article II (7)(f) of Annex IV to the Interim Agreement
 - f) Confiscation of illegal firearms
3. Size of Palestinian Police will be pursuant to the Interim Agreement.
4. Exercise of Palestinian governmental activity, and location of Palestinian governmental offices, will be as specified in the Interim Agreement.

The aforementioned commitments will be dealt with immediately and in parallel.

Other Issues

Either party is free to raise other issues not specified above related to implementation of the Interim Agreement and obligations of both sides arising from the Interim Agreement.

Prepared by Ambassador Dennis Ross
at the request of Prime Minister Benjamin
Netanyahu and Ra'ees Yasser Arafat

ANNEX NO. 10

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
 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.

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.

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 cooperation 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 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.

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 estimate.
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 Areas. 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) Coordinate 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 coordinated 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 cooperation 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 "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 shall 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.

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.
 - (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.

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.

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 biological 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 coordinate 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 National 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 coordinate 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.

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 EEC technical specifications [I. currently adopted.] 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.
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 - 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 that other side.

8. Each side will make its own arrangement 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.

Note: It is agreed that the final wording in the last sentence in para 4 will be adopted according to the final wording in the relevant provisions of the Agreement.

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
Finance Minister Avraham Shohat

For the PLO
Abu Ala (Ahmed Korei)

SIDE LETTER TO THE PROTOCOL ON ECONOMIC RELATIONS
SIGNED IN PARIS ON APRIL 29, 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 PLO.

For the Government of Israel

For the P.L.O.

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 procedure 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.

ANNEX NO. 11



General Assembly
Security Council

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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

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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 YAACOB
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

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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

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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:

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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.

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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

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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.

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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.

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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.

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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.

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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*.

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- 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.

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- 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:

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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.

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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.

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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.

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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");

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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

ANNEX NO. 12

ISRAEL-PALESTINE LIBERATION ORGANIZATION: WYE RIVER MEMORANDUM
(INTERIM AGREEMENT)*

[October 23, 1998]
+Cite as 37 I.L.M. 1251 (1998)+

THE WYE RIVER MEMORANDUM

The following are steps to facilitate implementation of the Interim Agreement on the West Bank and Gaza Strip of September 28, 1995 (the "Interim Agreement") and other related agreements including the Note for the Record of January 17, 1997 (hereinafter referred to as "the prior agreements") so that the Israeli and Palestinian sides can more effectively carry out their reciprocal responsibilities, including those relating to further redeployments and security respectively. These steps are to be carried out in a parallel phased approach in accordance with this Memorandum and the attached time line. They are subject to the relevant terms and conditions of the prior agreements and do not supersede their other requirements.

I. FURTHER REDEPLOYMENTS

A. Phase One and Two Further Redeployments

1. Pursuant to the Interim Agreement and subsequent agreements, the Israeli side's implementation of the first and second F.R.D. will consist of the transfer to the Palestinian side of 13% from Area C as follows:

- 1% to Area (A)
- 12% to Area (B)

The Palestinian side has informed that it will allocate an area/areas amounting to 3% from the above Area (B) to be designated as Green Areas and/or Nature Reserves. The Palestinian side has further informed that they will act according to the established scientific standards, and that therefore there will be no changes in the status of these areas, without prejudice to the rights of the existing inhabitants in these areas including Bedouins; while these standards do not allow new construction in these areas, existing roads and buildings may be maintained.

The Israeli side will retain in these Green Areas/Nature Reserves the overriding security responsibility for the purpose of protecting Israelis and confronting the threat of terrorism. Activities and movements of the Palestinian Police forces may be carried out after coordination and confirmation; the Israeli side will respond to such requests expeditiously.

2. As part of the foregoing implementation of the first and second F.R.D., 14.2% from Area (B) will become Area (A).

B. Third Phase of Further Redeployments

With regard to the terms of the Interim Agreement and of Secretary Christopher's letters to the two sides of January 17, 1997 relating to the further redeployment process, there will be a committee to address this question. The United States will be briefed regularly.

II. SECURITY

In the provisions on security arrangements of the Interim Agreement, the Palestinian side agreed to take all measures necessary in order to prevent acts of terrorism, crime and hostilities directed against the Israeli side, against individuals falling under the Israeli side's authority and against their property, just as the Israeli side agreed to take all measures necessary in order to prevent acts of terrorism, crime and hostilities directed against the Palestinian side, against individuals

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falling under the Palestinian side's authority and against their property. The two sides also agreed to take legal measures against offenders within their jurisdiction and to prevent incitement against each other by any organizations, groups or individuals within their jurisdiction.

Both sides recognize that it is in their vital interests to combat terrorism and fight violence in accordance with Annex I of the Interim Agreement and the Note for the Record. They also recognize that the struggle against terror and violence must be comprehensive in that it deals with terrorists, the terror support structure, and the environment conducive to the support of terror. It must be continuous and constant over a long-term, in that there can be no pauses in the work against terrorists and their structure. It must be cooperative in that no effort can be fully effective without Israeli-Palestinian cooperation and the continuous exchange of information, concepts, and actions.

Pursuant to the prior agreements, the Palestinian side's implementation of its responsibilities for security, security cooperation, and other issues will be as detailed below during the time periods specified in the attached time line:

A. Security Actions

1. Outlawing and Combating Terrorist Organizations

(a) The Palestinian side will make known its policy of zero tolerance for terror and violence against both sides.

(b) A work plan developed by the Palestinian side will be shared with the U.S. and thereafter implementation will begin immediately to ensure the systematic and effective combat of terrorist organizations and their infrastructure.

(c) In addition to the bilateral Israeli-Palestinian security cooperation, a U.S.-Palestinian committee will meet biweekly to review the steps being taken to eliminate terrorists cells and the support structure that plans, finances, supplies and abets terror. In these meetings, the Palestinian side will inform the U.S. fully of the actions it has taken to outlaw all organizations (or wings of organizations, as appropriate) of a military, terrorist or violent character and their support structure and to prevent them from operating in areas under its jurisdiction.

(d) The Palestinian side will apprehend the specific individuals suspected of perpetrating acts of violence and terror for the purpose of further investigation, and prosecution and punishment of all persons involved in acts of violence and terror.

(e) A U.S.-Palestinian committee will meet to review and evaluate information pertinent to the decisions on prosecution, punishment or other legal measures which affect the status of individuals suspected of abetting or perpetrating acts of violence and terror.

2. Prohibiting Illegal Weapons

(a) The Palestinian side will ensure an effective legal framework is in place to criminalize, in conformity with the prior agreements, any importation, manufacturing or unlicensed sale, acquisition or possession of firearms, ammunition or weapons in areas under Palestinian jurisdiction.

(b) In addition, the Palestinian side will establish and vigorously and continuously implement a systematic program for the collection and appropriate handling of all such illegal items in accordance with the prior agreements. The U.S. has agreed to assist in carrying out this program.

(c) A U.S.-Palestinian-Israeli committee will be established to assist and enhance cooperation in preventing the smuggling or other unauthorized introduction of weapons or explosive materials into areas under Palestinian jurisdiction.

3. Prevention Incitement

(a) Drawing on relevant international practice and pursuant to Article XXII (1) of the Interim Agreement and the Note for the Record, the Palestinian side will issue a decree prohibiting all forms of incitement to violence or terror, and establishing mechanisms for acting systematically against all expressions or threats of violence or terror. This decree will be comparable to the existing Israeli legislation which deals with the same subject.

(b) A U.S.-Palestinian-Israeli committee will meet on a regular basis to monitor cases of possible incitement to violence or terror and to make recommendations and reports on how to prevent such incitement. The Israeli, Palestinian and U.S. sides will each appoint a media specialist, a law enforcement representative, an educational specialist and a current or former elected official to the committee.

B. Security Cooperation

The two sides agree that their security cooperation will be based on a spirit of partnership and will include, among other things, the following steps:

1. Bilateral Cooperation

There will be full bilateral security cooperation between the two sides which will be continuous, intensive and comprehensive.

2. Forensic Cooperation

There will be an exchange of forensic expertise, training, and other assistance.

3. Trilateral Committee

In addition to the bilateral Israeli-Palestinian security cooperation, a high-ranking U.S.-Palestinian-Israeli committee will meet as required and not less than biweekly to assess current threats, deal with any impediments to effective security cooperation and coordination and address the steps being taken to combat terror and terrorist organizations. The committee will also serve as a forum to address the issue of external support for terror. In these meetings, the Palestinian side will fully inform the members of the committee of the results of its investigations concerning terrorist suspects already in custody and the participants will exchange additional relevant information. The committee will report regularly to the leaders of the two sides on the status of cooperation, the results of the meetings and its recommendations.

C. Other Issues

1. Palestinian Police Force

(a) The Palestinian side will provide a list of its policemen to the Israeli side in conformity with the prior agreements.

(b) Should the Palestinian side request technical assistance, the U.S. has indicated its willingness to help meet those needs in cooperation with other donors.

(c) The Monitoring and Steering Committee will, as part of its functions, monitor the implementation of this provision and brief the U.S.

2. PLO Charter

The Executive Committee of the Palestine Liberation Organization and the Palestinian Central Council will reaffirm the letter of 22 January 1998 from PLO Chairman Yasir Arafat to President Clinton concerning the nullification of the Palestinian National Charter provisions that are inconsistent with the letters exchanged between the PLO and the Government of Israel on 9-10 September 1993. PLO Chairman Arafat, the Speaker of the Palestine National Council, and the Speaker of the Palestinian Council will invite the members of the PNC, as well as the members of the Central Council, the Council, and the Palestinian Heads of Ministries to a meeting to be addressed by President Clinton to reaffirm their support for the peace process and the aforementioned decisions of the Executive Committee and the Central Council.

3. Legal Assistance in Criminal Matters

Among other forms of legal assistance in criminal matters, the requests for arrest and transfer of suspects and defendants pursuant to Article II (7) of Annex IV of the Interim Agreement will be submitted (or resubmitted) through the mechanism of the Joint Israeli-Palestinian Legal Committee and will be responded to in conformity with Article II (7) (f) of Annex IV of the Interim Agreement within the 12 week period. Requests submitted after the eighth week will be responded to in conformity with Article II (7) (f) within four weeks of their submission. The United States has been requested by the sides to report on a regular basis on the steps being taken to respond to the above requests.

4. Human Rights and the Rule of Law

Pursuant to Article XI (1) of Annex I of the Interim Agreement, and without derogating from the above, the Palestinian Police will exercise powers and responsibilities to implement this Memorandum with due regard to internationally accepted norms of human rights and the rule of law, and will be guided by the need to protect the public, respect human dignity, and avoid harassment.

III. INTERIM COMMITTEES AND ECONOMIC ISSUES

1. The Israeli and Palestinian sides reaffirm their commitment to enhancing their relationship and agree on the need actively to promote economic development in the West Bank and Gaza. In this regard, the parties agree to continue or to reactivate all standing committees established by the Interim Agreement, including the Monitoring and Steering Committee, the Joint Economic Committee (JEC), the Civil Affairs Committee (CAC), the Legal Committee, and the Standing Cooperation Committee.

2. The Israeli and Palestinian sides have agreed on arrangements which will permit the timely opening of the Gaza Industrial Estate. They also have concluded a "Protocol Regarding the Establishment and Operation of the International Airport in the Gaza Strip During the Interim Period."

3. Both sides will renew negotiations on Safe Passage immediately. As regards the southern route, the sides will make best efforts to conclude the agreement within a week of the entry into force of this Memorandum. Operation of the southern route will start as soon as possible thereafter. As regards the northern route, negotiations will continue with the goal of reaching agreement as soon as possible. Implementation will take place expeditiously thereafter.

4. The Israeli and Palestinian sides acknowledge the great importance of the Port of Gaza for the development of the Palestinian economy, and the expansion of Palestinian trade. They commit themselves to proceeding without delay to conclude an agreement to allow the construction and operation of the port in accordance with the prior agreements. The Israeli-Palestinian Committee will reactivate its work immediately with a goal of concluding the protocol within 60 days, which will allow commencement of the construction of the port.

5. The two sides recognize that unresolved legal issues adversely affect the relationship between the two peoples. They therefore will accelerate efforts through the Legal Committee to address outstanding legal issues and to implement solutions

to these issues in the shortest possible period. The Palestinian side will provide to the Israeli side copies of all of its laws in effect.

6. The Israeli and Palestinian sides also will launch a strategic economic dialogue to enhance their economic relationship. They will establish within the framework of the JEC an Ad Hoc Committee for this purpose. The committee will review the following four issues: (1) Israeli purchase taxes; (2) cooperation in combating vehicle theft; (3) dealing with unpaid Palestinian debts; and (4) the impact of Israeli standards as barriers to trade and the expansion of the A1 and A2 lists. The committee will submit an interim report within three weeks of the entry into force of this Memorandum, and within six weeks will submit its conclusions and recommendations to be implemented.

7. The two sides agree on the importance of continued international donor assistance to facilitate implementation by both sides of agreements reached. They also recognize the need for enhanced donor support for economic development in the West Bank and Gaza. They agree to jointly approach the donor community to organize a Ministerial Conference before the end of 1998 to seek pledges for enhanced levels of assistance.

IV. PERMANENT STATUS NEGOTIATIONS

The two sides will immediately resume permanent status negotiations on an accelerated basis and will make a determined effort to achieve the mutual goal of reaching an agreement by May 4, 1999. The negotiations will be continuous and without interruption. The United States has expressed its willingness to facilitate these negotiations.

V. UNILATERAL ACTIONS

Recognizing the necessity to create a positive environment for the negotiations, neither side shall initiate or take any step that will change the status of the West Bank and the Gaza Strip in accordance with the Interim Agreement.

ATTACHMENT: Time Line

This Memorandum will enter into force ten days from the date of signature.

Done at Washington, D.C. this 23rd day of October 1998.

For the Government
of the State of Israel

For the PLO

Witnessed by:

The United States of America

TIME LINE

Note: Parenthetical references below are to paragraphs in "The Wye River Memorandum" to which this time line is an integral attachment. Topics not included in the time line follow the schedule provided for in the text of the memorandum.

1. Upon Entry into Force of the Memorandum:

- Third further redeployment committee starts (I (B))
- Palestinian security work plan shared with the U.S. (II (A)(1)(b))
- Full bilateral security cooperation (II (B)(1))
- Trilateral security cooperation committee starts (II (B)(3))
- Interim committees resume and continue; Ad Hoc Economic Committee starts (III)
- Accelerated permanent status negotiations start (IV)

2. Entry into Force - Week 2:

- Security work plan implementation begins (II (A)(1)(b)); (II (A)(1)(c)) committee starts
- Illegal weapons framework in place (II (A)(2)(a)); Palestinian implementation report (II (A)(2)(b));
- Anti-incitement committee starts (II (A)(3)(b)); decree issued (II (A)(3)(a))
- PLO Executive Committee reaffirms Charter letter (II (C)(2))
- Stage 1 of F.R.D. implementation: 2% C to B, 7.1% B to A. Israeli officials acquaint their Palestinian counterparts as required with areas; F.R.D. carried out; report on F.R.D. implementation (I(A))

3. Week 2-6:

- Palestinian Central Council reaffirms Charter letter (weeks two to four) (II (C)(2))
- PNC and other PLO organizations reaffirm Charter letter (weeks four to six) (II (C)(2))
- Establishment of weapons collection program (II (A)(2)(b)) and collection stage (II (A)(2)(c)); committee starts and reports an activities
- Anti-incitement committee report (II (A)(3)(b))
- Ad Hoc Economic Committee: interim report at week three; final report at week six (III)
- Policemen list (II (C)(1)(a)), Monitoring and Steering Committee review starts (II (C)(1)(c))
- Stage 2 of F.R.D. implementation: 5% C to B. Israeli officials acquaint their Palestinian counterparts as required with areas; F.R.D. carried out; report on F.R.D. implementation (I (A))

4. Week 6-12:

- Weapons collection stage (II (A)(2)(b)); (II (A)(2)(c)) committee report on its activities.

- Anti-Incitement committees report (II (A)(3)(b))
- Monitoring and Steering Committee briefs U.S. on policemen list (II (C)(1)(c))
- Stage 3 of F.R.D. implementation: 5% C to B, 1% C to A, 7.1% B to A -- Israeli officials acquaint Palestinian counterparts as required with areas; F.R.D. carried out; report on F.R.D. implementation (I (A))

5. After Week 12:

Activities described in the Memorandum continue as appropriate and if necessary, including;

- Trilateral security cooperation committee (II (B)(3))
- (II (A)(1)(c)) committee
- (II (A)(1)(e)) committee
- Anti-incitement committee (II (A)(3)(b))
- Third Phase F.R.D. Committee (I (B))
- Interim Committees (III)
- Accelerated permanent status negotiations (IV)

ANNEX NO. 13

The Sharm el-Sheikh Memorandum on Implementation Timeline of Outstanding Commitments of Agreements Signed and the Resumption of Permanent Status Negotiations

The Government of the State of Israel ("GOI") and the Palestine Liberation Organization ("PLO") commit themselves to full and mutual implementation of the Interim Agreement and all other agreements concluded between them since September 1993 (hereinafter "the prior agreements"), and all outstanding commitments emanating from the prior agreements. Without derogating from the other requirements of the prior agreements, the two Sides have agreed as follows:

1. Permanent Status negotiations:

- a. In the context of the implementation of the prior agreements, the two Sides will resume the Permanent Status negotiations in an accelerated manner and will make a determined effort to achieve their mutual goal of reaching a Permanent Status Agreement based on the agreed agenda i.e. the specific issues reserved for Permanent Status negotiators and other issues of common interest.
- b. The two Sides reaffirm their understanding that the negotiations on the Permanent Status will lead to the implementation of Security Council Resolutions 242 and 338;
- c. The two Sides will make a determined effort to conclude a Framework Agreement on all Permanent Status issues in five months from the resumption of the Permanent Status negotiations;
- d. The two Sides will conclude a comprehensive agreement on all Permanent Status issues within one year from the resumption of the Permanent Status negotiations;
- e. Permanent Status negotiations will resume after the implementation of the first stage of release of prisoners and the second stage of the First and Second Further Redeployments and not later than September 13, 1999. In the Wye River Memorandum, the United States has expressed its willingness to facilitate these negotiations.

2. Phase One and Phase Two of the Further Redeployments

The Israeli Side undertakes the following with regard to Phase One and Phase Two of the Further Redeployments:

- a. On September 5, 1999, to transfer 7% from Area C to Area B;
- b. On November 15, 1999, to transfer 2% from Area B to Area A and 3% from Area C to Area B;
- c. On January 20, 2000, to transfer 1% from Area C to Area A, and 5.1% from Area B to Area A.

3. Release of Prisoners

- a. The two Sides shall establish a joint committee that shall follow-up on matters related to release of Palestinian prisoners.
- b. The Government of Israel shall release Palestinian and other prisoners who committed their offences prior to September 13, 1993, and were arrested prior to May 4, 1994. The Joint Committee shall agree on the

* This document was reproduced and reformatted from the text appearing at the Israeli Ministry of Foreign Affairs Website (visited 10/4/99) <<http://www.israel-mfa.gov.il/mfa/home.asp>>.

names of those who will be released in the first two stages. Those lists shall be recommended to the relevant Authorities through the Monitoring and Steering Committee;

c. The first stage of release of prisoners shall be carried out on September 5, 1999 and shall consist of 200 prisoners. The second stage of release of prisoners shall be carried out on October 8, 1999 and shall consist of 150 prisoners;

d. The joint committee shall recommend further lists of names to be released to the relevant Authorities through the Monitoring and Steering Committee;

e. The Israeli side will aim to release Palestinian prisoners before next Ramadan.

4. Committees

a. The Third Further Redeployment Committee shall commence its activities not later than September 13, 1999;

b. The Monitoring and Steering Committee, all Interim Committees (i.e. CAC, JEC, JSC, legal committee, people to people), as well as Wye River Memorandum committees shall resume and/or continue their activity, as the case may be, not later than September 13, 1999. The Monitoring and Steering Committee will have on its agenda, inter alia, the Year 2000, Donor/PA projects in Area C, and the issue of industrial estates;

c. The Continuing Committee on displaced persons shall resume its activity on October 1, 1999 (Article XXVII, Interim Agreement);

d. Not later than October 30, 1999, the two Sides will implement the recommendations of the Ad-hoc Economic Committee (article III-6, WRM).

5. Safe Passage

a. The operation of the Southern Route of the Safe Passage for the movement of persons, vehicles, and goods will start on October 1, 1999 (Annex I, Article X, Interim Agreement) in accordance with the details of operation, which will be provided for in the Safe Passage Protocol that will be concluded by the two Sides not later than September 30, 1999;

b. The two Sides will agree on the specific location of the crossing point of the Northern Route of the Safe Passage as specified in Annex I, Article X, provision c-4, in the Interim Agreement not later than October 5, 1999;

c. The Safe Passage Protocol applied to the Southern Route of the Safe Passage shall apply to the Northern Route of the Safe Passage with relevant agreed modifications;

d. Upon the agreement on the location of the crossing point of the Northern Route of the Safe Passage, construction of the needed facilities and related procedures shall commence and shall be ongoing. At the same time, temporary facilities will be established for the operation of the Northern Route not later than four months from the agreement on the specific location of the crossing-point;

e. In between the operation of the Southern crossing point of the Safe Passage and the Northern crossing point of the Safe Passage, Israel will facilitate arrangements for the movement between the West Bank and the Gaza Strip, using non-Safe Passage routes other than the Southern Route of the Safe Passage;

f. The location of the crossing points shall be without prejudice to the Permanent Status negotiations (Annex I, Article X, provision e, Interim Agreement).

6. Gaza Sea Port

The two Sides have agreed on the following principles to facilitate and enable the construction works of the Gaza Sea Port. The principles shall not prejudice or preempt the outcome of negotiations on the Permanent Status:

- a. The Israeli Side agrees that the Palestinian Side shall commence construction works in and related to the Gaza Sea Port on October 1, 1999;
- b. The two Sides agree that the Gaza Sea Port will not be operated in any way before reaching a joint Sea Port protocol on all aspects of operating the Port, including security;
- c. The Gaza Sea Port is a special case, like the Gaza Airport, being situated in an area under the responsibility of the Palestinian Side and serving as an international passage. Therefore, until the conclusion of a joint Sea Port Protocol, all activities and arrangements relating to the construction of the Port shall be in accordance with the provisions of the Interim Agreement, especially those relating to international passages, as adapted in the Gaza Airport Protocol;
- d. The construction shall ensure adequate provision for effective security and customs inspection of people and goods, as well as the establishment of a designated checking area in the Port;
- e. In this context, the Israeli side will facilitate on an on-going basis the works related to the construction of the Gaza Sea Port, including the movement in and out of the Port of vessels, equipment, resources, and material required for the construction of the Port;
- f. The two Sides will coordinate such works, including the designs and movement, through a joint mechanism.

7. Hebron Issues

- a. The Shuhada Road in Hebron shall be opened for the movement of Palestinian vehicles in two phases. The first phase has been carried out, and the second phase shall be carried out not later than October 30, 1999;
- b. The wholesale market-Hasbahe will be opened not later than November 1, 1999, in accordance with arrangements which will be agreed upon by the two Sides;
- c. A high level Joint Liaison Committee will convene not later than September 13, 1999 to review the situation in the Tomb of the Patriarchs / Al Haram Al Ibrahim (Annex I, Article VII, Interim Agreement and as per the January 15, 1998 US Minute of Discussion).

8. Security

- a. The two Sides will, in accordance with the prior agreements, act to ensure the immediate, efficient and effective handling of any incident involving a threat or act of terrorism, violence or incitement, whether committed by Palestinians or Israelis. To this end, they will cooperate in the exchange of information and coordinate policies and activities. Each side shall immediately and effectively respond to the occurrence or anticipated occurrence of an act of terrorism, violence or incitement and shall take all necessary measures to prevent such an occurrence;
- b. Pursuant to the prior agreements, the Palestinian side undertakes to implement its responsibilities for security, security cooperation, on-going obligations and other issues emanating from the prior agreements, including, in particular, the following obligations emanating from the Wye River Memorandum:
 1. continuation of the program for the collection of the illegal weapons, including reports;

2. apprehension of suspects, including reports;
 3. forwarding of the list of Palestinian policemen to the Israeli Side not later than September 13, 1999;
 4. beginning of the review of the list by the Monitoring and Steering Committee not later than October 15, 1999.
9. The two Sides call upon the international donor community to enhance its commitment and financial support to the Palestinian economic development and the Israeli-Palestinian peace process.
10. Recognizing the necessity to create a positive environment for the negotiations, neither side shall initiate or take any step that will change the status of the West Bank and the Gaza Strip in accordance with the Interim Agreement.
11. Obligations pertaining to dates, which occur on holidays or Saturdays, shall be carried out on the first subsequent working day.

This memorandum will enter into force one week from the date of its signature.¹

Made and signed in Sharm el-Sheikh, this fourth day of September 1999.

For the Government of the State of Israel
For the PLO

Witnessed by
For the Arab Republic of Egypt
For the United States of America
For the Hashemite Kingdom of Jordan

ENDNOTE

1. It is understood that, for technical reasons, implementation of Article 2-a and the first stage mentioned in Article 3-c will be carried out within a week from the signing of this Memorandum.

ANNEX NO. 14

Monday
14 June 2021

Volume 697
No. 16



HOUSE OF COMMONS
OFFICIAL REPORT

PARLIAMENTARY
DEBATES

(HANSARD)

Monday 14 June 2021

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14 June 2021

Westminster Hall

Monday 14 June 2021

[PETER DOWD *in the Chair*]

Israel and Palestine

[*Relevant document: e-petition 585309, Condemn Israel for their treatment of Palestine and Palestinians.*]

Virtual participation in proceedings commenced (Order, 25 February).

[NB: [V] denotes a Member participating virtually.]

4.30 pm

Peter Dowd (in the Chair): I remind hon. Members that there have been some changes to normal practice to support the new hybrid arrangements. Timings of debates have been amended to allow technical arrangements to be made for the next debate. There will also be suspensions between each debate. I remind Members participating physically and virtually that they must arrive for the start of debates in Westminster Hall. Members are expected to remain for the entire debate.

I remind Members participating virtually that they are visible at all times, both to each other and to us in the Boothroyd Room. If Members who are attending virtually have any technical problems, they should email the Westminster Hall Clerks' email address, westminsterhallclerks@parliament.uk. Members who are attending physically should clean their spaces before using them and as they leave the room. I also remind Members that Mr Speaker has stated that masks should be worn in Westminster Hall. Members attending physically who are in the latter stages of the call list should use the Public Gallery and move on to the horseshoe when seats become available. Members can speak from the horseshoe only where there are microphones.

Before I move on, we will have a formal time limit of three minutes, given the amount of interest and the number of people speaking. After Catherine McKinnell, there will be a limit of three minutes, and I exhort Members to stick to it, or we will have to drop it down a little.

4.31 pm

Catherine McKinnell (Newcastle upon Tyne North) (Lab) [V]: I beg to move,

That this House has considered e-petitions 585313 and 585314, relating to Israel and Palestine.

It is a pleasure to serve under your chairmanship, Mr Dowd, and to lead this incredibly important debate on behalf of the Petitions Committee. As hon. Members will be aware, the Committee decided to schedule a single debate on both petitions related to this topic.

Before I begin, I draw hon. Members' attention to something that will be depressingly familiar from previous conflicts in the middle east. According to the Community Security Trust, there has been a sharp rise in antisemitic incidents in the UK in the past month, since the violence began. That is totally unacceptable and should serve as a reminder to everyone in public life that words have consequences and that we must always avoid the kind of

inflammatory language that fans the flames of hate and racism, and puts the security and safety of Jewish communities at risk.

We were all shocked and horrified to see the tragic and heartbreaking violence in Gaza and Israel last month. I know this issue provokes strong emotions, both in the country and in the House, and the roots of that conflict are deep, complex and highly contested. I hope, however, that we can begin this debate with a point of agreement among all Members: the latest round of violence has improved conditions for no-one, be they Palestinian or Israeli. The loss of life, including so many children, is heartbreaking and my thoughts are with all those who have lost loved ones. I am sure hon. Members will have shared the horror at the indiscriminate firing of thousands of rockets by Hamas from Gaza into Israel, and the Israeli actions that have killed Palestinian civilians.

More than half a million people have signed the two petitions. One petition calls on the Government to recognise Palestine as a state, while the other advocates the blocking of all trade between the UK and Israel. As vice-chair of Labour Friends of Israel and a parliamentary supporter of Labour Friends of Palestine and the Middle East, I share the deeply held concerns for the plight of the Palestinian people. Colleagues who have visited the region will know that the desire of the Palestinians to live in dignity and peace in a state of their own is unmistakable. Their aspiration for self-determination is one that we should wholeheartedly support; it is right for the Palestinian people, and it is right for the Israeli people.

I do not believe, however, that sweeping sanctions of the kind proposed by the second petition would bring the prospect of a two-state solution any closer. As the Government's written response says, we should "not hesitate to express disagreement with Israel whenever ...necessary,"

but sanctions threaten to drive the two sides further apart, increase polarisation and extremism, and weaken the voices of Israeli and Palestinian peacemakers. Blocking all trade between the UK and Israel would destroy our relations with Israel and reduce our influence in the middle east. The only long-term sustainable solution to the conflict, and the only way that we can end the sporadic and sickening outbursts of violence, is for the two peoples of that beautiful land to have states of their own, with Israel safe, secure, and recognised within its borders, living alongside an independent Palestinian state.

Former Israeli President and Prime Minister Shimon Peres famously remarked that the tragedy of the Israeli-Palestinian conflict is that

"there is light at the end of the tunnel. The bad news is there is no tunnel".

He meant that most fair-minded observers know what a peaceful resolution to this long-running conflict would look like: a gradual sequence of confidence-building measures, eventually culminating in a two-state solution. The lack of a process and a foundation to get to that point is the key problem.

It is an immense relief that the ceasefire in Gaza is holding up, but if we want to look back on this as the point at which a peace process became possible, there must be meaningful dialogue between Israel and Palestinians.

[Catherine McKinnell]

For too long it felt as though Palestinian groups did not really want a peace process, while the Netanyahu Government felt that they did not need a peace process. The latest eruption of violence shows how unsustainable such notions are.

The approval of a new coalition Government in Israel offers an opportunity to kickstart the process towards a peaceful two-state solution, but peace is not within the gift of one side alone. It will require painful compromises and concessions by both sides and the kind of leadership, imagination and generosity that has rarely been evident on the part of the Netanyahu Government or Palestinian representatives in past negotiations. A two-state solution can be brought about only by bringing Israelis and Palestinians closer together, but as we all know too well, the response of the international community has too often been marked by a combination of frenzied activity followed by long periods of inaction that are interrupted only by the occasional futile gesture. It is time for a new approach—one that does not ignore the necessity and centrality of the political process, but that is not held hostage by its ups and downs. It involves a massive programme of international investment in peacebuilding in Israel and Palestine—one that can begin to construct the civic society foundations upon which any lasting peace deal will have to rest.

Earlier this month, I was pleased to join 64 parliamentary colleagues in support of the establishment of an international fund for Israeli-Palestinian peace. Such strong cross-party backing was also evident in the Westminster Hall debate that I led on this topic last November, and in the widespread support for the Bill that was introduced by the former Member for Enfield North in January 2017. Designed by the Alliance for Middle East Peace, such an international fund would invest \$200 million annually in grassroots people-to-people projects. Some might question whether sports and summer clubs, tech training and environmental projects can really help to bring 70 years of pain and suffering to an end, but I believe they can, because we have seen such an approach work in the recent past.

The example of the International Fund for Ireland shows the transformative impact that civic society peacebuilding work can play in helping to end seemingly intractable conflicts. Established in 1985, a dark time when the Troubles seemed as intractable as the conflict in the middle east does today, the IFI eventually grew to encompass more than 6,000 people-to-people projects. The fund opened new space for politicians and helped to bring about a reservoir of public support in both the Unionist and nationalist communities, which has sustained peace in Northern Ireland, through multiple ups and downs, over the past two decades. Not for nothing did Britain's chief negotiator, Jonathan Powell, later hail the International Fund for Ireland as "the great unsung hero" of the peace process.

The middle east need be no different. Indeed, there is now a robust body of academic research and evidence to suggest that the peacebuilding projects already operating on the ground significantly improve Israeli and Palestinian participants' attitudes to one other and lead to higher levels of trust and co-operation, more conflict resolution values, and less aggression and loneliness. The problem is that such projects have not received the attention,

focus and money that they need and deserve to really have an impact. Although the International Fund for Ireland has invested \$44 per person per year in peacebuilding work, only around \$2 per person is invested every year in Israel and Palestine. That could all be about to change, however. In December, the US Congress passed the Middle East Partnership for Peace Act with strong bipartisan support. It will invest \$250 million over the next five years in peacebuilding work—the largest such investment ever—and the legislation is designed to evolve in a multinational direction if other countries wish to participate. Indeed, it specifically creates seats on its board that are reserved for foreign Governments or other international actors.

In the Westminster Hall debate that I secured last November, Ministers promised to examine the feasibility of British participation in the new US initiative, as a step towards its development of a truly international institution. Sadly, despite endorsing the concept of an international fund in 2018, thus far the Government have dragged their feet. Last year, they even eliminated funding for the People for Peaceful Change programme, the UK's own small-scale investment in peace-building work.

Despite the Prime Minister's talk of a global Britain, last week he failed to seize the opportunity of the G7 summit to work with President Biden to galvanise international support for the fund. With or without Britain, this is a project whose time has come. It reflects the reality that no successful peace process happens without the will and the engagement of the people, as they come together and demand a better future for their children.

I will close today with the words of Mahmoud Darwish, the Palestinian poet:

"'Me' or 'Him'—

Thus begins the war. But it

Ends with an awkward encounter:

'Me and him.'"

4.40 pm

John Howell (Henley) (Con): It is a pleasure to serve under your chairmanship, Mr Dowd, and I draw the House's attention to my entry in the Register of Members' Financial Interests.

I begin by congratulating the new Israeli Prime Minister, Naftali Bennett, and Yair Lapid on forming a new Government in Israel. This is the first time in half a century that an Israeli Arab party has sat in a coalition Government, and it is a very welcome development. It is a clear demonstration of Israel's vibrant democracy, and I wish the new Government every success.

It is regrettable that the petitions being debated today do not reflect the reality that Israel is a beacon of hope in a region of instability, and an important ally of the United Kingdom. I have been involved in Israeli-Palestinian affairs for almost 15 years now—that is, for a little longer than Benjamin Netanyahu was Prime Minister. People may judge which of us is the genuine survivor in all of this.

It is a simple fact that boycotts of Israel harm Palestinians, tens of thousands of whom work for Israeli companies on higher wages than they could earn elsewhere. The implications of blocking all trade and sanctioning Israel, as the petitions call for, are grave, not only for

Israelis and Palestinians but for the British people. More than 500 Israeli companies operate in the UK, employing thousands of British workers. Before covid, UK-Israel trade reached more than £5 billion a year, and it continued to grow despite the pandemic.

Generic medicines produced by the Israeli company Teva save the NHS billions of pounds every year, and I expect that at one point or another many of us have benefited from these treatments, as no one provides more medicines to the NHS than Teva. British scientists work with Israeli scientists on groundbreaking medical research, and our two countries are working closely in the fight against covid-19.

I welcome the Government's firm opposition to Israeli boycotts, and I hope that the Minister will reiterate how harmful and divisive they are. The petitions were signed during the latest violence between Israel and Hamas, when Hamas targeted Israeli civilians and put Palestinians in harm's way. Israel's strikes in response to those indiscriminate attacks were, by contrast, precise, targeting only militants and terrorist infrastructure. Every civilian casualty is regrettable—a view also held, incidentally, by the Israel defence forces, but not, it would seem, by Hamas. The crucial context is often neglected by those who call for arms embargoes and say that Israel's response was disproportionate. On that, I shall leave the matter in abeyance.

4.44 pm

Shabana Mahmood (Birmingham, Ladywood) (Lab): It is a pleasure to serve under your chairmanship, Mr Dowd.

Like many thousands of my constituents, I watched in absolute horror a few weeks ago when violence was used against worshippers gathering during the Muslim holy month of Ramadan at the al-Aqsa mosque. The scenes were truly shocking. They were deeply painful to watch and they motivated many thousands of my constituents to write to me. Like me, so many of them were thinking, "There but for the grace of God go I".

The ceasefire is, of course, welcome. We all pray that it holds and is strengthened, and that a path forward can be charted, but it is essential that all holy sites in that holiest of cities—holy to so many people of many different faiths—are protected and respected. I press the Minister to do whatever he can to ensure that there is no repeat of the scenes we saw just a few short weeks ago.

The history of Palestine and Israel is in so many ways a perpetual cycle of loss, sorrow and conflict, pierced only occasionally by moments of hope and fleeting opportunities for positive and lasting change. Even those moments have become ever rarer in recent years, with a cycle of violence that has decimated entire communities, led to the loss of countless lives, and laid bare the shaky foundations on which any aspirations of a negotiated, diplomatic settlement have been built. The goal of a viable and sovereign Palestinian state alongside a safe and secure Israel remains the shared objective of so many in this House and all over the world, but in truth, it has rarely seemed further away. The end of Benjamin Netanyahu's 12 years as Prime Minister of Israel at least suggests that a path towards a settlement, political and practical, could be charted. Indeed, the high-wire balancing act that led to his removal points to a long-missing political tenacity that could bode well.

However, among those who have removed an indisputable roadblock to peace are some with still greater belligerence, with opinions more extreme and entrenched even than Benjamin Netanyahu's. The fact that they will serve alongside those with an unequivocal commitment to a viable two-state solution is welcome, and it is perhaps to them that we must reiterate that the illegal occupation and proposed annexation of the west bank is violating international law. Only when they accept that can we make progress in the field of peace. Any and every road towards a just and lasting peace requires that the occupation is brought to a permanent end, with both Palestinians and Israelis enjoying true and meaningful security, dignity and human rights.

Some may try to argue that formal annexation has been stopped—that we no longer need be concerned. It is impossible to articulate adequately how dangerous and misguided such counsel is. The truth is that illegal settlement expansion has continued, and Palestinians are still being evicted from their homes. I cannot condone these violations of international law, nor should anyone in this House or in the international community. The Labour party has repeatedly called on the UK Government to object to the expansion of settlements in the strongest possible terms, and we have raised this issue in Parliament, in public, and directly with the Israeli ambassador to the UK. I urge the Minister today to change the dial on the facts on the ground by recognising the state of Palestine.

Peter Dowd (in the Chair): If colleagues wish to remove their jackets in the light of the heat, they should feel free to do so.

4.47 pm

Afzal Khan (Manchester, Gorton) (Lab) [V]: It is a pleasure to serve under your chairmanship today, Mr Dowd. Today's debate on recognising the state of Palestine and holding Israel accountable for its complete contempt for international law and human rights is not timely, because it should have happened a long time ago. I find it heartbreaking that after decades of violence, illegal occupation, the demolition of Palestinians' homes and complete disregard for their lives, we are still debating the very basics. This Government have a policy of a two-state solution, but paradoxically they are yet to even recognise the state of Palestine. This lip service has cost lives and entrenched the de facto annexation of Palestinian land, and it sends a loud and clear message that Palestine is not equal.

Of the 193 member states of the United Nations, 138 have recognised the state of Palestine. The UK is not one of them. I recently received a response from the Minister stating that the UK would recognise a Palestinian state at the time when it best served the objectives of peace. If we truly believe that the time is not now—frankly, it is already too late—we must deeply rethink our religious, moral and political philosophy.

A two-state solution and equality cannot be discussed without talking about the occupation, which is the root cause of so many of the issues at hand, from evictions to inequality. Such acts only entrench divisions and make peace harder to achieve. Will the Minister openly condemn illegal annexations and evictions, and urge the Israeli authorities to end their impunity? These shocking scenes during the holy month of Ramadan—far-right

[Afzal Khan]

Israeli groups chanting “Death to Arabs”, the storming of the holy al-Aqsa mosque and the bombing of the media building in Gaza—are beyond contemptible, and yet there is zero accountability for Israeli actions.

The reality is that the Minister already knows all this. We must move away from a debate on Hamas versus Israel’s right to defence, and tangibly work towards a peace process that respects and demands human rights, equality, international law, accountability and the recognition of Palestine. If the Minister is serious about a genuine two-state solution, will he commit to ending the arms trade with Israel? The UK has a moral obligation to uphold international law.

4.49 pm

Mr Steve Baker (Wycombe) (Con): I begin by saying that I made a serious mistake, though I was not alone in making it: in the period when hostilities were diminished, I deprioritised the issue of Israel and Palestine, prioritising instead the things that seemed most pressing. The problem, of course, is that the conflict has not gone away; it has returned with a dreadful ferocity, only made worse by the intervening events. I say to my right hon. Friend the Minister that I will not do it again; I will come back to him again and again and ask what the Government are doing to further the cause of a two-state solution. I voted to recognise the state of Palestine. If we are serious about a two-state solution, it is important that this Parliament, and Parliaments and Governments elsewhere, recognise the state of Palestine.

There is enormous passion on the issue in Wycombe. About 17% of my electors in the last census are British Asians. I think overwhelmingly that means that they are British Muslims, they are Kashmiris. I say to my right hon. Friend as gently as I can that there is a real problem that on the issues of Kashmir and Palestine British Muslims feel that people are being persecuted, and that that persecution is being neglected—a blind eye is being turned—because they are Muslims. However true or untrue that may be, it is incumbent on me, as their Member of Parliament, to call it out and to say that of course that would not be acceptable if that is what is happening. The very thought that it might be happening would tend to radicalise opinion. We cannot have that—not one bit of it. We must act, and we must be seen to act.

I wish to say a huge thank you to community leaders in Wycombe, in particular the imams. Having seen some conduct elsewhere in the UK on this issue, when a protest was held in Wycombe I feared what might take place, but I could not be more pleased or more proud of what our imams said. One speech in particular was brought to my attention that I think anyone of good faith, in particular any of the three Abrahamic faiths, could get behind as a speech of humanity and dignity.

Finally, there is a book that it has been suggested that I read over the summer that I recommend others reflect on. It is a book called “I Shall Not Hate” by a doctor called Izzeldin Abuelaish. In 2009, his three daughters were killed by Israeli shells. What a terrible thing, but if he shall not hate then I recommend that approach to everyone.

4.53 pm

Naz Shah (Bradford West) (Lab) [V]: As a new Administration takes over in Israel, we debate the Palestinian question in the mother of Parliaments. Prime Minister Naftali Bennett has previously stated:

“I will do everything in my power, forever, to fight against a Palestinian state”.

My welcome message to Mr Bennett, and those who support him in the Knesset, is that the mood music is changing. The world is waking up to Israel’s actions, and all those who want to see lasting peace in the region know that to achieve such peace we must end the occupation, injustice and oppression, and that starts with recognising a viable Palestinian state.

In the past, Prime Minister Bennett has ruled out the transfer of even a centimetre of land to the Arabs and boasted:

“I’ve killed lots of Arabs in my life—and there’s no problem with that.”

The unwelcome news to him is that those of us around the world who condemn the killing of all civilians, be they Israeli or Palestinian, will not remain silent if even a centimetre more of Palestinian land is illegally annexed, and we will not be silent in pushing for Israel to be tried in the International Criminal Court for war crimes if any more Palestinian blood is unjustly spilled under a perverted interpretation of a right to self-defence, while completely ignoring the crucial principles of distinction, precaution and proportionality.

For five decades, the Palestinian territories of East Jerusalem, the west bank and Gaza have been under occupation—the longest lasting occupation in the world today. If Palestinian children in Gaza make it to the age of 21, they will have witnessed five brutal wars, 14 years of which they have spent in one of the largest open-air prisons on the world, under a land, air and sea blockade. Human Rights Watch has declared the situation in Israel as “apartheid”. Amnesty International has stated that Israel’s

“systematic discrimination, dispossession and displacement” of Palestinians is

“at the root of the ongoing violence we see today.”

War on Want declared:

“The UK government regularly approves military technology and arms exports to Israel, including for weapons of the type used in clear violation of international law. This means that the UK is providing material support for Israel’s illegal use of force, and an infrastructure to sustain that force through the ongoing trade in arms.”

Our Government have an immediate moral and political duty to act on Palestine. The Government cannot meet their word about a two-state solution while they recognise only a single state—it will not work. Let me be clear: the only party stopping the UK from recognising the state of Palestine is the Conservative Government. While they send empty words, the only thing stopping the UK supporting, rather than blocking, a United Nations inquiry to investigate the underlying root causes of the conflict in the region is the Conservative Government.

In the recent siege, for every Israeli killed, more than 21 Palestinians were killed. For every Israeli child killed, 33 Palestinian children were killed. While all the parties condemn aggression and illegality on either side, the only party that turns a blind eye to Israel’s actions and questions of violation of international law is the Conservative

Government. The blinkers have been taken off the eyes of the world. The reality of Israel's actions is clear. The Palestinians have suffered for too long. The time for empty words is over. The Government must act or the electorate will.

4.56 pm

Andrew Selous (South West Bedfordshire) (Con) [V]: The desire of Jewish people to have their own homeland existed for a long time before the creation of the state of Israel in 1948. I want to see Israel exist as a secure state, at peace with all its neighbours and free from the appalling rocket attacks that its people suffered recently at the hands of Hamas terrorists. It is vital that Jewish people all over the world can live in safety and complete security, and free from fear. I have been struck by the heightened sense of fear that my Jewish constituents have expressed to me in recent days. Our commitment to the safety, security and wellbeing of Jewish people in this country must be complete and absolute.

Palestinians on the west bank and in Gaza and the occupied territories all share that same desire for self-determination and a state of their own. The British Government are committed to the creation of a Palestinian state, and said in February that they will recognise the Palestinian state at the time of their choosing and

“when it best serves the objective of peace”.

That has been the position the British Government for many years. I want to probe the Government further on when the time of their choosing will be. My particular concern is that the increase in the building of illegal settlements in the occupied territories may mean that any recognition comes too late, because the land will simply not be there to create a viable Palestinian state.

I was struck by the words of Yossi Mekelberg, a professor of international relations and associate fellow of Chatham House. He said:

“For too long, the issue of recognition has been framed as a prize waiting for the Palestinians at the end of negotiations. This has always put Palestinian negotiators in an inferior position around the negotiation table vis-a-vis Israel, which is not only a superior military and economic force that is occupying its land, but one that is formally a state. Laying to rest the question...of Palestinian self-determination would accelerate the peace negotiations and give them a better chance of succeeding.”

Is that not the central point? A peaceful and viable Palestinian state would also be in Israel's best interests, and profoundly in its long-term security interests as well. The dividend to Israel of having a generation of young Palestinians growing up next to it who no longer hated Israel would be immense. Recognition could be a spur to achieving peace. Many of us are left thinking, “If not now, when?”

4.59 pm

Steve McCabe (Birmingham, Selly Oak) (Lab): It is a pleasure to see you in the Chair, Mr Dowd. I declare a non-pecuniary interest as the chair of Labour Friends of Israel, and I congratulate my hon. Friend the Member for Newcastle upon Tyne North (Catherine McKinnell) for the reasonable and conciliatory tone with which she introduced the debate. Like her, I am committed to a two-state solution as the only way that the Palestinian and Israeli people can hope to live in peace and security.

It is my view that, following the recent conflict, we cannot just settle for a ceasefire and another stalemate. We should take advantage of events such as the formation of the new Government in Israel, the Abraham accords and President Biden's support for an international peace and reconciliation fund as an opportunity to push for fresh peace negotiations. It would be really heartening to hear from the Minister that, following the G7, the UK will commit to playing our full part as a member of the international peace and reconciliation fund.

I say to colleagues who disagree with me that, like them, I want a viable and democratic Palestinian state, but I doubt the wisdom of willing it as a unilateralist gesture. I remind those who are keen to use international law in such debates that conditions for statehood in international law include an independent Government who exercise control over a defined territory. Those conditions are not met. The reality is that there are now two Palestines—one under weak Palestinian Authority control, and the other under Hamas military occupation.

What exactly are we being asked to recognise? Hamas has already taken advantage of the weakness of Abbas. What is the incentive for a negotiated outcome, if we capitulate to them now? Are those who push for sanctions saying that they oppose Israel's right to defend itself? Is it okay to live each day with the threat of an air raid siren? How would we feel if a bomb shelter was part of everyday planning requirements for a new home? How would we feel about going to bed with the threat of a tunnel attack occurring in the night?

Those who deny the threat from Hamas and the existence of its propaganda, and who fail to acknowledge the actions that it engages in, are making excuses for it. They are too willing to condemn Israel, and too ready to turn a blind eye to Hamas atrocities. We need a better approach to this. We need an approach that is diligent, serious and designed to bring about proper and lasting peace.

5.2 pm

Steve Double (St Austell and Newquay) (Con): It is a pleasure to serve under your chairmanship, Mr Dowd. I find myself agreeing with virtually every word that the hon. Member for Birmingham, Selly Oak (Steve McCabe) just said, and I concur with his viewpoint on this issue. Clearly this debate is very timely, with the formation of the new Government in Israel. I am sure we all wish them well, as they have managed to bring together different partners in the new Government. Many people's hopes for reconciliation and peace rest on them.

I long for us to be able to recognise the state of Palestine, as one of the petitions calls for, but we have to be absolutely clear about the main roadblock to being able to achieve that: Hamas. For as long as the Palestinian territories are in the grip of a proscribed terrorist organisation whose the stated aim is to wipe Israel and the Jewish people off the face of the earth, Hamas is the biggest roadblock to our being able to recognise the state of Palestine and move forward with a peace process. I am convinced, as I know the vast majority of people in the House are, that the only answer to peace in the region is a two-state solution, but that cannot be achieved while we have one party in that process in the grip of a terror organisation. I often think how we in the UK would react if camped on our doorstep was a terrorist

[Steve Double]

organisation the stated aim of which was to wipe us off the earth and drive us into the sea. We would not welcome other parties recognising that state officially, and we have to be realistic about the real roadblock.

I do not believe that Hamas are friends to the genuine, decent people of Palestine. Let us remember that in the recent attacks, one in seven rockets launched by Hamas were actually misfired or landed on Palestinian territory. In that conflict, more Palestinians were killed by Hamas rockets than by any action by the Israelis. I do not say that the Israelis are blameless; sometimes what they do is provocative and disproportionate, and they do have to take some responsibility, but I will always stand up for Israel's right to defend itself against those terrorist attacks, which are the key block to peace.

I am privileged to chair the all-party parliamentary group on Christianity in the holy land. The APPG works to promote the rights of Christians and other religious minorities in the middle east. I know that the Minister is aware of the work that we have done, and I have invited him to meet Christian leaders there. Israel is a beacon of democracy and freedom in the middle east, and we should stand up for the rights of all religious minorities in that place. No one other than Israel in the middle east is doing that, so I believe that we need to stand up for Israel's right to defend itself and be clear about what the main roadblock to peace is.

5.6 pm

Rushanara Ali (Bethnal Green and Bow) (Lab) [V]: It is a pleasure to serve under your chairmanship, Mr Dowd. The decades of conflict and violence between Israelis and Palestinians have been a source of unimaginable horrors and of pain and suffering for generations with little hope of peace. What we saw in the attacks on the al-Aqsa mosque, and in the cycle of violence between the Israeli military and Hamas, is the reality of civilian suffering in the latest escalation of the violence.

Although the ceasefire is welcome, let us ensure that our Government take the necessary steps to make sure it is maintained. Let us take stock and remember how many people have sadly lost their lives: a total of 256 Palestinians, including 66 children and six people with disabilities, were killed during the 11-day military assault on Gaza, while nearly 2,000 were injured between 10 May and the ceasefire announcement on 21 May. Since 7 May, 35 Palestinians have been killed in the west bank and occupied East Jerusalem, and, according to the Palestine Red Crescent Society, 7,056 have been injured. In Israel, 13 people were killed by rockets fired by Palestinian armed factions.

We need to ensure that the international community, led by the US with our Government and others, works together to ensure a negotiated settlement to secure peace in that region, otherwise the cycle of conflict and violence will continue. That is why it is so important that our Government listens to the many, in Parliament and across the country, who have campaigned for the recognition of Palestinian statehood. Some of us were in Parliament when campaigning for statehood came up previously. We need our Government to work with our international partners to ensure that the Israeli Government, as well as Hamas, are held to account for the atrocities

that they have committed. We need to ensure that civilians are not caught in the crossfire and that they are protected against the conflict.

Ultimately, the only way we can prevent the cycle of violence is through a negotiated settlement. That is why it is vital that our Government play their part and, frankly, their actions have been found wanting.

5.9 pm

Christian Wakeford (Bury South) (Con): It is a pleasure to serve under your chairmanship, Mr Dowd. I am sure that hon. Members will join me in congratulating the new Israeli Government, and Prime Minister Naftali Bennett, on gaining a majority in the Knesset yesterday. I say to him, mazel tov and good luck.

I am deeply concerned by the substance of the petitions. I consider myself a friend of both Israel and the Palestinian people, and I do not believe that these petitions will result in any positive outcome for either. The language that these petitions employ is clearly inflammatory, breeds misunderstanding and foments hatred and hostility.

As we have seen in recent weeks, divisive language has directly fuelled antisemitism in the UK, leading to attacks on our Jewish communities, including in my constituency, in Prestwich and in Whitefield. The Community Security Trust recorded more antisemitic incidents in May than in any month since records began. I pay tribute to CST for its important and fantastic work in protecting the community, but it should not be necessary. We should not need security guards at our schools and places of worship. In my very first meeting with its staff, I told them that it is my duty to make sure that guards are no longer needed, and I will continue to do that work.

We have seen vehicle convoys intimidate Jewish people and mezuzahs removed from Jewish homes and desecrated. In my constituency, Jewish people have told me that they were afraid to even walk to synagogue. This is a truly terrible state of affairs. Openly antisemitic banners were held at last weekend's rally in central London, with Israel described as a Nazi state. It is shameful that British politicians were present and did not condemn the overt antisemitism on display.

The Israeli-Palestinian conflict is deeply complex, and it is reckless to make over-simplifications by suggesting that Israeli actions are disproportionate or that Israel is persecuting Palestinians, as these petitions do. We are talking about a liberal democracy, the world's only Jewish state, being attacked by an internationally proscribed terror group committed to its destruction. There cannot be any justification for these attacks, which have targeted communities, homes, schools and even nurseries.

I welcome the Government's commitment to ban boycotts against Israel, which divide our communities, and I hope this legislation is brought forward soon so that we can provide the peace of mind that my constituents seek.

The overdue EU study of the Palestinian Authority's school curriculum has reportedly found evidence of antisemitism and incitement to violence. Will the Minister ensure that that report is published as a matter of urgency? It is a troubling prospect that teachers supported by UK taxpayers' money use textbooks that normalise violence. Just as we rightly call out antisemitism in the UK, we must call it out abroad, in the west bank and Gaza.

It is only through direct peace talks that a two-state solution will be achieved. Although I will not start my own petition on this subject, I hope that such a petition will gain far more support than those we are debating today.

5.12 pm

Julie Elliott (Sunderland Central) (Lab): As ever, it is a pleasure to serve under your chairmanship, Mr Dowd. It is a real honour to speak on such a critical issue. I also wish to declare a non-pecuniary interest as chair of Labour Friends of Palestine and the Middle East.

We recently passed the 54th anniversary of the occupation of the Palestinian territory, one of the longest occupations in history. The daily lives of Palestinians are worse than ever. This is a disgrace, and the British Government, who have an historic responsibility in this area, should work with the international community to take action now to end the deterioration of the situation and improve the lives of Palestinian people as well as of Israeli citizens.

I condemn violence whoever perpetrates it, and I feel strongly that those perpetrating violence should be held accountable. The reality of the recent violence is that since 7 May, during the 10-day military assault on Gaza, 256 Palestinian people have been killed, including 66 children and six people with disabilities, with almost 2,000 injured. In Israel, 13 people were killed by rockets. This is the disproportionate nature of the violence. This is not self-defence by Israel—this is aggression. I defend Israel's right to self-defence, but this is not that. Every one of those deaths and injuries is wrong, a tragedy and should not happen. Accountability, whether for the Israeli Government or Hamas, should follow. The Government have a responsibility to try to make that happen through the international courts.

The situation post ceasefire is not the status quo, which in itself is not good enough. Only this morning in occupied East Jerusalem, municipal inspectors in the Al-Bustan area of Silwan were handing out demolition notices. The situation in Gaza is deteriorating, not de-escalating, not improving. The medical situation in Gaza is desperate. During the assault, two prominent Palestinian doctors were killed and nine hospitals were damaged, as were 19 clinics, including a covid-19 testing centre and Gaza's only covid-19 laboratory. In East Jerusalem, 48 attacks happened, damaging 16 ambulances, and there were 18 incidents of denying medical access. These latest attacks are examples of decades-long violence against healthcare.

The violence may have stopped but the situation on the ground has not improved. The Government should ban goods from illegal settlements and recognise the state of Palestine now. They should take action with the international community to ensure that international law is upheld.

5.15 pm

Tommy Sheppard (Edinburgh East) (SNP): It is a pleasure to serve under your chairship, Mr Dowd, and thank you for squeezing me into the debate.

All of us will have been appalled at the loss of life in the conflict in Gaza and in Israel last month, particularly the loss of life of non-combatants and many children, who we saw on our television screens. The real tragedy is not that, but rather that this will happen again—next

week, next month, next year—and it will keep happening until the root cause of the conflict is tackled. As the hon. Member for Sunderland Central (Julie Elliott) has just said, the root cause of the conflict is the fact that Israel is in military occupation of the Palestinian territories that were designated for a future state of Palestine.

From an Israeli point of view, it makes sense to continue that occupation. Not only do the Israeli Government not set any policy to end that occupation, but with every day and week that passes, through the process of settlement building, evictions and other measures, that occupation is entrenched, to the point where, in the words of B'Tselem, the Israeli human rights organisation, there is now a “one-state reality”.

Within that one-state reality, people's life chances and how they are treated are fundamentally different depending on whether they are Palestinian or Israeli. For more than 50 years, Israel has maintained this policy almost consequence free. Of course, there have been many UN resolutions and people have wrung their hands and said, “It's not right,” but Israel has been able to maintain this military occupation pretty much unrestricted.

The petitions before us today are from people who are clearly concerned about the plight of the Palestinian people. I ask colleagues, particularly those on the other side of the argument, to see things through their eyes for a moment. If we do not take action to persuade Israel to end the occupation and bring about a two-state reality, we are breeding further despair among Palestinian communities and galvanising the extreme right wing of Israeli politics, resulting in a situation where groups such as Hamas fill the political void. That is why we need to take action.

The new Israeli and American Governments provide a moment for this country to step up to the mark and do something. If people say that a boycott of Israel will not work, the question that the Government have to answer is, “What sanctions should be applied to try to make the Israeli Government behave in a manner consistent with international law?” Surely this must be the time to recognise Palestine. If we are sincere about a two-state solution, we cannot say that on the one hand and refuse to recognise one of those states on the other.

5.18 pm

Mr Alistair Carmichael (Orkney and Shetland) (LD): It is a pleasure to serve under your chairmanship, Mr Dowd. I remind the House of my interim entry in the Register of Members' Financial Interests and that I serve as a director of the advisory board of the Council for the Advancement of Arab-British Understanding.

The two petitions address probably two of the most substantial issues that we could have hoped to have before us. I thank the Petitions Committee for allowing this debate, but I am afraid that the belief that any meaningful analysis of the issues at hand can be achieved in a three-minute speech represents optimism beyond even that which I possess.

Picking up on the point made by the hon. Member for Edinburgh East (Tommy Sheppard), I have visited Palestine twice and have seen what he refers to as the “one-state reality”. I know exactly what he means. However, the point about the one-state reality, as he describes it, is that it is no solution. The only solution is a two-state solution, and if it is a solution that does not involve two states in a meaningful way, it is no solution.

[Mr Alistair Carmichael]

The yardstick by which the Minister and British foreign policy should be guided is always to ask one simple question: will this make the achievement of a two-state solution more or less likely? Looking around Palestine, we see that the settlement-building programme on the west bank makes the achievement of a two-state solution manifestly less likely, and it should be condemned by our Government accordingly. It is also beyond peradventure that Britain should recognise Palestine as a state. To those who have suggested that that is not possible because it is not quite the right time, I gently say that the reason that Palestine does not control her own territory goes back to the circumstances that pertained in 1967 and subsequently. There is now no good reason for that not to be the case.

In the context of the recent conflict in Palestine, I hope that the Minister and our Government will look very closely at the deployment of arms that would have come from this country. Like others, I bow to no one in my acceptance of Israel's right to defend herself, but we all know that self-defence in law, wherever we find it, must always be commensurate, appropriate and proportionate, and what we saw was none of those things. The idea that these events were contributed to by arms sold from this country is something that many people, wherever they stand on the debate, find disturbing.

5.21 pm

Sam Tarry (Ilford South) (Lab) [V]: It is a pleasure to serve under your chairship, Mr Dowd. I commend my hon. Friend the Member for Newcastle upon Tyne North (Catherine McKinnell) for securing this important debate at a crucial fork in the road for Israel's Government, following Naftali Bennett's replacing Benjamin Netanyahu as Prime Minister yesterday. I hope that the new Administration will listen to the voices of Governments around the world on the issue of justice in Palestine and urgently change direction, because for too long peace and the hope of peace has been crushed by military might. I know that a large number of my Labour colleagues wish to speak in the debate, including my hon. Friend the Member for Poplar and Limehouse (Apsana Begum), whose constituency had the highest number of signatories, alongside mine, to the petition that urges the UK Government to recognise the state of Palestine.

In recent weeks, we have witnessed millions of people marching in almost every major city in the world. Israel's illegal occupations, annexations and bombardment of the Palestinian people and those trying simply to exist in Gaza can no longer be ignored. Indeed, there is an enormous sense of anger and injustice in my constituency of Ilford South, which has the highest number of signatories to the petition, at around 6,000. Individually, 5,000 people in my constituency have written to me. This has happened during the covid pandemic, which shows that people care deeply about what is happening around the world. My constituents rightly feel that human rights abuses should be challenged, be they in Kashmir, Myanmar, Yemen or, indeed, in Gaza.

Although people are rightly concerned about events in the middle east, I want to be clear that it is never acceptable for members of the Jewish community, both in my Ilford South constituency and across the UK, to be subject to criticism, abuse and attacks because of the

actions of the Israeli Government. It is clear that there is a huge groundswell of support for justice as the escalation of this conflict has continued, with the needless deaths of civilians on both sides, the recent illegal seizure of land and the incendiary storming of the al-Aqsa mosque. The proliferation of evictions, demolitions and new settlements in the occupied Palestinian territories not only runs counter to international humanitarian law, including the fourth Geneva convention; it also serves to make a viable two-state solution ever more distant.

The Labour party has long urged both sides to come together to ensure a just two-state solution that enables Palestinians and Israelis to peacefully co-exist. I have travelled to Israel and Palestine extensively, on more than half a dozen occasions, and I have seen at first hand the conditions in which Palestinians are forced to live. However, I have also met many progressive activists and politicians in Israel, and I encourage Members from both sides of the House to forge links with those groups and with partners for peace on both sides of the divide. As we have seen in recent weeks, they were highly effective in helping to bring the latest conflict to an end. The many powerful protests in the likes of Lod, Ramla and Umm al-Fahm show that hundreds of thousands of Israelis are united with the Palestinian people in their condemnation of the events in Palestine and Gaza.

The UK Government should therefore consider every possible avenue to put pressure on the Israeli Government. That includes reviewing the £360 million-worth of arms that they sell to Israel, and challenging—

Peter Dowd (in the Chair): Order. Can you wind up, please?

Sam Tarry: Indeed, Mr Dowd. The UK Government have an historical obligation, as do all of us on both sides of the House, to support the state of Palestine in coming into being, and to ensure a future of hope, in which two peoples can co-exist on the same land.

5.25 pm

Alyn Smith (Stirling) (SNP): It is a pleasure to serve under your chairmanship, Mr Dowd. We are discussing two very important petitions: the first is a call to recognise Palestine as a state, and the second a call to implement sanctions on Israel for continued breaches of international law. Scottish National party foreign policy is based on principles. It is human-centred, feminist, egalitarian, ecological, multilateral and, above all, about the promotion of international law. We are not an aspiring international rights non-governmental organisation; we are an aspiring state, from my party's perspective. Small countries need international law in a way that big countries do not, so international law is at the heart of everything that we do. We view Israel and Palestine, and everything else, through those prisms.

I am a friend of Palestine. I am also a friend of Israel. It is worth making a few things clear for the record. We condemn all violence, whoever it is perpetrated by and whoever is a victim of it. We utterly reject false equivalence. There is hurt and heartbreak on all sides of this dispute, and it is not just between two sides; it is far more complex than that. Israel has a right to exist and to security within its borders, and the Palestinians have a right to live in dignity and peace in a state of their own.

We do not view those statements as exclusive. We view them as quite compatible, but how can there be a two-state solution, which we all say that we are in favour of, when there is not a two-state reality?

We believe that we should indeed recognise Palestine. We recognise the flaws, which we have heard about, in the Palestinian Authority, and that Palestinian unity is not where it needs to be, but we believe that recognition would level the discussion and give it an impetus that is, sadly, sorely lacking. It is not an outlandish position; we are actually in the majority, as 139 of 193 United Nations members already recognise Palestine as a state. The UK should do the same.

On sanctions, we have a rather more delicate call to make, because we need to consider the effect of any policy change on the ground. I said that Israel has a right to exist and to security, and I will defend that. It does not have a right to annex other people's land and then to claim victimhood when there are consequences to that illegality. Settlements are, on a daily basis and in fundamental ways, making a viable, just peace less achievable. They are illegal. Their products are illegal. We should not deal in them. The UN agrees. UN Security Council resolution 2334 is clear on their legal status; we should not deal in settler goods, but ban them. At the very least, we should ensure that they are properly labelled.

On the petition's call to implement wider sanctions on the state of Israel itself, however, we disagree for the moment. We do not think that that would help the situation. We think that it would do more harm than good—just. However, I urge our Israeli friends, who I know are paying attention to the debate, to pay attention to where that call is coming from. We cannot simply say that there must be consequences to the illegality but then not implement any of them. We must do better than we have done to date. We respect individual organisations that feel a need to implement such a policy themselves, though we would stop short of sanctions as a party.

It is not good enough to say that we are in favour of a two-state solution but to do nothing to bring about a two-state reality. We will continue to be part of the problem unless we give impetus to the discussion, and we can do that from here because we are bound to the people of Palestine and Israel by empire and by international law and trade. We have influence. As my hon. Friend the Member for Edinburgh East (Tommy Sheppard) says, perhaps there is a moment for new momentum with the new Israeli Government and the new US Administration. Colleagues, let us seize that moment and build a just peace, which we all want to see.

5.29 pm

Wayne David (Caerphilly) (Lab): It is a pleasure to serve under your chairpersonship, Mr Dowd. I am pleased that this debate is taking place today, because there is tremendous public concern about this issue: witness the fact that two very significant petitions have been submitted to the House, and I am pleased that the Petitions Committee has brought them forward for a debate. Let me say at the outset that there can be no justification whatever for antisemitism in any shape or form, whatever people's views are on the Israel-Palestinian issue: let us be clear about that.

Just a few weeks ago, nearly 300 people, Israelis and Palestinians, lost their lives in a violent conflict between Hamas and the state of Israel. The Labour party strongly condemns the firing of rockets by Hamas, and we strongly condemn the air attacks by Israel that led to such a large loss of life. Labour called for an immediate ceasefire, and we were pleased that international mediation led to a ceasefire. The immediate issue that led to the conflict was the appalling violation and desecration of the al-Aqsa mosque in Jerusalem. That was disgraceful, and the international community must do all it can to ensure that such scenes never happen again. Religious sects must be respected at all times.

The second immediate reason for the conflict was the prospect of the forced eviction of Palestinians in East Jerusalem, and in particular from the community of Sheikh Jarrah. Labour believes that the occupation of East Jerusalem by Israel is completely wrong, and we do not recognise the annexation of East Jerusalem by the state of Israel. The city of Jerusalem must be shared by Palestinians and Israelis. It is totally unacceptable that illegal Israeli settlers are trying to displace Palestinians from their homes—homes that their families have lived in for generations.

There are also longer term issues at the root of the conflict, which must be addressed. They stem from the Israeli occupation of 1967. Since then, and especially over the past few years, we have seen an increase in the size and number of illegal Israeli settlements. International law states clearly that those settlements are illegal, and we stand four-square behind international law—no ifs or buts. We have also seen a dramatic increase in the number of demolitions of Palestinian structures on the west bank by Israeli authorities, which again contravene international humanitarian law via the fourth Geneva convention and the Rome statute of the International Criminal Court.

At the same time, we have seen the totally unacceptable treatment of Palestinians throughout the occupied territories. As a former youth worker, I have long taken a keen interest in the treatment of children by the Israeli authorities in the occupied territories. The military court system operates in a cruel and unacceptable way: young people are denied basic rights, frequently denied contact with their parents, and incarcerated in a way that inevitably leads them to be psychologically scarred for the rest of their lives.

If we are talking about injustices, we have to focus on Gaza, too. Before the recent conflict in Gaza, the situation was bad: now, it is much worse. Whatever the profound disagreements that the Israeli Government have with Hamas, there is no justification for the present blockade, which exacerbates the humanitarian suffering of the people of Gaza. Those injustices cannot be resolved through conflict. They can be addressed and resolved only through meaningful negotiations, which must lead to a two-state solution: a viable Palestine alongside a secure Israel. In 2014, this Parliament called on the UK Government to recognise the state of Palestine. The Government say that they are committed to such a recognition, but as the Leader of the Opposition made clear last week, it is high time for that recognition to happen.

Christian Wakeford: While it is certainly politically expedient to call for the recognition of Palestine right now, given certain by-elections, does the hon. Gentleman

[*Christian Wakeford*]

not agree with his own colleague: how can we recognise something when we cannot define it? What borders would it have, and without any real borders, is it really a state?

Wayne David: With all due respect, what I am saying is what I believe to be right, and what the Labour party deems to be right. There is no expediency about it—it is a long-standing commitment that we have, and we stick to it. Of course, there are issues to be worked out, but it sends an important signal that we believe that there should be an active Palestinian state and that we recognise it as a matter of principle.

I am sure that the Government would wish to see a peace process recommence as soon as practicable, but if the goal of negotiations is a two-state solution, it would seem sensible for the UK to join 139 other countries across the world to recognise the state of Palestine now. With regard to sanctions, particularly on arms, it is important that we take stock of the changing situation. Some Members will recall that Labour called on the Government to implement a ban on goods from the illegal settlements and any annexed territories. I am pleased that the Trump-Netanyahu plans for annexation were not implemented, and President Biden has called for all new settlements to be stopped.

We have a newly elected Government in Israel, and I for one am pleased to see the back of Netanyahu. It is sensible to wait a little to see how the Israeli Government respond to the situation. The British Government must assess, in line with all our obligations, the use of exported arms and equipment in the recent conflict. We need a report to Parliament setting out whether any licences for exports could be used to commit acts of internal repression, external aggression or violations of international law.

The reality is that a peace process will not be established overnight, let alone a lasting peace. What is the case, however, is that for peace to be negotiated, achieved and maintained, we need an ongoing process of reconciliation between Palestinians and Israelis. Like my hon. Friend the Member for Birmingham, Selly Oak (Steve McCabe), I very much hope that the Government will make real their commitment to a peace fund, and join President Biden to ensure that it is established as quickly as humanly possible. I genuinely believe that the overwhelming majority of Palestinian and Israeli people want to live in peace. It is our responsibility in Parliament to make sure that we do everything we can to make their dream a reality.

5.37 pm

The Minister for the Middle East and North Africa (James Cleverly): It is a pleasure to serve under your chairmanship, Mr Dowd. I am grateful to the hon. Member for Newcastle upon Tyne North (Catherine McKinnell) for securing this debate, and I pay tribute to the work that she has done on the issue. I am grateful, too, for the thoughtful contributions made by Members on both sides of the House on this delicate issue.

We welcomed the announcement of a ceasefire in Israel and Gaza on 20 May. It is an important step towards ending the cycle of violence and the loss of civilian life. The UK offers its deepest condolences to

the families of all those who have lost their lives. We echo the condemnation of the antisemitic actions that, unfortunately, we saw on the streets of the United Kingdom, and I am pleased that Members across the House have condemned those actions.

Christian Wakeford: The tone of the debate has been incredibly helpful in condemning the antisemitism on our streets. Does the Minister agree that every single Member in the House has a duty to do so, and when we see banners calling for Palestine to be free from the river to the sea—which is actively calling for the ethnic cleansing of Israel—we need to condemn that wholeheartedly? Will he make a statement in the House doing so?

James Cleverly: I thank my hon. Friend for the question he has asked. As we have seen today, there is widespread condemnation of those acts and where there are small pockets of resistance against condemning those actions, I think that those individuals stand out with the mass of the viewpoint in the House. This is an issue that I do not doubt will come up in departmental questions tomorrow.

While the ceasefire holds, we must make sure that every effort focuses on making it not just durable but permanent. The Foreign Secretary travelled to the region on 26 May and met with Israeli and Palestinian leaders. As he made clear on that visit, the recent escalation demonstrates the urgent need to make progress towards a more positive future and address the long-standing drivers of the conflict in the region. We have worked actively during this crisis to urge all parties to work with mediators towards a ceasefire. We fully support the Egyptian, Qatari and United Nations actions to that end, and we work closely, of course, with our friends and partners in the United States of America.

It is important now for Israel to facilitate rapid humanitarian access to Gaza, and we urge the continued opening of all crossings. The UK will provide £3.2 million of new aid to the United Nations Relief and Works Agency for Palestine Refugees, responding to its emergency flash appeal, launched on 19 May. The funding will help to provide food, water and emergency shelter to Palestinians affected by the recent escalation of violence in Gaza.

Christian Wakeford: Will the Minister give way?

James Cleverly: Let me make a little more progress; I am conscious that we are a little tight on time.

We thank UNRWA for its support for Gazans displaced during the conflict and for its continued courage and dedication. The UK continues its diplomatic efforts to build confidence between the parties and to find a political way forward. We welcome and echo calls for equality of safety, security, freedom, peace and dignity, both for Palestinians and for Israelis. I have spoken regularly with a number of ambassadors from the Arab states to reiterate the need for progress towards our shared goals—to reiterate the need for a peaceful two-state solution. We also play a leading role in this on the United Nations Security Council.

Let me address the subjects specific to the petitions. There have, of course, been many calls over the years for recognition of Palestinian statehood. The UK Government position is clear: the UK will recognise a Palestinian state at a time when it best serves the object of peace. Bilateral recognition in itself cannot, and will not, end the occupation. The UK Government continue

to believe that without a negotiated peace agreement, the occupation, and the problems that come with it, will continue. We are committed to the objective of a sovereign, prosperous and peaceful Palestinian state, living side by side with a safe and secure Israel. That is why we are a leading donor in the Occupied Palestinian Territories and why we have set so much store by strengthening Palestinian institutions, fostering private sector-led sustainable economic growth in the west bank.

Economic progress can never be a substitute for a political settlement, but it is vital in the interim that Palestinians see tangible improvements in their daily lives. We call on the Palestinian Authority and Israel to resume dialogue on economic issues, to reconvene the Joint Economic Committee and to address the financial and covid crisis together. The UK enjoys strong relations with the Palestinian Authority, and they have made important progress on state building, which has been recognised by the World Bank and the International Monetary Fund. It is so important now that the PA return to Gaza to ensure that good governance is extended throughout the territories that will make up a future Palestinian state.

It has been said by Members representing parties across the House, and I echo it from the UK Government's position: we condemn in the strongest terms the firing of rockets at Jerusalem and other locations in Israel by Hamas and other terrorist groups. All countries, including Israel of course, have a legitimate right to self-defence and a right to defend their citizens from attack. In doing so, it is vital that all actions are proportionate, in line with international humanitarian law and calibrated to avoid civilian casualties.

On the second petition, the Government have made their position on sanctions clear. Although we do not hesitate to express disagreement with Israel whenever we feel it necessary, we are firmly opposed to boycotts or sanctions against Israel. We believe that open and honest discussions, rather than imposing sanctions or supporting anti-Israel boycotts, best support our efforts to progress the peace process and to achieve a negotiated two-state solution. The Government take their export control responsibilities very seriously, and operate one of the most robust arms export control regimes in the world. We consider all export applications thoroughly against a strict risk assessment framework. We continue to monitor the situation in Israel and the Occupied Palestinian Territories to keep all licences under careful and continual review as standard. We continue to urge all parties to work together to reduce the tensions in the west bank, including East Jerusalem, so that, hopefully, we will not see images as we saw during May.

Several Members stated their desire for the UK to oppose evictions and demolitions. Let me assure them that the UK position on evictions, demolitions and settlements is long-standing, public and has been communicated directly to the Government of Israel. That position is that we oppose those activities. In all but the most exceptional circumstances, evictions are contrary to international humanitarian law. The practice causes unnecessary suffering for the Palestinians and is detrimental to efforts to promote a peaceful two-state

solution. We urge the Government of Israel to cease their policies related to settlement expansion and, instead, work towards that two-state solution.

The Foreign Secretary and I have made the UK view clear in meetings with Israeli leaders. Most recently, the Foreign Secretary did so on his visit to Israel and the Occupied Palestinian Territories on 26 May. We continue to call on all parties to show real leadership, including the willingness to make tough compromises and to refrain from unilateral steps that move us further from our shared goal of sustainable peace. We will continue our intense diplomatic efforts in the region, focused on creating the conditions for a sustainable peace, and we will work with our international partners towards that goal.

5.47 pm

Catherine McKinnell [V]: I thank all the contributors to this debate. It is clearly a highly complex situation and will require a range of measures, actions and compromises to resolve it. But I share the hope of my hon. Friend the Member for Birmingham, Selly Oak (Steve McCabe) that the Government, alongside the Biden Administration, will take the opportunity of the formation of the new Israeli Government to push for renewed negotiations based on a safe and secure Israel, alongside a viable sovereign and recognised Palestinian state. The current lack of a peace process has created a vacuum, and we have seen too often around the world that vacuums are filled by violence.

The Government should examine what more they can do to disrupt the flow of rockets into Gaza, while ensuring the delivery of urgent humanitarian assistance, vital medical support and fuel. I hope the Minister will take away what I said in my opening comments about encouraging and supporting the creation of a new climate in Israel and Palestine by backing projects that promote peaceful co-existence in the long term, such as the creation of an international fund for Israeli-Palestinian peace. Those are not warm words; they need to be met with real, tangible action and funding to make them a reality.

Political negotiations will always have their ups and downs and false starts, particularly in such a complex conflict, but there is no reason why efforts to build understanding and trust between Palestinians and Israelis on the ground should be held hostage to what the politicians are doing. I hope the Minister will take that away to the Prime Minister, and urge him not to row back from our international commitments. I truly believe that the new US legislation, and President Biden's own strong commitment to multilateralism, could provide a platform to galvanise support for an international fund at this most pressing of times. It is something practical that we can all do to create a more secure future for both Palestinians and Israelis.

Question put and agreed to.

Resolved,

That this House has considered e-petition 585313 and 585314, relating to Israel and Palestine.

5.50 pm

Sitting suspended.

ANNEX NO. 15

Wed 4 Jun 2003 17.34 BST

Speeches on the road map

King Hussein | Mahmoud Abbas | Ariel Sharon | George Bush

King Abdullah of Jordan

But dreams alone cannot fulfil hopes. It is thanks to the efforts of President Bush, and the commitments of prime minister Sharon and prime minister Abbas that we meet here today to transform these dreams into real achievements on the ground.

Mr President, prime ministers, let us have ambitions: ambitions to move beyond the violence and occupation, to the day when two states, Palestine and **Israel**, can live together side by side in peace and security.

And in our hands today we hold the mechanism that can translate these ambitions into realities on the ground. There is a plan, the road map, that addresses the needs of both Palestinians and Israelis. To the Israelis, this plan offers collective security guarantees by all Arabs, a peace treaty, and normal relations with Arab states and an end to the conflict. To the Palestinians, it offers an end to the occupation, a viable state and the promise to live as a free and prosperous people.

To be sure the road to realising this vision will not be straightforward or without obstacles. I'm aware that many in our region and around the world, you are gathering today through a lens marred with scepticism and suspicion. The failures and frustrations of the past have left many disbelievers in their wake.

Today, we have an opportunity and obligation to reinstate faith in the process and to reinvigorate hopes for a better tomorrow. We simply cannot afford the alternative.

Over the past few years, the road to confrontation has shown its consequences: loss of innocent lives, destruction and fear. Most costly, however, was the loss of hope. The most precious gift that you can present to your peoples over the coming weeks is renewed hope born out of tangible progress on the ground.

And it's not only your people who will be watching and waiting. The eyes of the entire world will be upon you. The nature of our new borderless world means that we all have a stake in what happens here today. Jordanians, Americans, Europeans and many around the world stand ready and willing to lend all their support to ensure your success.

But at the end of the day, it is you, the Palestinians and the Israelis, who have to come together to resolve the many outstanding issues that divide you.

Many will view the compromises that will be made during your negotiations as painful concessions. But why not view them as peace offerings, ones that will provide in return the priceless gifts of hope, security and freedom for our children and our children's children.

It is only by putting yourselves in each other's shoes that we can hope to achieve real progress. Thus we reaffirm today our strong position against violence in any form and from whatever source. Blowing up buses will not induce the Israelis to move forward, and neither will the killing of Palestinians or the demolition of their homes and their future. All this needs to stop. And we pledge that Jordan will do its utmost to help achieve it. Mr President, you have stayed the course. Your presence here today to witness the two leaders meeting together, agreeing on common grounds to solve this

conflict, provides a great impetus to move forward and a clear answer to all the sceptics.

I thank you, sir, for your leadership and your courage. Prime minister Sharon, prime minister Abbas, I urge you today to end the designs of those who seek destruction, annihilation and occupation, and I urge you to have the will and the courage to begin to realise our dreams of peace, prosperity and coexistence. And remember that in the pursuit of these noble goals Jordan will always remain a true friend.

Mahmoud Abbas, Palestinian prime minister

I would like to thank King Abdullah for hosting our meeting here today. I would like also to thank President Mubarak and King Abdullah, King Hamad and Crown Prince Abdullah, who met in Egypt yesterday. I thank them for their statements supporting our efforts.

I also would like to thank the Israeli prime minister, Sharon, for joining us here in Jordan. And many thanks especially to President Bush who took the longest journey for peace of all of us.

As we all realise, this is an important moment. A new opportunity for peace exists, an opportunity based upon President Bush's vision and the quartet's road map which we have accepted without any reservations. Our goal is two states, Israel and Palestine, living side by side in peace and security. The process is the one of direct negotiations to end the Israeli-Palestinian conflict and to resolve all the permanent status issues and end the occupation that began in 1967 under which Palestinians have suffered so much.

At the same time, we do not ignore the suffering of the Jews throughout history. It is time to bring all this suffering to an end.

Just as Israel must meet its responsibilities, we, the Palestinians, will fulfil our obligations for this endeavour to succeed.

We are ready to do our part. Let me be very clear: There will be no military solution for this conflict, so we repeat our renunciation and the renunciation of terrorism against the Israelis wherever they might be. Such methods are inconsistent with our religious and moral traditions and are a dangerous obstacle to the achievement of an independent sovereign state we seek. These methods also conflict with the kinds of state we wish to build based on human rights and the rule of law.

We will exert all of our efforts using all our resources to end the militarisation of the intifada and we will succeed. The armed intifada must end, and we must use and resort to peaceful means in our quest to end the occupation and the suffering of Palestinians and Israelis.

And to establish the Palestinian state, we emphasise our determination to implement our pledges which we have made for our people and the international community, and that is the rule of law, single political authority, weapons only in the hands of those who are in charge of upholding the law and order, and political diversity within the framework of democracy.

Our goal is clear and we will implement it firmly and without compromise: a complete end to violence and terrorism. And we will be full partners in the international war against terrorism. And we will call upon our partners in this war to prevent financial and military assistance to those who oppose this position. We do this as a part of our commitment to the interests of the Palestinian people and as members of the large family of humanity.

We will also act vigorously against incitement and violence and hatred, whatever their form or forum may be. We will take measures to ensure that there is not incitement emanating from Palestinian institutions. We must also reactivate and invigorate the US-Palestinian-Israeli anti-incitement committee.

We will continue our work to establish the rule of law and to consolidate government authority in accountable Palestinian institutions. We seek to build the kind of a democratic state that will be a qualitative addition to the international community. All the PA security forces will be part of these efforts and will work together toward the achievement of these goals.

Our national future is at stake and no one will be allowed to jeopardise it. We are committed to these steps because they are in our national interests. In order to succeed, there must be a clear improvement in the lives of Palestinians. Palestinians must live in dignity. Palestinians must be able to move, go to their jobs and schools, visit their families and conduct a normal life. Palestinians must not be afraid for their lives, property or livelihood.

We welcome and stress the need for the assistance of the international community, and in particular the Arab states, to help us, and we also welcome and stress the need for a U.S.-led monitoring mechanism.

Together, we can achieve the goal of an independent Palestinian state, sovereign, viable, in the framework of good neighbours with all states in the region, including Israel.

Ariel Sharon, Israeli prime minister

I would like to thank His Majesty King Abdullah for arranging this meeting, and express Israel's appreciation to President Bush for coming here to be with prime minister Abbas and me. Thank you.

As the prime minister of Israel, the land which is the cradle of the Jewish people, my paramount responsibility is the security of the people of Israel and of the state of Israel.

There can be no compromise with terror, and Israel, together with all free nations, will continue fighting terrorism until its final defeat.

Ultimately, permanent security requires peace. And permanent peace can only be obtained through security. And there is now hope of a new opportunity for peace between Israelis and Palestinians.

Israel, like others, has lent its strong support for President Bush's vision expressed on June 24, 2002, of two states, Israel and the Palestinian state, living side by side in peace and security.

The government and people of Israel welcome the opportunity to renew direct negotiations according to the steps of the road map as adopted by the Israeli government to achieve this vision.

It is in Israel's interest not to govern the Palestinians, but for the Palestinians to govern themselves in their own state. A democratic Palestinian state fully at peace with Israel will promote the long-term security and well being of Israel as a Jewish state.

There can be no peace, however, without the abandonment and elimination of terrorism, violence and incitement. We will work alongside the Palestinians and other states to fight terrorism, violence and incitement of all kinds.

As all parties perform their obligations, we will seek to restore normal

Palestinian life, improve the humanitarian situation, rebuild trust and promote progress toward the president's vision. We will act in a manner that respects the dignity as well as the human rights of all people.

We can also reassure our Palestinian partners that we understand the importance of territorial contiguity in the West Bank for a viable Palestinian state. Israeli policy in the territories that are subject to various negotiations with the Palestinians will reflect this fact.

We accept the principle that no unilateral actions by any party can prejudice the outcome of our negotiations.

In regard to the unauthorised outposts, I want to reiterate that Israel is a society governed by the rule of law. Thus, we will immediately begin to remove unauthorised outposts.

Israel seeks peace with all its Arab neighbours. Israel is prepared to negotiate in good faith wherever there are partners. As normal relations are established, I am confident that they will find in Israel a neighbour and a people committed to comprehensive peace and prosperity for all the peoples of the region. Thank you all.

George Bush, US president

King Abdullah, thank you for hosting this event. Her Majesty, thank you for your hospitality. It is fitting that we gather today in Jordan. King Abdullah is a leader on behalf of peace, and is carrying forward the tradition of his father, King Hussein.

I'm pleased to be here with prime minister Sharon. The friendship between our countries began at the time of Israel's creation. Today, America is strongly committed and I am strongly committed to Israel's security as a vibrant Jewish state.

I'm also pleased to be with prime minister Abbas. He represents the cause of freedom and statehood for the Palestinian people. I strongly support that cause as well.

Each of us is here because we understand that all people have the right to live in peace. We believe that with hard work and good faith and courage it is possible to bring peace to the Middle East. And today we mark important progress toward that goal.

Great and hopeful change is coming to the Middle East. In Iraq, a dictator who funded terror and sowed conflict has been removed, and a more just and democratic society is emerging.

Prime minister Abbas now leads the Palestinian cabinet. By his strong leadership, by building the institutions of Palestinian democracy and by rejecting terror, he is serving the deepest hopes of his people.

All here today now share a goal: The Holy Land must be shared between the state of Palestine and the state of Israel, living at peace with each other and with every nation of the Middle East.

All sides will benefit from this achievement and all sides have responsibilities to meet. As the road map accepted by the parties makes clear, both must make tangible immediate steps toward this two-state vision.

I welcome Prime minister Sharon's pledge to improve the humanitarian situation in the Palestinian areas and to begin removing unauthorised outposts immediately. I appreciate his gestures of reconciliation on behalf of prisoners and their families, and his frank statements about the need for

territorial contiguity.

As I said yesterday, the issue of settlements must be addressed for peace to be achieved. In addition, prime minister Sharon has stated that no unilateral actions by either side can or should prejudge the outcome of future negotiations. The prime minister also recognises that it is in Israel's own interest for Palestinians to govern themselves in their own state.

These are meaningful signs of respect for the rights of the Palestinians and their hopes for a viable, democratic, peaceful Palestinian state.

Prime minister Abbas recognises that terrorist crimes are a dangerous obstacle to the independent state his people seek.

He agrees that the process for achieving that state is through peaceful negotiations. He has pledged to consolidate Palestinian institutions, including the security forces, and to make them more accountable and more democratic.

He has promised his full efforts and resources to end the armed intifada. He has promised to work without compromise for a complete end of violence and terror.

In all these efforts, the prime minister is demonstrating his leadership and commitment to building a better future for the Palestinian people.

Both prime ministers here agree that progress toward peace also requires an end to violence and the elimination of all forms of hatred, and prejudice and official incitement, in schoolbooks, in broadcasts and in the words used by political leaders. Both leaders understand that a future of peace cannot be founded on hatred and falsehood and bitterness.

Yet these two leaders cannot bring about peace if they must act alone. True peace requires the support of other nations in the region.

Yesterday in Sharm el-Sheik we made a strong beginning. Arab leaders stated that they share our goal of two states, Israel and Palestine, living side by side in peace and in security. And they have promised to cut off assistance and the flow of money and weapons to terrorist groups and to help Prime minister Abbas rid Palestinian areas of terrorism.

All sides have made important commitments, and the United States will strive to see these commitments fulfilled.

My government will provide training and support for a new, restructured Palestinian security service. And we'll place a mission on the ground, led by Ambassador John Wolf. This mission will be charged with helping the parties to move toward peace, monitoring their progress and stating clearly who is fulfilling their responsibilities. And we expect both parties to keep their promises.

I've also asked Secretary of State Colin Powell and National Security Adviser Condoleezza Rice to make this cause a matter of the highest priority. Secretary Powell and Dr. Rice, as my personal representative, will work closely with the parties, helping them move toward true peace as quickly as possible.

The journey we're taking is difficult, but there is no other choice. No leader of conscience can accept more months and years of humiliation, killing and mourning. And these leaders of conscience have made their declarations today in the cause of peace. The United States is committed to that cause. If all sides fulfil their obligation, I know that peace can finally come. Thank you very much and may God bless our work.

ANNEX NO. 16



Security Council

Seventy-first year

7853rd meeting

Friday, 23 December 2016, 2 p.m.

New York

Provisional

President: Mr. Oyarzun Marchesi (Spain)

Members:

Angola	Mr. Martins
China	Mr. Wu Haitao
Egypt	Mr. Aboulatta
France	Mr. Delattre
Japan	Mr. Bessho
Malaysia	Mr. Ibrahim
New Zealand	Mr. Van Bohemen
Russian Federation	Mr. Churkin
Senegal	Mr. Ciss
Ukraine	Mr. Yelchenko
United Kingdom of Great Britain and Northern Ireland . .	Mr. Rycroft
United States of America	Ms. Power
Uruguay	Mr. Bermúdez
Venezuela (Bolivarian Republic of)	Mr. Ramírez Carreño

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>).

16-46301 (E)



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The meeting was called to order at 2.05 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President (*spoke in Spanish*): 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 this meeting, in accordance with the provisional rules of procedure and the previous practice in this regard.

There being no objection, it is so decided.

The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2016/1100, which contains the text of a draft resolution submitted by Malaysia, New Zealand, Senegal and the Bolivarian Republic of Venezuela .

The Council is ready to proceed to the vote on the draft resolution before it.

I shall first give the floor to those members of the Council wishing to make statements before the voting.

Mr. Ibrahim (Malaysia): I thank you, Sir, for convening this meeting at such short notice. Malaysia, together with New Zealand, Senegal and Venezuela as sponsors of draft resolution S/2016/1100, on the issue of illegal Israeli settlements, have called for this meeting to put the draft to a vote. As representatives of various regional groupings at the United Nations — the Group of Asia-Pacific States, the Group of Western European and other States, the Group of African States and the Group of Latin American and Caribbean States — we are bound by similar aims and a sense of responsibility to take effective action on the Israeli-Palestinian conflict, especially on the issue of settlements.

In numerous Council meetings on Palestine, and at the Arria Formula meeting on settlements in October, we listened to the repeated calls of Council members, the Secretary-General, the Special Coordinator for the Middle East Peace Process and representatives of

civil society and other United Nations Member States for urgent Council action to halt settlement activities and reverse the negative trends that are threatening peace and the viability of the two-State solution. The latest, unprecedented attempt of the Israeli Parliament to legalize outposts on private Palestinian lands added further urgency to the need for the Council to send a clear signal on the issue of settlements. Malaysia acknowledges the efforts made by Egypt and the Arab League to engage in consultations with Council members over the past two months on this issue. We fully support their efforts, and we share their aim for Council action. We have also observed an emerging consensus among Council members on the issue of settlements. We thus believe that it is urgent for the Council to seize the opportunity for effective Council action without any further delay.

The draft resolution being put to the vote today (S/2016/1100) calls for the cessation of all Israeli settlement activities and for affirmative steps to reverse the negative trends on the ground that are endangering the two-State solution. It also calls for immediate steps to prevent all acts of violence against civilians, including acts of terror, and calls for accountability. The text further urges all parties to intensify their efforts to achieve a comprehensive, just and lasting peace in the Middle East and to end Israeli occupation.

On the implementation of the draft resolution, the text is requesting the Secretary-General to report the Council every three months.

We realize that some Council members may have legitimate concerns as to the short period of time in which the draft was officially circulated, put into blue and submitted for adoption. In normal and ideal circumstances, we, too, would have preferred a more transparent and inclusive process. However, we realize that this is anything but a normal situation and that we need to tread carefully in view of the sensitivity of the issue.

Exceptional circumstances require bold action and exceptional measures. Ultimately, our aim is to bridge the gap in the respective positions of Council members in order to reach a consensus. The last time the Council adopted a resolution on settlements was more than 36 years ago. Since then, the situation on the ground has worsened to the point where the very prospect of a two-State solution is now in question. There is no doubt that this falls under the responsibility of the Security

Council under the United Nations Charter for the maintenance of international peace and security.

We thus appeal to all Council members not to lose this opportunity for peace and to exercise our legal, political and moral responsibility to vote in support of the draft resolution, which is based on previous Council resolutions and the values and principles of the United Nations Charter, international law and international standards of human rights. The time for action is now, to prove our long-held commitment and to reinforce the fact that the two-State solution is not merely an empty slogan.

Mr. Van Bohemen (New Zealand): New Zealand has made no secret of its frustration that it has been almost eight years since the Security Council adopted a resolution on the Middle East peace process. New Zealand has worked hard over the past two years to try to advance a resolution on this issue, which we consider to be one of the most pressing unaddressed issues on the Council's agenda.

New Zealand has floated its own ideas for a more comprehensive draft than the one that is before us today (S/2016/1100), and we are grateful for the willingness of other Council members to engage with us on the text. It became apparent to us, however, that the balance of the Council wished to focus on the more pressing issue of the settlements, which, as my colleague from Malaysia has said, is threatening the viability of the two-State solution. This message was very clearly delivered to us in the last Quartet report and in regular reports of the Secretary-General.

For these reasons, we supported the text circulated on Wednesday and joined the group calling for a vote on that text today, in order to ensure that the Council had a chance to consider it.

Mr. Ramírez Carreño (Bolivarian Republic of Venezuela) (*spoke in Spanish*): We wish to thank you, Mr. President, for having convened this important vote on a draft resolution (S/2016/1100) that will be historic as a contribution to peace. Our country, the Bolivarian Republic of Venezuela, together with Malaysia, New Zealand and Senegal, decided to co-sponsor and call for a vote on this draft resolution on the peace process in the Middle East, especially on the issue of the illegal Israeli settlements.

The decision to present this draft resolution to the Council responds to the pressing, urgent need for

this body to speak out on the worrying situation in the occupied Palestinian territories as a result of the continued illegal expansion of Israeli settlements, which today represent the most serious threat to the possibility of the political solution of two States.

When we submitted this proposal, we were motivated by the firm commitment to reverse this dangerous trend in order to safeguard the interests of the Palestinian people and the viability of their State and to revitalize the peace process, which has been at a standstill for more than 20 years. It is high time for the Security Council to shoulder the great responsibility it has in the origin and the continuation of this conflict.

I believe that the draft resolution is a balanced text that reaffirms the right of both countries to coexist peacefully within the internationally secure pre-1967 borders, pursuant to resolution 242 (1967) and the norms of international law, and bearing in mind the advisory opinion of the International Court of Justice of 9 July 2004 (see A/ES-10/273).

At the same time, this proposal objectively addresses with the problem of settlements and their destabilizing effects on the region, and condemns the violence against the civilian population, no matter who the perpetrators might be and regardless of their motives.

Venezuela acknowledges the efforts made by the Council to hold this meeting, especially on the part of those countries that have called for open, transparent and frank discussion in this body and for action by the Council that would revitalize the peace process, as well as the countries that have presented initiatives aimed at emerging from the stalemate.

Special mention must be made of the tireless efforts of Egypt and the support of the Arab League in achieving effective progress in dealing with the Palestinian question. We also wish to thank and acknowledge the Spanish presidency of the Security Council for its continued availability to facilitate the holding of this meeting, and New Zealand, for having been the driving force that enabled this draft resolution to be submitted before the end of the year.

The proposing countries represent diverse regions of the world. We felt encouraged because of the emerging consensus on the issue of settlements. All member countries recognize that illegal settlements are an obstacle to the peace process and a threat to the two-State solution. Our actions are also a response

to the many calls of the members of the Council, the Secretary-General himself, the Special Coordinator for the Middle East Peace Process, the Quartet, other member States and prominent stakeholders, in the framework of overcoming the obstacles facing the Palestine–Israel peace process.

We are on the threshold of a historic decision, which could represent the beginning of a new phase in the peace process after almost four decades of failed attempts. That is why the Council, as a representative of the international community and the guarantor of international peace and security, must act in a spirit of unity, approving the text submitted today.

Today the world has its eyes on the Security Council. It has placed its hopes in its members working for peace, aware that history will judge our actions with gratitude if we can contribute, even in a small way, to relaunch a political process. We are opening the path for new generations of Israelis and Palestinians to have the opportunity to build a peaceful world.

The President (*spoke in Spanish*): I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:

Angola, China, Egypt, France, Japan, Malaysia, New Zealand, Russian Federation, Senegal, Spain, Ukraine, United Kingdom, Uruguay, Venezuela (Bolivarian Republic of)

Against:

None

Abstaining:

United States

The President (*spoke in Spanish*): There were 14 votes in favour, none against and 1 abstention. The draft resolution has been adopted as resolution 2334 (2016).

I shall now give the floor to those members of the Council who wish to make statements following the voting.

Mr. Aboulatta (Egypt) (*spoke in Arabic*): Since the beginning of the Arab-Israeli conflict in 1948 and the wait for the Palestinian people to exercise their right to an independent sovereign State and their inherent right to a life of dignity and freedom, despite the resounding silence of the international community and dozens of Security Council and General Assembly resolutions that

continue to be unimplemented, Egypt has shouldered and is shouldering great responsibilities and confronted major challenges. Egypt has gone through many wars and diplomatic battles at all levels to defend Palestinian rights and to push towards creating an independent Palestinian State with East Jerusalem as its capital, in the framework of achieving a comprehensive and just peace in the Middle East.

Resolution 2334 (2016) on Israeli settlements, which was adopted today, undoubtedly expresses the painful reality resulting from the illegal settlement policy. It is also born from the policy of the confiscation of Palestinian land that runs contrary to an established principle endorsed by the international community — the inadmissibility of the acquisition of territory by armed force.

However, the peace process, with its complexities and details, requires all of us to be wise and politically realistic in taking up this issue without manoeuvring on the part of any party, as we witnessed during our deliberations in the Council on this resolution, particularly on the issue of settlements, which is directly linked to one of the most important components of the final peace settlement — borders.

The circumstances related to consultations on the resolution and the timing of the vote over the past several hours have demonstrated that it might limit the ability of some international parties that want to intervene directly in order to resolve the question of Palestine comprehensively and definitively, in accordance with the relevant Security Council resolutions, in particular resolutions 242 (1967), 338 (1973) and 446 (1979). To work towards providing an opportunity to future international movements in no way means abandonment of or retraction from constants and basics of the policy related to the question of Palestine, including the issue of settlements, as those constants and basics are provided for in previous international resolutions of the security council, as well as the positions of international parties directly involved in the question of Palestine.

Today, Egypt felt compelled to withdraw its own draft resolution procedurally, in light of the manoeuvres, encountered since the text was presented in blue; that amounted to a warning from some members of the Security Council. That is utterly unacceptable in form and substance in view of Egypt's firm positions, which cannot be questioned, pertaining to the legitimate rights of the Palestinians. It should also be noted that

those manoeuvres were carried out while Egypt was conducting political consultations at all political levels with the concerned parties, around the clock; since the draft was presented.

In spite of all this, Egypt, in order to preserve the legitimate Palestinian rights through a just and lasting settlement in accordance with relevant international resolutions, voted in favour of resolution 2334 (2016), adopted minutes ago, based on our firm, principled and unequivocal positions, which we do not allow to be put into question or subject to manoeuvres or bargaining by any party. Egypt was the first to bear arms to defend the legitimate Arab and Palestinian rights. Egypt was the first to make peace with Israel, believing in the feasibility of peace rather than armed conflict. Egypt has been and continues to be one of the strongest believers in the possibility of achieving a comprehensive and just peace in the Middle East based on the principles of a two-State solution and land for peace, as has been internationally acknowledged.

Ms. Power (United States): Let me begin with a quote,

“The United States will not support the use of any additional land for the purpose of settlements during the transitional period. Indeed, the immediate adoption of a settlements freeze by Israel, more than any other action, could create the confidence needed for wider participation in these talks. Further settlement activity is in no way necessary for the security of Israel and only diminishes the confidence of the Arabs that a final outcome can be free and fairly negotiated.”

This was said in 1982 by President Ronald Reagan. He was speaking about a new proposal that he was launching to end the Israeli-Palestinian conflict. While ultimately, of course, President Reagan’s proposal was not realized, his words are still illuminating in at least two respects.

First, it is because they underscore the United States’ deep and long-standing commitment to achieving a comprehensive and lasting peace between the Israelis and the Palestinians. That has been the policy of every Administration, Republican and Democrat, since before President Reagan to the present day. Secondly, it is because President Reagan’s words highlight the United States’ long-standing position that Israeli settlement activity in territories occupied in 1967 undermines Israel’s security, harms the viability of a negotiated

two-State outcome and erodes prospects for peace and stability in the region.

Today the Security Council reaffirmed its established consensus that settlements have no legal validity. The United States has been sending the message that the settlements must stop privately and publicly for nearly five decades through the Administrations of Presidents Lyndon B. Johnson, Richard Nixon, Gerald Ford, Jimmy Carter, Ronald Reagan, George H.W. Bush, Bill Clinton, George W. Bush and currently Barak Obama. Indeed, since 1967, the only President who had not had at least one Israeli-Palestinian-related resolution adopted during his tenure is Barak Obama. Our vote today, therefore, is fully in line with the bipartisan history of how American Presidents have approached both the issue and the role of this body.

Given the consistency of this position across United States Administrations, one would think that it would be a routine vote for the United States to allow the passage of a resolution with the elements in resolution 2334 (2016), thereby reaffirming the long-standing position of the United States on settlements, condemning violence and incitement and calling for the parties to start taking constructive steps to reverse current trends on the ground. These are familiar, well-articulated components of United States policy.

But in reality this vote was not straightforward for us because of where it is taking place — at the United Nations. For the simple truth is that for as long as Israel has been a member of this institution, it has been treated differently from other nations at the United Nations. That has been true not only in decades past, such as the infamous resolution that the General Assembly adopted in 1975 with the support of the majority of member States, officially determining that Zionism was a form of racism, but also in 2016, this year. One need only look at the 18 resolutions against Israel adopted during the General Assembly in September or the 12 Israel-specific resolutions adopted this year in the Human Rights Council — more than those focused on Syria, North Korea, Iran and South Sudan put together — to see that in 2016 Israel continues to be treated differently from other Member States.

Like United States Administrations before it, the Obama Administration has worked tirelessly to fight for Israel’s right simply to be treated just like any other country — from advocating for Israel to finally be granted membership to a United Nations regional

body, something no other United Nations Member State has been denied; to fighting to ensure that Israeli non-governmental organizations are not denied United Nations accreditation, simply because they are Israeli; to getting Yom Kippur finally recognized as a United Nations holiday; to pressing the Council to break its indefensible silence in response to terrorist attacks on Israelis. As the United States has said repeatedly, such unequal treatment not only hurts Israel, it undermines the legitimacy of the United Nations itself. The practice of treating Israel differently at the United Nations matters for votes like this one, for even if one believes that today's resolution is justified or even more, necessitated, by events on the ground, one cannot completely separate the vote from the venue.

Member States that say that they are for the two-State solution must ask themselves some difficult questions. For those States that are quick to promote resolutions condemning Israel but refuse to recognize when innocent Israelis are the victims of terrorism, what steps will they take to stop treating Israel differently? For those States that passionately denounce the closures of crossings in Gaza as exacerbating the humanitarian situation but say nothing of the resources diverted from helping Gaza's residents to dig tunnels into Israeli territory, so that terrorists can attack Israelis in their homes, what will they do to end the double standard that undermines the legitimacy of this institution?

Member States should also ask themselves about the double standards when it comes to the Council taking action. Just this morning, we came together as a Council and we were unable to muster the will to act to stop the flow weapons going to killers in South Sudan who are perpetrating mass atrocities that the United Nations has said could lead to genocide. We could not come together even to curb the flow of arms. Earlier this month, the Council could not muster the will to adopt the simplest of resolutions, calling for a seven-day pause in the savage bombardment of innocent civilians, hospitals and schools in Aleppo, yet when a resolution on Israel comes before the Council, members suddenly summon the will to act.

It is because this forum too often continues to be biased against Israel, because there are important issues that are not sufficiently addressed in the resolution and because the United States does not agree with every word in this text that the United States did not vote in favour of the resolution. But it is because the resolution reflects the facts on the ground and is consistent with

United States policy across Republican and Democratic administrations throughout the history of the State of Israel that the United States did not veto it.

The United States has consistently said that it would block any resolution that it thought would undermine Israel's security or would seek to impose a resolution to the conflict. We would not have let the resolution pass had it not addressed counterproductive actions by the Palestinians, such as terrorism and incitement to violence, which we have repeatedly condemned and raised with the Palestinian leadership — and which of course must be stopped.

Unlike some on the Security Council, we do not believe that outside parties can impose a solution that has not been negotiated by the two parties, nor can we unilaterally recognize a future Palestinian State. But it is precisely our commitment to Israel's security that makes the United States believe that we cannot stand in the way of the resolution as we seek to preserve a chance of attaining our long-standing objective — two States living side by side, in peace and security. Let me briefly explain why.

The settlement problem has gotten so much worse that it is now putting at risk the very viability of that two-State solution. The number of settlers in the roughly 150 authorized Israeli settlements east of the 1967 lines has increased dramatically. Since the 1993 signing of the Oslo Accords — which launched efforts that made a comprehensive and lasting peace possible — the number of settlers has increased by 355,000. The total settler population in the West Bank and East Jerusalem now exceeds 590,000. Nearly 90,000 settlers are living east of the separation barrier that was created by Israel itself. And just since July 2016 — when the Middle East Quartet issued a report highlighting international concern about a systematic process of land seizures, settlement expansions, and legalizations — Israel has advanced plans for more than 2,600 new settlement units. Yet rather than dismantling those and other settler outposts, which are illegal even under Israeli law, now there is new legislation advancing in the Israeli Knesset that would legalize most of the outposts — a factor that propelled the decision of the resolution's sponsors to bring it before the Council.

The Israeli Prime Minister recently described his Government as “more committed to settlements than any in Israel's history”, and one of his leading coalition partners recently declared that “the era of the two-State

solution is over". At the same time, the Prime Minister has said that he is still committed to pursuing a two-State solution. But those statements are irreconcilable. One cannot simultaneously champion expanding Israeli settlements and champion a viable two-State solution that would end the conflict. One has to make a choice between settlements and separation.

In 2011, the United States vetoed a draft resolution that focused exclusively on settlements, as if settlements were the only factor harming the prospects of a two-State solution. The circumstances have changed dramatically. Since 2011, settlement growth has only accelerated. Since 2011, multiple efforts to pursue peace through negotiations have failed. And since 2011, President Obama and Secretary Kerry have repeatedly warned — publicly and privately — that the absence of progress towards peace and continued settlement expansion were going to put the two-State solution at risk and threaten Israel's stated objective to remain both a Jewish State and a democracy. Moreover, unlike in 2011, today's resolution condemns violence, terrorism and incitement, which also pose extremely grave risks to the two-State solution. Today's resolution reflects trends that will permanently destroy the hope of a two-State solution if they continue on their current course.

The United States has not taken the step of voting in support of the resolution because it is too narrowly focused on settlements, when we all know — or should know — that many other factors contribute significantly to the tensions that perpetuate the conflict. Let us be clear. Even if every single settlement were to be dismantled tomorrow, peace still would not be attainable without both sides acknowledging uncomfortable truths and making difficult choices. That is an indisputable fact. Yet, it is one that is too often overlooked by members of the United Nations and by members of the Council.

For Palestinian leaders, that means recognizing the obvious fact that in addition to taking innocent lives, the incitement to violence, the glorification of terrorists and the growth of violent extremism erode prospects for peace, as the resolution makes crystal clear. The most recent wave of Palestinian violence has seen terrorists commit hundreds of attacks, including driving cars into crowds of innocent civilians and stabbing mothers in front of their children. Yet rather than condemn those attacks, Hamas, other radical factions and even certain members of Fatah have held up the terrorists as heroes and used social media to incite others to follow in their murderous footsteps. And while President Abbas and

his party's leaders have made clear their opposition to violence, terrorism and extremism, they have too often failed to condemn specific attacks or condemn the praise heaped upon the perpetrators.

Our vote today does not in any way diminish the United States' steadfast and unparalleled commitment to the security of Israel, the only democracy in the Middle East. We would not have let the resolution pass had it not also addressed counterproductive actions by Palestinians. We have to recognize that Israel faces very serious threats in a very tough neighbourhood. Israelis are rightly concerned about making sure that there is not a terrorist haven next door.

President Obama and this Administration have shown an unprecedented commitment to Israel's security because that is what we believe in. Our commitment to that security has never wavered and it never will. Even with the financial crisis and budget deficits, we repeatedly increase funding to support Israel's military. In September, the Obama Administration signed a memorandum of understanding to provide \$38 billion in security assistance to Israel over the next 10 years — the largest single pledge of military assistance in the history of the United States to any country. As the Israeli Prime Minister himself has noted, our military and intelligence cooperation is unprecedented. We believe, however, that continued settlement building seriously undermines Israel's security.

Some may cast the vote of the United States as a sign that we have finally given up on a two-State solution. Nothing could be further from the truth. None of us can give up on a two-State solution. We continue to believe that that solution is the only viable path to provide peace and security for the State of Israel and freedom and dignity for the Palestinian people. We continue to believe that the parties concerned can still pursue that path if both sides are honest about the choices and have the courage to take steps that will be politically difficult. While we can encourage them, it is ultimately up to the parties to choose this path, as it always has been. We sincerely hope that they will begin to make those choices before it is too late.

Mr. Delattre (France) (*spoke in French*): The adoption of resolution 2334 (2016) is an important and in many ways historic moment in the history of the Security Council. It is the first resolution adopted by the Council on the Israeli-Palestinian conflict in eight years. It is the first time that the Security Council has

expressed itself so clearly to state the obvious fact that, little by little, Israel settlement building undermines the possibility of building a viable and independent Palestinian State living side by side in peace and security with Israel. It was therefore necessary for the Security Council to recall the collective and unanimous devotion of the international community to the two-State solution and to clearly lay out the threats to that solution. Unless we act resolutely to that end, the two-State solution will disappear like a mirage in the desert. There is no credible alternative that could meet the legitimate aspirations of both parties.

Over the past few decades, Israeli settlement-building has undoubtedly accelerated, which only fuels tensions on the ground and exasperates the international community. Settlement-building, which is illegal under international law, is part of a deliberate policy aimed at presenting the population, including the international community, with a *fait accompli* in the West Bank and East Jerusalem. It proceeds in various manifestations, including the expansion of settlements beyond the Green Line, including in East Jerusalem; the *de facto* annexation of Zone C; forced transfers of population; the demolition of Palestinian homes and structures; restrictions of access and movement; and the building of the wall beyond the 1967 border. This policy is not only illegal under international law, but also threatens the prospects for the creation of a viable and independent Palestinian State, which is the best guarantee for Israeli security and a lasting solution to the conflict. That is the message that France sought to send today by voting in favour of the resolution.

While settlements are the main threat to the two-State solution on the ground, unfortunately it is not the only one. Acts of violence and incitement to violence and terrorism also undermine the chances of seeing two States — Israel and Palestine — peacefully coexist one day. They destroy trust and dialogue between peoples who must find a way to live together. In that regard, resolution 2334 (2016) strongly reiterates its condemnation of all acts of terrorism, incitements to violence and all deliberate attacks on civilians. It calls on the Palestinian Authority to continue to do its utmost to discourage terrorist actions.

Identifying and naming the threats to a two-State solution is important but not enough. It is also necessary to work on recreating, after a two-year impasse, the conditions for resuming negotiations. Like the Palestinians, the Israelis have a vital interest

in peace, which can be based only on a two-State solution. That is the aim of the French initiative to try to relaunch the peace process. In that respect, following the important ministerial meeting of 3 June, France decided to organize an international conference on 15 January 2017 in Paris, whose goal will be to introduce the contributions of the international community to relaunch the negotiation process and conclude and implement a peace agreement. We all know, of course, that only the Palestinians and Israelis themselves can achieve peace through direct negotiations.

The resolution that we have adopted today and the Paris international conference represent two sides of the same coin, both aimed at reiterating our shared attachment to the two-State solution and creating conditions conducive to that end. We hope that the resolution and the French initiative will be the first important steps towards relaunching a credible political process that we will need to pursue collectively in the weeks and months ahead. In sum, the resolution is certainly not the end of the road. It is an important and potentially historic step on the difficult and demanding path to peace and security in the Middle East. Let us assume together the heavy responsibility that is incumbent on all of us on that path.

Mr. Ramírez Carreño (Bolivarian Republic of Venezuela) (*spoke in Spanish*): The Bolivarian Republic of Venezuela welcomes the adoption of resolution 2334 (2014) in the conviction that it represents a unique opportunity to advance the peace process and restore trust between the parties, while allowing the Security Council to abandon its habitual inaction by engaging it in building an environment conducive to negotiations between the parties that take into consideration the aspirations and concerns of both and that upholds the inalienable right of the Palestinian people to a free, sovereign and independent State in accordance with General Assembly resolution 181 (II).

Of course, this resolution represents a mere first step, but it is a step in the right direction. This conflict is extremely complex and fraught with obstacles. There is an urgent need to respond decisively to the greatest challenge to the two-State solution — the continued expansion of illegal Israeli settlements on the occupied territory of the State of Palestine. Illegal settlements violate international law and the rights of the Palestinian people by depriving them of their land, destroying their homes and means of subsistence, restricting their free

movements and undermining their right to social and economic development.

That is why the Council must speak categorically against this terrible problem. The United Nations, the General Assembly and the Security Council have the obligation and mandate to defend peace and international law. Furthermore, the United Nations and the Security Council have the moral obligation to support the Palestinian cause, as they are deeply responsible for the tragedy and Nakba of the Palestinian people. That is why they must adopt all the resolutions they can to protect the weakest and force Israel to abide by international law and openly enter into a peace process based on the existence of two States.

The resolution we have adopted today is a first step on the path to a peaceful negotiated solution between Palestine and Israel with the support of the international community. It is therefore necessary for Israel, the occupying Power, to put an end to the policies derived from the prolonged occupation of the territories of the State of Palestine, as well as the inhumane blockade of the Gaza Strip, which has lasted for almost a decade and is a flagrant violation of international law. Those are essential conditions for consolidating what we have achieved today and for moving forward towards a political solution in which Palestine, as a full member of the United Nations and with East Jerusalem as its capital, can live peacefully with Israel, within secure, internationally recognized pre-1967 borders.

The members of the Council have recognized that illegal settlements are a systematic obstacle to the peace process and a threat to the two-State solution. Therefore, it is becoming increasingly critical for Israel to assume its responsibilities and comply with the resolutions of the Security Council and the General Assembly urging it to put an end to a pernicious practice that denies the human rights of the Palestinian population.

Furthermore, Venezuela reiterates its condemnation of terrorism in all its forms and manifestations, no matter who the authors may be and what their motives are. With the same emphasis, we condemn the continued violation of the most basic rights of the Palestinian population in the occupied territories and in Gaza, which continues to be blockaded and besieged by Israel, through the indiscriminate and disproportionate use of force by Israeli military and security troops.

We repudiate the violence of extremist settlers against the Palestinian population and the policies of

the occupying Power that subject Palestinian men, women and children to prison and illegal administrative detention. We call once again for the release of all children who are unfairly languishing in Israeli jails. Clearly, much remains to be done to reverse this negative situation and ensure that Israel complies with its obligations as an occupying Power. However, we recognize that today's decision opens a space needed for resuming dialogue and negotiation as the only means of resolving a conflict that has marked the history of the Middle East for almost 70 years.

We are pleased that at the end of our term in the Security Council, the Council has today had the vision and the courage to adopt this resolution. We therefore acknowledge the contribution of those who have participated in this historic outcome, especially Egypt, New Zealand and the countries that sponsored the resolution.

Venezuela reaffirms its unyielding commitment to peace, international security and the Palestinian cause. We will remain vigilant with regard to the evolution of the inescapable task of helping to bring about a negotiated peaceful settlement of the conflict, as provided for in Article 2 of the Charter of the United Nations. Similarly, we will support in other forums all the efforts and initiatives directed to realizing the two-State solution in accordance with international law.

Mr. Wu Haitao (China) (*spoke in Chinese*): China welcomes the adoption by the Security Council of resolution 2334 (2016) on the Israeli settlements and appreciates the important role played by the sponsors in promoting its adoption.

The question of Palestine has been the crux of the Middle East issue. It is also the underlying cause of the situation in the region. Safeguarding the legitimate national interests of the Palestinian people is the shared responsibility of the international community. Recent years have seen the stalled peace talks between the two sides, the ever-expanding Israeli settlements, ongoing violence and conflict, the constantly deteriorating humanitarian situation and the growing tension between Palestine and Israel, all of which has threatened the vision of two States as well as regional peace and stability.

China has all along supported the Council in playing its due role on the question of Palestine. Resolution 2334 (2016) adopted by the Council today is significant in that it reflects the common aspiration

and wish of the international community and heeds the just demand of Palestine and the Arab countries. We urge Israel to implement 2334 (2016) in a practical manner, immediately end its settlement activities and stop demolishing Palestinian homes in order to create conditions for the relaunch of the peace talks. China encourages both sides to honour their respective obligations, keep calm, exercise restraint and gradually establish mutual trust so as to come back to the path of peace negotiations as soon as possible.

China has been a firm supporter of the just cause of the Palestinian people. China supports the Palestinian people in establishing a fully sovereign and independent State, based on the 1967 borders, with East Jerusalem as its capital. China welcomes and supports all efforts that help ease tension between Israel and Palestine, achieve the two-State solution at an early date and support the peaceful coexistence between the two sides. China is ready to work with the international community in scaling up the diplomatic efforts to promote an early, comprehensive and just solution to the conflict between Palestine and Israel.

Mr. Rycroft (United Kingdom): The United Kingdom welcomes the adoption of resolution 2334 (2016) today. It is the first Security Council resolution on the Israel-Palestine issue in over seven years. The adoption of the resolution is first and foremost a clear reinforcement of the international community's conviction that a two-State solution remains the only viable route to sustained Arab-Israeli peace.

As the Quartet report in July 2016 highlighted, the foundations of peace — trust and goodwill — are being corroded from all sides because of violence, incitement, demolitions and settlement activity. Ultimately, as long as terrorists are treated as martyrs, peace will be distant. The scourge of anti-Semitic, racist and hateful language must be excised from the region. It is critical that the Palestinian leadership implement the recommendations of the Quartet report and continue their efforts to tackle terror and incitement, strengthen institutions and develop a sustainable economy. The United Kingdom will continue to provide the Palestinian authority with professional support in helping develop its security institutions.

But goodwill alone will not secure peace. Today's resolution is a sober recognition that the two-State solution is slipping away. By undermining the prospects for a contiguous Palestinian State, settlement

construction is corroding the possibility of a two-State solution. Since the Oslo process in 1993, the population of settlements has doubled to 570,000, including 85,000 settlers deep in the West Bank. The Quartet report warns of sliding into a one-State reality of perpetual occupation and conflict. That is no future at all.

The United Kingdom is a dear and close friend of the State of Israel. We reject all efforts to delegitimize or undermine Israel. The movement for boycotts, divestment and sanctions, rooted as it is in a culture of prejudice and hostility to Israel, is a barrier to peace. My Government will never support any resolution that advances the cause of boycotts or delegitimization in any way. It is because of our steadfast and stalwart commitment to Israel's security — and its existence as the Jewish homeland — that we voted for today's resolution and worked tirelessly to secure a balanced final text. We believe that Israeli settlement activity represents a clear and present danger to our shared vision of two States for two peoples. The United Kingdom's long-standing view is that settlement expansion is illegal and not in Israel's long-term interests.

Today's resolution also takes important and balanced steps to support peace through, first of all, calling for immediate steps to prevent incitement and all acts of violence against civilians, including terror. It also calls for a strengthening of efforts to combat terrorism, including through existing security coordination, as well as clearly condemning all acts of terrorism. Secondly, the resolution calls upon both parties to act on the basis of international law and to refrain from provocative actions in order to build trust and create the conditions for peace. Thirdly, the resolution calls upon all parties to exert collective efforts to launch credible negotiations on all final-status issues, urging the intensification and acceleration of international and regional efforts to support a comprehensive peace.

We have long held that if negotiations are to be successful, they will need to lead to a safe and secure Israel, living alongside a viable and sovereign Palestinian State based on the 1967 borders with agreed land-swaps, Jerusalem as the shared capital of both States and a just, fair, agreed and realistic settlement for refugees.

In closing, we recognize that the adoption of the resolution will not change the situation on the ground overnight. The year 2017 will not be an easy year for the Israel-Palestine issue, 50 years since the Six-Day War

and the subsequent occupation of Gaza and the West Bank, including East Jerusalem, and 100 years since my country issued the Balfour Declaration. However, we must all uphold our responsibility, as the Council has finally upheld its responsibility today, in order to deliver the long-term security that Israelis deserve and the statehood and end to the occupation that Palestinians are calling out for.

Mr. Bermúdez (Uruguay) (*spoke in Spanish*): Uruguay voted in favour of resolution 2334 (2016), convinced that after eight years we finally had an historic opportunity to break the Council's stalemate, which has seriously threatened the two-State solution and the peace negotiations between the Israelis and Palestinians. Resolution 2334 (2016), adopted a few minutes ago, responds to the ongoing call of Council members to disrupt the reigning status quo and reverse the negative trends on the ground, in particular the illegal settlements built by Israel in occupied Palestinian territory.

We are at a moment of great importance to the future of the Middle East peace process and the two-State solution. We hope that the resolution will serve as a call for action by both Israel and Palestine to promptly resume bilateral negotiations towards a just and lasting peace, taking the interests of both parties into account. Uruguay reaffirms its unwavering support for the right of Israelis and Palestinians to live in peace within internationally recognized borders in an atmosphere of renewed cooperation and free from any threat or action that could threaten peace. We also reaffirm our support for the solution based on two independent States, as we are convinced it is the only possibility whereby Israel and Palestine could peacefully coexist.

It is very important for the authorities to send political signals of their desire to escape the current quagmire created by misunderstanding, hatred and violent confrontation. Likewise, both sides must refrain from adopting unilateral decisions that can undermine dialogue, and comply in good faith with their obligations under international law and the Council's resolutions.

Uruguay reaffirms its willingness to continue working to reactivate the peace process in the Middle East as quickly as possible and achieve once and for all the two-State solution of two States, living in peace and cooperation. We owe that to the many generations of Israelis and Palestinians that have been exhausted by many years of conflict.

Mr. Churkin (Russian Federation) (*spoke in Russian*): The Russian delegation, I am sure like many others in the Chamber, was puzzled by the process that unfolded around today's resolution 2334 (2016). While the resolution has been worked on for many months, the apparent haste surrounding its adoption does not promote its ends.

For many years, our country has been involved in the Middle East peace process, first as co-chair of the Madrid process, then as a member of the Middle East Quartet and, of course, as a permanent member of the Security Council. Our experience confirms that the issue can be resolved only through direct and unconditional negotiations between Palestinians and Israelis. That is precisely what dictated our work to arrange a September meeting in Moscow between Prime Minister Netanyahu of Israel and President Abbas of Palestine. The Palestinian side was ready to take part in the meeting.

Today, we voted in favour of the resolution on the Israeli settlements, convinced that it was based on tested language reflecting the general position of the international community on the illegality of Israeli settlement activity in the occupied Palestinian territories. We believe it important that the document also condemns violent acts against civilians and acts of terrorism and appeals to both sides to end the violence and the rhetoric of incitement and provocation, which only fuel an atmosphere of distrust and confrontation between Palestinians and Israelis. There is no doubt that such actions undermine the possibility of achieving a two-State solution to the Palestinian question.

Russia will continue working on reanimating the negotiations and restoring Palestinian unity based on the political platform of the Palestinian Liberation Organization and the Arab Peace Initiative. In that connection we confirm the importance of the ongoing work of the Quartet as an effective and approved mechanism of the Security Council in the Middle East peace process.

We also note that the July report of the Quartet (S/2016/595, annex) on the situation in the Palestinian-Israeli track is still very relevant as a strong signal from the international community to both sides of the conflict. Implementing the recommendations contained in the report would contribute to returning the peace process to the political track.

Mr. Bessho (Japan): Japan is deeply concerned about the current stagnation in the peace process and alarmed that a two-State solution may be slipping from our reach. We have been consistent in our position that settlement activity is in violation of international law and that it has been steadily eroding the viability of a two-State solution. With that in mind, Japan voted in favour of resolution 2334 (2016).

It is important that the parties commit themselves to the resolution just adopted so as to make meaningful progress in the Middle East peace process. The Council also must reaffirm its commitment to a two-State solution and support the parties to that end. Japan remains firm in its belief that peace in the region can be realized only through negotiations and will not recognize any unilateral change by either party that may prejudice the final resolution.

I would like to conclude by stressing that Japan will continue to engage in this matter both in and out of the Council in order to facilitate the peace process with a view to achieving a two-State solution.

Mr. Ibrahim (Malaysia): Today, after decades of paralysis in the Council on the Israeli-Palestinian conflict, the Council has finally exercised its legal, political and moral responsibility to take effective action to reverse the negative trends that are threatening peace and the two-State solution. With the historic adoption of resolution 2334 (2016), we prove our sincere commitment to peace and to the two-State solution. We sincerely thank all Council members who voted in support of the resolution today. We are also encouraged by the exemplary restraint shown by the permanent members of the Council. Malaysia also appreciates the full support and solidarity shown by New Zealand, Venezuela and Senegal in carrying the resolution forward.

We have been persistently warned that the settlement enterprise constitutes the single biggest threat to peace and the two-State solution. It is illegal under international law, as reinforced by the 2004 advisory opinion of the International Court of Justice and in various Council resolutions. They also lead to settler violence, home demolitions, land confiscations, as well as to discriminatory policies and the denial of development, infrastructure and natural resources. Decades of great injustice and gross violations of human rights have perpetuated anger and frustration

for those who have nothing to lose, leading to further radicalization in the region and beyond.

Recent developments have made it even more urgent for the Council to act, particularly the brazen attempt by the Israeli Parliament to legalize outposts on private Palestinian lands. We need to send a strong and clear signal that this is simply not acceptable. Today the Council has redeemed itself to steer the parties in the right direction, away from violence and unjust and illegal acts. We are giving hope to both the people of Israel and the people of Palestine, the majority of whom still believe in the two-State solution and still want peace. This is not just a victory for Palestine, it is a victory for the Security Council, for the United Nations, for the rule of law, for peace and for humankind as a whole. It is also a victory for the people of Israel who still believe in living side by side in peace and security with the Palestinians and their Arab neighbours. In the next few months, the Council should continue to exert pressure on both sides to ensure compliance with resolution 2334 (2016). We also urge all Member States to abide by their obligations under the resolution to halt settlement activities.

As we enter into 50 years of Israeli occupation in 2017, we need to take a step back to reflect on our collective failures for the past half-century that have led to our current predicament on the viability of the two-State solution. Although our action today is significant in halting settlement activities, we need to recognize that we are addressing the symptoms and not the root causes of the conflict. In the long term, the Council and the international community must galvanize their efforts to end the longest occupation in modern history, which has given rise to sustaining the settlement enterprise.

We therefore urge all parties to intensify their efforts to resume the peace process in order to achieve a comprehensive, just and lasting peace in the Middle East, on the basis of the relevant United Nations resolutions and various initiatives, including the Arab Peace Initiative. We also reaffirm our support for all diplomatic initiatives to that end, including by France and Russia.

Lastly, although Malaysia's days in the Council are coming to an end, we will continue to play an active role in creating the necessary conditions for peace in the region and defending the two-State solution, in line with our principled position on the Palestinian question.

Mr. Martins (Angola): Angola welcomes the adoption today of resolution 2334 (2016). I would like to thank the sponsors — Egypt, Malaysia, New Zealand, Senegal and Venezuela — for presenting it to the Council.

For far too long, a source of deep frustration and despair to the international community as a whole has been the continued expansion of illegal settlements by the Israeli authorities, which have perpetuated an atmosphere of mistrust, hostility and violence among Israelis and Palestinians. There is no doubt that the settlements are illegal under international law, and therefore we find it disappointing that the Israeli authorities dispute that and believe that their final status should be determined in talks on Palestinian statehood.

Palestinian statehood will not be possible if settlements are expanded; then any possibility of a contiguous Palestinian State would be eliminated. Therefore, we urge both parties to refrain from any negative unilateral actions that could hinder the prospect of the two States living side by side in peace and harmony.

A Council resolution represents only a positive contribution to peace and security in the world, which again is the primary *raison d'être* of the Council; that is, if the resolution can be implemented. I hope that resolution 2334 (2016), which we just adopted, will be effectively implemented, particularly by all key parties. This calls for the unity of the Security Council, unity by the Palestinians, unity in Israel. Above all, resolution 2334 (2016) calls for a commitment to peace, particularly by the two main parties, Israel and Palestine.

In conclusion, let me say that the resolution is not an imposition of terms by the United Nations, but rather a measure to salvage the prospects of the two-State solution. Therefore, we hope that we will definitely see this as a step in the right direction, as we have several times reiterated in the Council.

Mr. Van Bohemen (New Zealand): Today is a significant day for the Security Council, as the applause ringing around the Chamber earlier this afternoon attests. I was so very pleased that in this last meeting of the year we are able to adopt a very positive step on this most very difficult issue. The applause reflects the pent-up frustration that the Council has been unable for so long to adopt a resolution on the Israeli-Palestine issue, despite regular reports from the Secretary-

General and the Special Coordinator that the two-State solution was slipping away and that urgent action was necessary to arrest it.

As I noted earlier, the focus of resolution 2334 (2016) is on settlements: the primary threat to the viability of the two-State solution. However, as others have pointed out, the resolution also includes welcome elements on the need to stop violence and incitement and lays the groundwork for a return to negotiations. There is no question that ongoing Israeli settlement in the occupied territories is a significant obstacle to a return to negotiations and a grave threat to the very viability of a future Palestinian State. As my Foreign Minister said earlier this month, those settlements violate international law, and those settlements have created enemies where there should have been neighbours.

Every settlement creates false hope for the settlers that the land will one day be part of a greater Israel. Every settlement takes land away from Palestinians needing homes or farmland or roads. Today's resolution provides important signals to the parties and to the international community about the way forward. It reaffirms the central importance of preserving the two-State solution as the only model we have for achieving a negotiated peace. The resolution also prepares the ground for a return to negotiations as soon as possible. The resolution reaffirms, through the United Nations most powerful organ, that settlements in the occupied territories are contrary to Israel's obligations under international law and a major obstacle to peace. It condemns the acts of violence, provocation, terror and incitement that have driven the two sides apart and hardened feelings of hostility and mistrust on both sides.

The reporting mechanism the resolution establishes should provide a firm foundation for the Council to continue to encourage the parties towards negotiations on a viable two-State solution. We recognize that there is much more that the resolution might have done. The Council must stand ready to provide additional support to the parties, including by setting out the parameters for negotiations when the time is right. But today we have focused on what is achievable right now, and that is what we believe today's text represents.

Mr. Ciss (Senegal) (*spoke in French*): By deciding to co-sponsor resolution 2334 (2016), along with Malaysia, New Zealand and the Bolivarian Republic of Venezuela, Senegal wishes to reaffirm its principled position on the settlements, which are illegal from the point of

view of international law. Indeed, at a time when the peace process is at a stalemate, we see a continued and accelerated progress of building settlements in the West Bank and East Jerusalem. In addition to compromising the chance for peace between Israelis and Palestinians, those settlements and occupations foment the violence that affects both Israelis and Palestinians and the possibility for both peoples to live side by side in peace and security within internationally recognized borders.

Together with the Israelis and Palestinians, with whom we, as members of the Council, share the same aspirations for peace and stability, we must find a path to negotiations with a view to reaching a peaceful, happy and definitive solution to the dispute. We avail ourselves of this opportunity to renew our disapproval and condemnation of acts of terrorism and incitement to violence, no matter who the authors are or what the motives may be.

My delegation reaffirms the urgency of relaunching the peace process. That is why we encourage the ongoing initiatives, such as that of France, and diplomatic efforts, such as those undertaken by Egypt and the Russian Federation; all of such initiatives, in our view, require greater coordination.

In conclusion, it is up to the international community, and first and foremost the Security Council as the guarantor of international peace and security, to work on the two-State solution. Our faith was restored by the remarks President Macky Sall delivered during the United Nations International Day of Solidarity with the Palestinian People:

“Despite the stalemate of the peace process, I have the strong conviction that efforts must be continued, strengthened and intensified in order to realize the two-State solution. The two States, Israel and Palestine, should be able to live side by side in peace and security, each of them within its own internationally recognized borders, in accordance with all the relevant resolutions of the United Nations and the efforts of the Quartet.”

On that basis, Senegal, faithful to its principles and foreign policy, and also as Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, continues to engage in dialogue and consultation in order to reach a two-State solution.

The President (*spoke in Spanish*): I shall now make a statement in my national capacity.

I would like to start by thanking all the sponsors for their efforts, as well as the delegations that worked so intensely to achieve such a historic result. Spain voted in favour of resolution 2334 (2016) because we are convinced that it will contribute to preserving the two-State solution, which we believe is the only solution that can lead to a just, comprehensive and lasting peace for Palestinians and Israelis.

That peace could never be determined externally, but will need to be negotiated between the two parties. However, the international community does have an obligation to do everything it can to promote an agreement. With today's vote, the Security Council did what it had to do. Over the past two years, as a non-Permanent Member of the Security Council, Spain has repeated on numerous occasions that we were in favour of the Council expressing its position on the Palestinian question when the time was right and, if possible, to adopt a text on which there was consensus that could truly advance the peace process. That day has come today. The text of the resolution that we adopted today fulfils, as we see it, the necessary requirements. It is a balanced text that strives for nothing more than to act in favour of peace.

Over these two years, we have also repeated many times in this same Chamber the position of Spain on the Palestinian question. We have always stated that the settlements are counter to international law and one of the main obstacles to make the two-State solution a reality so that Israel and Palestine can live in peace and security within mutually recognized borders. Furthermore, we have also stated that the incitement to hatred and acts of terrorism are not only morally and legally reprehensible, but they also undermine efforts to achieve a just and lasting peace between Israelis and Palestinians, and they should be strongly condemned. The resolution that we have just adopted is fully compatible with that position.

As the Secretary-General, Ban Ki-moon recalled last week here in the Chamber (ses S/PV.7839), over the past 10 years the Security Council has pronounced itself only twice on the Palestinian question — the last time being eight years ago. We welcome the fact that such silence has been broken and we see this as the result of the work carried out by the Security Council, month after month, throughout these years. Spain has contributed to that work, motivated only by its sincere wish to help the cause of peace. Spain will continue working as long as it is necessary, based on

that same motivation, to contribute to a just and lasting peace between Israel and Palestine, which would be the outcome of a negotiated agreement between the two parties.

I now resume my functions as President of the Council.

I give the floor to the representative of Israel.

Mr. Danon (Israel): Today is a dark day for the Security Council. Resolution 2334 (2016), which members just voted on, is the peak of hypocrisy. While thousands are being massacred in Syria, the Council has wasted valuable time and efforts condemning the democratic State of Israel for building homes in the historic homeland of the Jewish people. We have presented the truth time and again to the Council, and implored it not to believe the lies presented in the resolution. By voting in favour of the resolution, members of the Council have in fact voted no. They voted no to negotiations. They voted no to progress and a chance for better lives for Israelis and Palestinians. And they voted no to the possibility of peace.

Secretary-General Ban Ki-moon addressing the Council one week ago said that the United Nations had

“created a disproportionate volume of resolutions, reports and conferences criticizing Israel” (*S/PV.7839, p.4*).

The resolution today will be added to the long and shameful list of anti-Israel United Nations resolutions. Instead of charting a course forward members are sending a message to the Palestinians, that they should continue on the path of terrorism and incitement; that they should continue to hold their own people hostage; that they should continue to seek meaningless statements. The sad truth is that today’s vote will be a victory for terror; it will be a victory for hatred and violence. By continuing to provide excuses for the Palestinians to avoid recognizing our right to exist, Council members are only maintaining the status quo.

The world is undergoing great change, and the new Secretary-General will soon assume office. I call on the Council to take this opportunity to turn a new page, put an end to the bias and obsession with Israel, stop such endless attempts to blame all the problems of the Middle East on the one true democracy in the region and make clear to the Palestinians that the only way forward is to end the incitement and terror and enter into direct and meaningful negotiations with Israel.

Just two months ago, UNESCO approved an absurd resolution, denying the connection between the Jewish people and Jerusalem. Today the Council, including many of the world’s leading democracies — the beacons of liberty — voted to condemn the State of Israel. Members voted to condemn the Jewish people for building homes in the land of Israel, members voted to ban us from building in our historical capital of Jerusalem, the heart and soul of the Jewish people, with the resolution. Tomorrow night, Israel and the entire Jewish community around the world will celebrate the holy day of Hanukkah. Over 2,000 years ago, King Antiochus banished the Jewish people from our temple in Jerusalem and issued decrees trying to sever us from religion and our heritage. But we prevailed; the Jewish people fought back. We gained our independence and we relit menorah candles in the temples.

I ask each and every member of the Council who voted for the resolution: Who gave members the right to issue such a decree, denying our eternal rights in Jerusalem? Would the Council have had the nerve to condemn the countries of Council members for building homes in their capitals? Would members ban the French from building in Paris? Would members ban the Russians from building in Moscow? Would members ban the Chinese from building in Beijing? Would members ban the British from building in London? Would members ban the Americans from building in Washington, D.C.?

We overcame such decrees during the time of the Maccabees and we will overcome today’s evil decree. We have full confidence in the justice of our cause and in the righteousness of our path. We will continue to be a democratic State, based on the rule of law and full civil and human rights for all our citizens, and we will continue to be a Jewish State, proudly reclaiming the land of our forefathers, where the Maccabees fought the repressors, and King David ruled from Jerusalem.

This holy book, the Bible, contains 3,000 years of history of the Jewish people in the land of Israel. Absolutely no one can change that history.

The President: I now give the floor to the Permanent Observer of the Observer State of Palestine.

Mr. Mansour (Palestine): I thank you, Mr. President, for convening this important meeting. I express the State of Palestine’s sincere appreciation for the principled efforts you have exerted, in both

your national capacity as well as in Spain's capacity as President of the Security Council for this month.

The Council's action, while long overdue, is timely, necessary and important. Resolution 2334 (2016) adopted today reaffirms the Council's decades-long position that Israeli settlements in the occupied Palestinian territory, including East Jerusalem, the eternal capital of the State of Palestine, have no legal validity, constitute flagrant breaches under international law, namely the Fourth Geneva Convention, and constitute a major obstacle to peace, gravely diminishing the viability of the two-State solution based on the 4 June 1967 borders and the possibility of realizing it.

We express our appreciation to all the Council members that supported the resolution. They have adopted the resolution on behalf of the entire international community, reflecting the long-standing global consensus on the matter. We must also express our gratitude to the four co-sponsors — Malaysia, New Zealand, Senegal and Venezuela. They have acted in line with their constant calls for action to redress the unjust situation, firm in their responsibilities as Council members. We also thank Angola, as well as the Non-Aligned Movement caucus members, for their abiding support. Of course, we also thank our brothers in Egypt, the Arab representative on the Council, for all efforts exerted throughout the process. Let me also thank all those who applauded the adoption of resolution 2334 (2016) here in the Chamber, and the millions who have applauded in all corners of the globe, especially those in the State of Palestine.

Over the years we have made countless appeals to the Council to uphold its duties under the Charter of the United Nations, convinced of its central role and the primacy of international law, and insisting on the need for concerted action to confront Israel's oppression of the Palestinian people and relentless colonization of our land under its half-century foreign occupation. Our appeals have sought, in the short term, to alleviate the suffering of our people, a defenceless civilian population denied of their rights, dignity and humanity. However, our appeals have also been calls for the Council to contribute to the cause of peace in the long term — peace for Palestine, peace for Israel, peace for the Middle East region and peace for our world.

We have not been alone in our appeals; they have been echoed by Security Council members themselves and by the States, organizations, international civil

servants and civil society that have come before the Council to implore it to act, including specifically to address the illegality of Israeli settlement activities in occupied Palestine, including East Jerusalem, and the erosion of the two-State solution based on the 1967 borders and the prospects for a just, lasting and comprehensive peace.

That the Council has finally chosen to act is significant. Let me repeat: that the Council has finally chosen to act is significant, after years of paralysis, as is the fact that the resolution has been adopted with overwhelming majority support. However, this step requires vigilant follow-up, if it is to be meaningful, so as to stem further deterioration and salvage the two-State solution from relegation to history's archives. Urgent efforts are needed to reverse the dangerous, negative trends on the ground and to advance our collective efforts to end the Israeli occupation that began in 1967, and achieve freedom, rights and justice for the Palestinian people, including the Palestine refugees, leading to Palestinian-Israeli peace and security, as well as the goal of Arab-Israeli peace.

No "bashing" is taking place, as repeatedly claimed by the Israeli Government — not by Palestine, not by the Council, nor by any who have time and again urged the Council to act in the interest of peace and security. Claims of bashing are beyond being offensive, because in reality today's action may be too little too late. After years of allowing the law to be trampled upon and the situation to spiral downward, today's resolution 2334 (2016) may rightly be seen as a last attempt to preserve the two-State solution and revive the path to peace to keep hope alive. For many, that seems virtually impossible at this point as Israel, the occupying Power, has been permitted to entrench its occupation and a one-State reality with absolute impunity, at times even being rewarded for its violations and intransigence.

Against that backdrop, one Council resolution in nearly eight years is not disproportionate; it is shameful. But today's vote rectifies that record and sets us on a new course.

The fact is that only Israel is doing the bashing — of the Council and the entire United Nations system — members heard what the Israeli representative said — of the Charter of the United Nations and international law. For five decades, despite resolution 242 (1967), calling for Israel's withdrawal from the territories it occupied in 1967, and all the

resolutions thereafter, Israel has persisted full force with its occupation. Its illegal settlements and the wall have severely fragmented our land, undermined its contiguity and isolated East Jerusalem — the heart and capital of our State and de facto Israeli annexation of which the international community has never recognized and continues to reject. Convictions in the rationality, feasibility and fairness of the two-State solution have been destroyed, as reflected in the growing negative sentiments among Palestinians, whether those besieged and inhumanely blockaded for nearly a decade in the Gaza Strip, or those enduring the colonization onslaught and daily settler terror in the West Bank, including East Jerusalem, or those in the diaspora, including in our refugee camps across the region, whose patience in awaiting justice and a peaceful solution is legendary, yet now so frail.

To the audacious claims of bias, we say that the only bias taking place is that against the law, against reason and against the vision of two States as the most viable solution to this prolonged, illegal occupation and disastrous, tragic conflict. We have heard it loud and clear in the gleeful boasts by some Israeli officials that “the two-State solution is dead” and “there will be no Palestinian State”. We witness it in the constant Israeli schemes, including Knesset ploys, attempting to pervert the law to accommodate the unlawful and the pretexts used to expropriate and colonize our land and deepen the occupation. We witness it in Israel’s blatant contempt of the global demands to comply with its obligations under the law, as is expected of every single other State in the international community, and to finally commit to the path of peace. But today the Council has said, “enough”. And we thank Council members for that.

Resolution 2334 (2016) represents a necessary step for addressing one of the most critical aspects of the longest issue on the United Nations agenda, a 70-year open wound, precluding peace and stability in our region, with far-reaching consequences, not least of which is fuelling the anger and despair that injustice breeds, especially among youth, who see no present or future, and undeniably fuelling much of the radicalism and extremism plaguing our region and world.

The Security Council must stand firm by that decision, stand by the law and stand on the right side of history. It should not be cowed by negative threats or spin; the Council is doing the right thing by adopting resolution 2334 (2016). We hope this global

call for a cessation of Israeli settlement activities and violations will serve to compel compliance with the law, de-escalate tensions, bring an end to the violence, including all acts of terror, provocations and incitement, and reverse the negative trends on the ground. That is vital for salvaging the prospects for peace.

With the Council leading by responsible action, including follow-up of the reports requested of the Secretary-General on the resolution’s implementation, we hope that the coming period will be one of serious effort to set the course for a credible political horizon and help the parties advance towards a peaceful solution. We recognize fully the Arab States’ efforts in the context of the Arab Peace Initiative, which remains a cornerstone for peace, and the efforts of France, the Quartet, Egypt and the Russian Federation. We hope that those collective efforts, with international support, will be fulfilled.

We remain firm in our belief that peace — the central purpose of the Organization — is more than worthy of both international legislation and action. We therefore urge intensification of international and regional efforts to achieve, without delay, an end to the Israeli occupation that began in 1967 and a comprehensive, just and lasting peace, based on the relevant United Nations resolutions, the 1991 Madrid Conference terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet road map, whereby the Palestinian people will realize their rights and justice, including a just solution for the Palestine refugees on the basis of resolution 194 (III), and can finally live in freedom and dignity, exercising their inalienable right to self-determination in their independent, sovereign and contiguous State of Palestine, with East Jerusalem as its capital, living side by side with Israel in peace and within secure and recognized borders.

The President (*spoke in Spanish*): Before concluding this meeting, I would like to express the sincere appreciation of the delegation of Spain to the Council members, especially my colleagues the Permanent Representatives, their respective staff and teams and also to the secretariat of the Council for all the support they have given us. It has been a very busy month, and it would not have been possible to achieve this outcome without the contribution of the delegations, the representatives of the Secretariat, the interpreters, the translators, meeting services, sound

engineers, as well as the security officers who kept the Council safe day after day this month.

As this could be the last public meeting of the Security Council for December 2016, I would like, on behalf of the Council, to express the sincere appreciation of the Council to the outgoing members — Angola,

Malaysia, New Zealand and the Bolivarian Republic of Venezuela. I wish to commend their hard work and contributions during their term on the Security Council from 2015 to 2016.

The meeting rose at 3.50 p.m.

ANNEX NO. 17



Aqaba Joint Communique

MEDIA NOTE

OFFICE OF THE SPOKESPERSON

FEBRUARY 26, 2023

The following text reflects the Joint Communique following today's meeting in Aqaba, Jordan:

At the invitation of the Hashemite Kingdom of Jordan, Jordanian, Egyptian, Israeli, Palestinian and U.S. Senior Officials met in Aqaba, Jordan today, 26 February 2023.

Following comprehensive and frank discussions, the participants announced the following:

1. The two sides (Palestinian and Israeli sides) affirmed their commitment to all previous agreements between them, and to work towards a just and lasting peace. They reaffirmed the necessity of committing to de-escalation on the ground and to prevent further violence.
2. The five parties recognize the importance of upholding unchanged the historic status quo at the holy sites in Jerusalem in word and practice, and emphasizes in this regard the Hashemite Custodianship / special role of Jordan.
3. The Government of Israel and the Palestinian National Authority confirmed their joint readiness and commitment to immediately work to end unilateral measures for a period of 3-6 months. This includes an Israeli commitment to stop discussion of any new settlement units for 4 months and to stop authorization of any outposts for 6 months.
4. The five parties agreed to convene again in Sharm El Sheikh in March to achieve the goals listed above.
5. The participants also agreed to pursue confidence-building measures and strengthen mutual trust in order to address outstanding issues through direct dialogue. The two parties will work in good faith to assume responsibilities and to enhance mutual trust through this arrangement.
6. Jordan, Egypt and the United States consider these understandings as major progress towards re-establishing and deepening relations between the two sides, and commit to assisting and facilitating as appropriate their implementation.
7. The participants stressed the importance of the Aqaba meeting, the first of its kind in years. They agreed to continue meeting under this formula, maintain positive momentum and expand this agreement towards wider political process leading to a just and lasting peace.
8. The participants thanked Jordan for organizing and hosting this meeting and for its efforts to ensure it produced positive results. They also thanked Egypt for its support and essential role and active participation.

They also thanked the United States for its important role in efforts to reach understandings that led to this agreement today, emphasizing its indispensable role in efforts to prevent deterioration and find horizons for peace.

TAGS

- [Bureau of Near Eastern Affairs](#)
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- [Israel](#)
- [Jordan](#)
- [Office of the Spokesperson](#)
- [Palestinian Territories](#)
- [Partnerships](#)
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ANNEX NO. 18



Joint Communique from the March 19 meeting in Sharm El Sheikh

MEDIA NOTE

OFFICE OF THE SPOKESPERSON

MARCH 19, 2023

The following text reflects the Joint Communique following today's meeting in Sharm El Sheikh Egypt:

At the invitation of the Arab Republic of Egypt, Jordanian, Israeli, Palestinian and U.S. political and security senior officials met in Sharm El Sheikh, Egypt today, 19 March 2023, in furtherance of the understanding reached in Aqaba, Jordan on 26 February 2023.

The five Parties held thorough discussions on ways and means to de-escalate tensions on the ground between Palestinians and Israelis, in order to pave a way forward towards the peaceful settlement between the Israelis and the Palestinians.

Towards achieving this purpose, and beginning implementation, the Parties have agreed to the following:

1 – The Parties reaffirmed their commitment to advancing security, stability and peace for Israelis and Palestinians alike, and recognized the necessity of de-escalation on the ground, the prevention of further violence, as well as of pursuing confidence building measures, enhancing mutual trust, creating political horizon, and addressing outstanding issues through direct dialogue.

2 – The Government of Israel and the Palestinian National Authority reaffirmed their joint readiness and commitment to immediately work to end unilateral measures for a period of 3-6 months. This includes an Israeli commitment to stop discussion of any new settlement units for 4 months, and to stop authorization of any outposts for 6 months.

3 – The two sides reaffirmed, in this regard, their unwavering commitment to all previous agreements between them, in particular, the legal right of the Palestinian National Authority to carry out the security responsibilities in Area (A) of the West Bank, in accordance with existing agreements, and will work together towards realizing this objective.

4 – The two sides agreed to develop a mechanism to curb and counter violence, incitement, and inflammatory statements and actions, which will report to the quintet leadership in April, in a resumed session of the meeting in Sharm El Sheikh.

5 – The two sides reaffirmed their commitment to all previous agreements between them, and reaffirmed their agreement to address all outstanding issues through direct dialogue.

6 – The Parties agreed to establish a mechanism to take the necessary steps towards improving the economic conditions of the Palestinian people, per previous agreements, and to significantly enhance the fiscal situation of the Palestinian National Authority, which will report to the quintet leadership in April, in a resumed session of the meeting in Sharm El Sheikh.

7 – They also reiterated the commitment of upholding unchanged the historic status quo at the Holy Sites in Jerusalem, both in word and in practice, and reaffirmed in this context the importance of the Hashemite Custodianship/special role of the Hashemite Kingdom of Jordan. They emphasized the necessity of both Israelis and Palestinians to actively prevent any actions that would disrupt the sanctity of these sites, inter alia during the upcoming Holy Month of Ramadan, which coincides with Easter and Passover this year.

8 – The Parties reaffirmed the importance of maintaining the meetings under this format, and are looking forward to cooperating with a view to consolidating the basis for direct negotiations between the Palestinians and the Israelis, towards achieving comprehensive, just and lasting peace, and promote cooperation and coexistence between all people of the Middle East. They will convene again in Egypt.

9 – The Parties expressed their appreciation to the Arab Republic of Egypt for organizing and hosting this meeting, as well as their efforts to ensure that it produces positive results, and for its primary role aiming to achieve a peaceful settlement of the Palestinian question and maintain calm and stability in the region. They also thanked the Hashemite Kingdom of Jordan and the United States of America for their crucial and significant role in reaching understandings with a view to preventing escalation and creating a horizon for peace.

TAGS

- [Bureau of Near Eastern Affairs](#)
- [Cooperative Arrangement](#)
- [Egypt](#)
- [Israel](#)
- [Jordan](#)
- [Office of the Spokesperson](#)
- [Palestinian Territories](#)
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ANNEX NO. 19

Press release

Statement on the Human Rights Council Commission of Inquiry on Gaza Report: 8 June 2022

The Foreign, Commonwealth and Development Office issued a statement on the Human Rights Council Commission of Inquiry on the situation in Israel, the West Bank, and Gaza.

From: [Foreign, Commonwealth & Development Office](#)

Published 8 June 2022



An FCDO spokesperson said:

“ The UK has been clear that we oppose the open-ended nature of the Commission of Inquiry on the situation in Israel, the West Bank, and Gaza and its vaguely defined mandate.

“ The cause of advancing human rights in Israel and the Occupied Palestinian Territories is not served by the disproportionate focus on Israel. The UK is committed to improving the human rights situation in Israel and the Occupied Palestinian Territories. We are also a firm supporter of the Human Rights Council and believe strongly in its mandate to protect human rights and secure accountability for abuses wherever these occur. However, this Commission of Inquiry does not further these goals.

“ The UK remains fully committed to achieving a just and lasting two-state solution to the Israeli-Palestinian conflict.”

Media enquiries

Email newsdesk@fcdo.gov.uk

Telephone 020 7008 3100

Contact the FCDO Communication Team via email (monitored 24 hours a day) in the first instance, and we will respond as soon as possible.

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Published 8 June 2022

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ANNEX NO. 20



General Assembly

Seventy-sixth session

12th plenary meeting
Friday, 24 September 2021, 9 a.m.
New York

Official Records

President: Mr. Shahid (Maldives)

In the absence of the President, Mr. Malovrh (Slovenia), Vice-President, took the Chair.

The meeting was called to order at 9 a.m.

Agenda item 8 (continued)

General debate

Address by Mr. Nicos Anastasiades, President of the Republic of Cyprus

The Acting President: The Assembly will now hear an address by the President of the Republic of Cyprus.

Mr. Nicos Anastasiades, President of the Republic of Cyprus, was escorted into the General Assembly Hall.

The Acting President (*spoke in Spanish*): On behalf of the General Assembly, I have the honour to welcome to the United Nations His Excellency Mr. Nicos Anastasiades, President of the Republic of Cyprus, and to invite him to address the Assembly.

President Anastasiades: At the outset, I would like to congratulate the elected President of the General Assembly at its seventy-sixth session, His Excellency Mr. Abdulla Shahid, and the Secretary-General, Mr. Antonio Guterres, on his recent reappointment to a second five-year mandate. I assure them of my Government's unwavering support for their missions.

This is the ninth consecutive year that I have attended the general debate of the General Assembly. Every year, our deliberations focus on important issues

regarding developments and challenges that are critical for humankind with the aim, through collective action, of addressing them effectively. Taking stock of our declarations and decisions over time, I must confess that — like many of us here — I feel a deep sense of disappointment. That sense of disappointment results from witnessing a widening gap between words and deeds, and between the auspicious declarations and commitments that are made and the results of the measures that we promise to deliver.

In all honesty, how many times have we spoken about the need to address regional disputes, invoking the Charter of the United Nations as well as the decisions and resolutions of the General Assembly and the Security Council? To what extent do the weakness or insufficient implementation of our decisions perpetuate conflicts and encourage violations that, in turn, proliferate humanitarian crises? How often have we spoken about the dire need to tackle major global challenges such as poverty, hunger, child mortality, social and economic exclusion, a lack of adequate health care and a shortage of educational opportunities? How compliant are we in the implementation of what we have agreed with regard to the Sustainable Development Goals and the Paris Agreement on Climate Change?

I could expand into numerous other problems, the resolution of which could have been possible had the United Nations implemented its relevant decisions. That is why our collective and shared failure to decisively tackle the challenges I referred to has let down and disappointed many people across the world

In accordance with decision 75/573, and without setting a precedent for mandated high-level meetings planned for future high-level weeks, the official records of the General Assembly will be supplemented by annexes containing pre-recorded statements submitted by Heads of State or other dignitaries, submitted to the President no later than the day on which such statements are delivered in the Assembly Hall. Submissions in this regard should be made to estatements@un.org.

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whose fundamental human rights and dignity are not adequately protected.

At the same time, it has also led to the rise of worrisome developments such as religious fundamentalism, violent extremism, sectarianism, the destruction of cultural heritage, civil war and ethnic conflict. What is equally alarming is that the combination of that has led to the forced displacement of millions of people and created unprecedented waves of refugees and migratory flows, exerting huge economic and social pressures on all countries and regions affected.

Unfortunately — and we have to be honest with ourselves — selfish interests hinder the founding principles of the United Nations, in which humankind has vested its hopes for a prosperous and peaceful future. In order to achieve that objective, there is only one answer: multilateralism, tangible solidarity and stronger partnerships that are based on a positive agenda. It is for that reason that we lend our unwavering support to the reform and revitalization priorities of the Secretary-General, which aim to reinforce the effectiveness of the Organization and further advance peacekeeping and peacebuilding, humanitarian assistance and long-term development and growth.

What I have just referred to is by no means intended to belittle the numerous achievements of the work of the United Nations. My remarks and observations aim to emphasize the need to transform, via reforms, an Organization that will give real hope to those in need of international protection and to the quest for collective peace and security and development — in other words, to turn the United Nations into a much more effective Organization.

My strong and honest words are not unintentional. I stand here before the Assembly representing a country that, regrettably, still endures the consequences of the blatant violation of the fundamental principles of the United Nations as a result of the 1974 illegal military invasion by Turkey and the ongoing occupation. Ever since, both the General Assembly and the Security Council have issued numerous decisions and resolutions that call on Turkey to end the illegal occupation and withdraw its occupying troops, establishing at the same time the basis for reaching a comprehensive solution to the Cyprus problem. Those decisions and resolutions, in the absence of resolve and the necessary means for their implementation, have led to the audacity of the

invader, which tries to be portrayed as a victim instead of the perpetrator it actually is.

It is not my intention to engage in a blame game, but I cannot leave unnoticed the absurdity of the Turkish rhetoric, which lies in their claim that efforts towards reaching a compromise have been exhausted and that our focus should now be on reaching a settlement based on the so-called realities on the ground. Let me remind members what the true realities on the ground are.

Is it not a fact that 37 per cent of the territory of the Republic of Cyprus, a European Union member State, remains under Turkish military occupation, with more than 40,000 troops still on the ground? Is it not a fact that after the Turkish invasion, one third of Greek Cypriots were forced to leave their ancestral homes? Is it not a fact that, while the Turkish Cypriots own approximately 14 per cent of privately owned land, today they usurp 37 per cent of the island?

Is it not a fact that they looted churches, destroyed archaeological sites and thousands of years of cultural heritage? Is it not a fact that they killed thousands of people and committed atrocities of all kinds and today almost 1,000 persons are still missing? Is it not a fact that they have sent hundreds of thousands of Turkish nationals to the occupied areas, thereby severely altering the demographic character of the island, turning the Turkish Cypriots into a minority in the areas they occupy? Is it not a fact that they have never implemented the 1975 Agreement on the status of the enclaved persons, who then numbered more than 23,000? Today there are only 350 of them.

Is it not a fact that all the aforementioned crimes have been condemned by the European Court of Human Rights and the Council of Europe in a plethora of decisions, with Turkey failing to comply with even one ruling? Is it not a fact that Turkey has established an illegal entity in the occupied areas, which is under its absolute political, economic, societal, cultural and religious control — a control that is also denounced by the majority of Turkish Cypriots; an illegal entity described by the European Court of Human Rights as a subordinate local administration of Turkey?

Is it not a fact that Turkey tries to equate the State, the internationally recognized Republic of Cyprus, member of the United Nations and the European Union, with the illegal secessionist entity? Is it not a fact that the aforementioned proclamation of the purported secession has been condemned by the Security Council

and considered legally invalid? And is it not a fact that the Security Council called for its reversal and for all States and the international community, as a whole, not to accept or in any way assist it? Is it not a fact that, recently, with the presence of President Erdoğan in Cyprus, they are trying to change the status of the fenced city of Famagusta, contrary to Security Council resolutions and the condemnation of the international community?

During his address to the General Assembly on Tuesday, the President of Turkey, Mr. Erdoğan, stated,

“[w]e hope that the problems regarding maritime boundary delimitation will be resolved within the framework of international law and good-neighbourly relations” (*A/76/PV.3, p.41*).

I wonder to which international law Mr. Erdoğan refers. Is it not a fact that Turkey refuses to ratify and abide by the 1982 United Nations Convention on the Law of the Sea, which codifies relevant customary international law? How does Mr. Erdoğan understand the settlement of disputes concerning delimitations? Is he referring to Turkey’s own arbitrary interpretation of international law, which reduces the exclusive economic zone of Cyprus by 44 per cent, at the expense of Greek and Turkish Cypriots alike?

President Erdoğan also spoke of the need to maintain good-neighbourly relations. I again ask which country invaded and to date still occupies Cyprus? Which country invaded Syria? Which country violates the sovereignty of Iraq? Which country interferes in the internal affairs of Libya? Which country violates the sovereign rights of Greece? Which country interfered in the Nagorno-Karabakh conflict?

The narrative also put forward by the Turkish side, according to which all efforts to reach a compromise have failed and we should therefore seek solutions outside the United Nations framework, reinforces the valid argument that Turkey’s end-game is not to solve the Cyprus problem but to turn Cyprus into its protectorate. I will elaborate.

In paragraph 27 of his report of 28 September 2017 (S/2017/814), with reference to the outcome of the Conference on Cyprus at Crans-Montana, the Secretary-General rightly assessed that all internal elements included in his six-point framework were almost, or about to be, resolved. Therefore, while the aim of the Secretary-General to reach a strategic

agreement was within close reach, the reason for the unsuccessful outcome was Turkey’s inflexible stance and insistence on maintaining the anachronistic Treaty of Guarantee, the right of intervention and a permanent presence of troops.

Furthermore, following the Conference held at Crans-Montana, in line with our commitment to resume the peace process, both leaders — I and my counterpart, the Turkish Cypriot leader — and the Secretary-General reached a joint understanding on 25 November 2019 on the principles that should guide the resumption of a new round of negotiations, namely, the Joint Declaration of 2014, the convergences reached so far and the six-point framework presented by the Secretary-General at Crans-Montana.

Following that, one would expect the next step to be the resumption of negotiations. Nevertheless, with Turkish objectives being different, we witnessed blatant intervention by Turkey to oust the leader of the Turkish Cypriot community, with whom the aforementioned joint understanding was reached.

The evident goal was for him to be replaced by a new leadership that reproduces and adopts Turkey’s position on changing the agreed basis for a settlement, with the ultimate goal being a two-State solution. Therefore, it is clear why a compromise cannot be reached when one side deviates from the United Nations framework or annuls agreements reached and aspires to a different form of settlement, contrary to the agreed basis and the good-offices mandate of the Secretary-General.

Part of the Turkish agenda is also the creation of a new fait accompli on the ground in Famagusta, in full contravention and violation of the relevant Security Council resolutions, in particular resolutions 550 (1984) and 789 (1992). All such actions are clearly intended to destroy the prospects of a settlement based on the agreed United Nations framework.

A compromise becomes even more difficult to reach when new ideas put forward by our side, as requested by the Secretary-General and in an effort to move the process forward, are blatantly rejected.

I have proposed the decentralization of the exercise of powers, which we deem as the appropriate balance between the enhancement of the constituent States’ essential role and the unhindered functioning of the State, including at the international level.

I have also flagged our willingness to consider the option of a parliamentary system with a ceremonial Head of State and a rotating Prime Minister.

More recently, I even extended an invitation to the Turkish Cypriots to rejoin the State institutions established by the 1960 Constitution of the Republic of Cyprus, thereby fully implementing, *mutatis mutandis*, its relevant provisions. It goes without saying that such an invitation is not meant to be an alternative to the agreed basis of the settlement. It is meant to ease the Turkish Cypriot community back into the State pending a final settlement, provided a strategic agreement is reached, thereby fully participating in the evolution of the Republic of Cyprus into a federal State.

That proposal should also be assessed in conjunction with the package of game-changing, win-win, confidence-building measures that I proposed last December and which were unfortunately rejected by the Turkish side. Those confidence-building measures are still on the table.

I would like to assure the Assembly about my determination to set the negotiation process back on track, on the basis of the United Nations framework and the agreement reached in Berlin on 25 November 2019. For us, there is only one plan, that is, to reach a settlement on the basis of a bizonal, bicomunal federation with political equality, as set out in relevant Security Council resolutions and in line with the principles on which the EU is founded; a settlement that will lead to a functional and viable State, without the obsolete system of guarantees, the right of intervention, the presence of Turkish troops or any kind of foreign dependencies; and a settlement that will equally benefit all Cypriots — Greek Cypriots and Turkish Cypriots — while fully respecting their human rights and contributing to the peace and stability of the region.

My extensive reference to the Cyprus problem aims to highlight the need to address the realities and issues before us on the basis of the values and the principles of international law, and not on the basis of the law arbitrarily interpreted by the powerful.

The chosen theme of this year's General Assembly, "Building resilience through hope — to recover from COVID-19, rebuild sustainably, respond to the needs of the planet, respect the rights of people and revitalize the United Nations", is of course very timely and relevant to the momentous challenges that we need to tackle.

As our actions are interconnected and have an impact on one another, we — all the nations of the world — made a collective pledge to the implementation of the Sustainable Development Goals so as to address universal challenges, to which I have already alluded, for the benefit of humankind.

At the same time, we must all realize that we are at a defining moment for climate change. Taking into account the alarming projections concerning its impact on our immediate region, namely, the eastern Mediterranean and the greater Middle East, Cyprus has undertaken a coordinating role in the development of a regional action plan, consisting of two distinct components, that is, a scientific and, subsequently, an intergovernmental one.

I would be remiss if I did not refer to the recent developments in Afghanistan. We share a collective responsibility to uphold international humanitarian law, particularly with regard to the protection of women and minorities. We also need to ensure that Afghanistan does not become a safe haven for terrorism and extremism, or a breeding ground for organized crime, weapons and drug trafficking and renewed waves of migration.

Another region that is also considered synonymous with discord and strife is the Middle East and North Africa. In that regard, as a strong proponent of the ideal that the eastern Mediterranean and the greater Middle East can become an area of stability, peace and cooperation, Cyprus strives to actively promote an enhanced network of regional cooperation.

In conclusion, please allow me to stress that, in a fragmented and multipolar world, we have more than ever a moral, ethical and political duty to promote the essence of human civilization, unite our strength to maintain international peace and security and establish conditions that can bring prosperity and welfare to all.

The Acting President: On behalf of the General Assembly, I wish to thank the President of the Republic of Cyprus for the statement he has just made.

Mr. Nicos Anastasiades, President of the Republic of Cyprus, was escorted from the General Assembly Hall.

Address by Mr. Muhammadu Buhari, President of the Federal Republic of Nigeria

The Acting President: The Assembly will now hear an address by the President of the Federal Republic of Nigeria.

Mr. Muhammadu Buhari, President of the Federal Republic of Nigeria, was escorted into the General Assembly Hall.

The Acting President: On behalf of the General Assembly, I have the honour to welcome to the United Nations His Excellency Mr. Muhammadu Buhari, President of the Federal Republic of Nigeria, and to invite him to address the Assembly.

President Buhari: On behalf of the Government and the people of Nigeria, let me congratulate the President on his well-deserved election as President of the General Assembly at its seventy-sixth session. I would like to assure him of the full support and cooperation of the Nigerian delegation throughout his tenure.

I would like to commend his predecessor, His Excellency Mr. Volkan Bozkir, for the many remarkable achievements recorded during his tenure, despite the challenges posed by the coronavirus disease (COVID-19) pandemic.

Permit me to congratulate the Secretary-General, António Guterres, on his reappointment and to commend his strong commitment to making the United Nations more alive to its responsibilities. I also want to express my gratitude to him for reappointing Ms. Amina Mohammed as Deputy Secretary-General to assist him in discharging his responsibilities.

The theme of this year's General Assembly, "Building resilience through hope — to recover from COVID-19, rebuild sustainably, respond to the needs of the planet, respect the rights of people and revitalize the United Nations", sums up our common desire to rescue our planet, recover our economies and restore hope to all the peoples of the world. In that regard, my delegation will continue to support the United Nations as the indispensable forum for international cooperation and the cornerstone of the multilateral system, rooted in respect for international law, including international human rights law, and predicated on a rules-based order.

I want to thank the international community for its concerted response to COVID-19. The solidarity and

drive to contain the first truly global health emergency of our time is a pointer to the many things we can achieve if we work together.

For our part, Nigeria has made strenuous efforts to contain the virus and halt its deadly onslaught on our people. Our efforts have been rewarded with moderate success. At the outset, we recognize detection and contact-tracing to be important tools in combating the virus. In that connection, from a mere four laboratories with testing and detection capacities, we ramped up the capacity of our facilities to more than 140 centres today.

Similarly, we built isolation centres and emergency hospital wards in record time all over the country. We carry out genomic sequencing in designated laboratories across the country with a view to detecting variants in circulation. In addition, more than 40,000 health-care workers have recently been trained on infection prevention and control measures with the support of various partners.

Nigeria remains grateful for the assistance received from our partners and friends all over the world. Vaccination is the key to our safe emergence from the pandemic. We fully support the COVID-19 Vaccine Global Access initiative, from which we have benefited. We also thank the United States of America, Turkey, India, China, the European Union and others for the vaccines provided.

Despite the acknowledgement, however, I would like to reiterate my call for a fairer and more equitable distribution of vaccines to all countries so that together we can fight and contain the pandemic. The rising wave of newer and more contagious strains makes that even more urgent. No country can afford the socioeconomic implications of prolonged shutdowns. It is imperative to underscore that no one is safe until everyone is safe.

Nigeria remains deeply concerned about the illicit trade, transfer and circulation of small arms and light weapons. Their excessive accumulation and uncontrolled spread in many regions of the world have devastating humanitarian and socioeconomic consequences, especially on the continent of Africa. In that regard, my delegation calls for the worldwide application of the Arms Trade Treaty to codify accountability in the conventional arms trade, which is critical to the security of nations. That is in recognition of the need for a broad-based global partnership in the ongoing battle against transborder crimes, including terrorism and piracy.

We must deal not only with the symptoms of conflict but also the immediate causes that fuel conflicts in the first place. Those include poor and undemocratic governance, human rights abuses, poverty, ignorance, injustice and inequalities. There are no easy solutions to those conditions. They require long-term investments and more effective international cooperation. In that connection, my delegation underscores the importance of promoting the peaceful, unfettered and inclusive participation of States in global actions towards conflict prevention. That will facilitate the achievement of the 2030 Agenda for Sustainable Development and Agenda 2063 of the African Union.

In West Africa especially, our democratic gains of previous decades are now being eroded. The recent trend of unconstitutional takeovers of power, sometimes in reaction to unilateral changes of constitutions by some leaders, must not be tolerated by the international community. Nigeria fully supports the efforts of the Economic Community of West African States to address that growing challenge and appreciates the support of both the African Union and the United Nations.

In that regard, I would like to reiterate that, as leaders of our individual Member States, we need to adhere to the constitutional provisions of our countries, particularly on term limits. That is one area that generates crisis and political tension in our subregion.

Nigeria is fully committed to nuclear non-proliferation and has always supported the view that it should involve all States. Disarmament conventions deserve the support of all States: small, large, nuclear and non-nuclear. Nuclear weapons remain the ultimate agents of mass destruction, and their total elimination should be the final objective of all disarmament processes within the broad spectrum of the goals being pursued by the United Nations.

In that regard, Nigeria will participate actively in the forthcoming Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and in the first meeting of States parties to the landmark Treaty on the Prohibition of Nuclear Weapons, to be held in the first quarter of 2022. Nigeria regards those upcoming events as important steps towards the realization of a world free of nuclear weapons. We are therefore supportive of any diplomatic efforts to that end. We hope that the upcoming NPT Review Conference will lead to a successful outcome that will

facilitate global denuclearization. We will do our part to ensure such an outcome.

Terrorism continues to dominate security discourse worldwide. In Nigeria, the Boko Haram terrorist group, although fragmented by internal strife and weakened by our defence forces, is still active and preys on soft targets. Nigeria will continue to work closely with United Nations counter-terrorism bodies and entities with a view to bringing that scourge to an end. Nigeria has spared no effort in addressing the challenges of terrorism posed by the activities of Boko Haram in north-east Nigeria and the Lake Chad region, as well as by banditry in north-west and north-central Nigeria.

The impact of climate change is already with us in Nigeria, as manifested in various ways: it has triggered conflicts, caused food insecurity, dried up lakes and resulted in youth migration and the loss of livelihoods, among other things. The trend is the same in many other countries that are threatened by forest fires, rising sea levels, drought and desertification. As leaders, we must create inclusive and gender-sensitive policies that address all issues connected to climate action, from mitigation to resilience. That is why we are working on a transition to a low-carbon economy, consistent with implementing the Paris Agreement on Climate Change and achieving the Sustainable Development Goals.

Combating illicit financial flows and ensuring the recovery and return of illicitly acquired assets have the potential to provide resources in the immediate term for financing development in this era of the COVID-19 pandemic and beyond. Illicit financial flows and assets deprive national Governments of the means needed to provide adequate and meaningful sources of livelihood for their citizens. That gives rise to more irregular migration patterns, with unwholesome consequences for inter-State and human relations.

On the issue of debt, we have seen that developing countries faced unsustainable debt burdens even before the pandemic. The COVID-19 pandemic has increased the risk of a new wave of deepening debt in which vital public financial resources are allocated to external debt servicing and repayments at the expense of domestic health and financing for critical development needs. There is an urgent need, therefore, to consider the expansion and extension of the Debt Service Suspension Initiative to include all developing countries, least developed countries and small island developing States facing fiscal and liquidity challenges.

Nigeria reaffirms that international trade is the engine of development and sustained economic growth, as well as the global eradication of poverty. We therefore call for a reform agenda that will engender better recovery from the current crisis, build resilience to future shocks and pursue transformative development strategies that can deliver the 2030 Sustainable Development Goals.

The global food system has been impacted in recent times by several factors, such as population growth, the availability of, and accessibility to, arable land and water resources, climate change and the loss of biodiversity. Climate change and unpredictable shocks such as the current global pandemic further exacerbate the vulnerabilities of the global food system, requiring the urgent attention of the United Nations.

Nigeria has been steadfast in safeguarding human rights, including the advancement of women; the protection of children; the protection of the rights of people living with disabilities; the treatment of migrants, refugees, returnees and displaced persons; and the promotion of fundamental freedoms through all legitimate means. In that regard, my delegation commends the positive example of leaders like Prime Minister Jacinda Ardern of New Zealand.

The recent rise in hate-related crimes around the world underscores the urgent need to continue our engagement against racism, racial discrimination, xenophobia and other related intolerance. It is sad to note that the issue of racism remains alive worldwide. We are beginning to forget our affirmation of the inherent dignity and the equal and inalienable rights of every individual, as enshrined in the Charter of the United Nations.

No society can claim to be free or just if it deprives anyone of those rights. Today racism drives hate crimes and institutional discrimination, in which Africans and people of African descent are among the primary victims. I am confident that this forum will make a significant impact in the quest to end race-related vices and injustices.

No reform of the United Nations system is more urgent than that of the Security Council. Stakeholders around the world are asking how such power could be concentrated with such scant representation. The intergovernmental negotiations have taken too long — some 15 years. We must avoid going around in circles. Consensus has been achieved on some

elements of the reform, especially with regard to the representation of Africa on the basis of the Ezulwini Consensus and the Sirte Declaration. It is unreasonable to expect unanimity on this matter.

Our Organization is at the peak of the multilateral system. It is also the pre-eminent body for solving our current and emerging challenges and developing norms to protect us all. In the current moment, hope for achieving those goals is dependent on how we assist each other to get COVID-19 out of all countries, regardless of their classification. We can and must do so.

In that regard, let me conclude my statement by paying special tribute to a great and humane internationalist and an exemplary practitioner of multilateral cooperation, Chancellor Angela Merkel of the Federal Republic of Germany. As she exits the stage, we wish her well.

The Acting President: On behalf of the General Assembly, I wish to thank the President of the Federal Republic of Nigeria for the statement he has just made.

Mr. Muhammadu Buhari, President of the Federal Republic of Nigeria, was escorted from the General Assembly Hall.

Address by Mr. Michel Aoun, President of the Lebanese Republic

The Acting President: I now give the floor to the representative of Lebanon to introduce an address by the President of the Lebanese Republic.

Ms. Mudallali (Lebanon) (spoke in Arabic): It is my pleasure to introduce a pre-recorded statement by the President of the Lebanese Republic, His Excellency Michel Aoun, at the general debate of the General Assembly at its seventy-sixth session.

The Acting President: The Assembly will now hear an address by the President of the Lebanese Republic.

A pre-recorded video statement was shown in the General Assembly Hall (annex I and see A/76/332/Add.7).

Address by Mr. Macky Sall, President of the Republic of Senegal

The Acting President: The Assembly will now hear an address by the President of the Republic of Senegal.

Mr. Macky Sall, President of the Republic of Senegal, was escorted into the General Assembly Hall.

The Acting President: On behalf of the General Assembly, I have the honour to welcome to the United Nations His Excellency Mr. Macky Sall, President of the Republic of Senegal, and to invite him to address the Assembly.

President Sall (*spoke in French*): Senegal congratulates President Abdulla Shahid and wishes him every success during his presidency of the General Assembly at its seventy-sixth session. I should like to once again congratulate the Secretary-General on his reappointment and wish him every success in the exercise of his mission for the benefit of Member States.

The theme of this session is a reminder of the magnitude and the urgency of the challenges that we must overcome in order to bring about a better and safer world. That is most urgent in the Sahel, where terrorist groups continue to wage attacks and to engage in deadly looting, targeting innocent peoples. As a contributor of 1,350 troops to the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), Senegal stands in solidarity with those fraternal countries that are enduring tremendous difficulties. We continue to advocate for MINUSMA to be given a robust mandate to effectively combat terrorist groups. Moreover, it is vital that Group of Five for the Sahel States enjoy adequate support in their vital struggle against terrorism.

Wherever it may take root, terrorism remains a global threat, and the United Nations system of collective security must fight it. We cannot allow Africa to become a safe haven for international terrorism.

In the Middle East, Senegal reiterates its call for the Palestinian people's right to a viable State coexisting in peace with the State of Israel, each within secure and internationally recognized borders. There is also an urgent need to combat the devastating health-related and economic and social fallout from the coronavirus disease pandemic. Senegal engaged in transparent management of the pandemic as soon as it emerged, on 2 March 2020, by publishing a daily situation report. Moreover, we have deployed an economic and social resilience programme to the tune of \$2 billion to support households, businesses, workers and our diaspora; significantly expanded the medical resources available to individuals; provided free tests and care; and acquired vaccines.

I wish to thank partner countries and institutions for their support in our fight against the pandemic. I applaud the spirit of solidarity and the generous surge of support provided through the Coronavirus Disease Vaccine Global Access (COVAX) Facility initiative. Those significant efforts notwithstanding, there is a growing divide between vaccinated countries in the north and non-vaccinated countries in the South, which will only set back efforts to eradicate the pandemic and achieve a return to normal life for all.

An each man for himself mentality will not end the pandemic. Nobody will be safe if the virus and its variants continue to circulate anywhere in the world. Only a global response facilitating access for all to vaccines can put an end to this global scourge. In that spirit, I wish to thank partner countries and institutions that have been supporting the vaccine production project of the Pasteur Institute in Dakar, a major initiative servicing Africa. Senegal will contribute to the financing of the project via part of our special drawing rights.

At the same time, it is incumbent upon us to persevere in our efforts to achieve economic recovery. That is the thrust of the "New Deal" for Africa, which was an outcome of the 18 May summit in Paris on financing for African economies. Thanks to the consensus that prevailed at the Group of 20, the first goal of the summit was achieved with a historic allocation of special drawing rights to the tune of \$650 billion. I applaud the diligent approach of Ms. Kristalina Georgieva, Managing Director of the International Monetary Fund, in the implementation of that consensual decision.

Africa was able to receive a share of only \$33 billion to shore up its health-related resilience, partly mitigate the impact of the crisis and launch its economic recovery. That is a significant step forward that should be welcomed. Yet in the light of the tremendous impact of the crisis, Africa needs additional financing of at least \$252 billion by 2025 to mitigate the fallout and launch its economic recovery.

Let us work together to achieve the second goal set in Paris: to reallocate to African countries, in line with modalities to be agreed upon, \$67 billion mobilized through the special drawing rights quotas of consenting wealthy countries, in order to achieve the agreed-upon \$100 billion threshold. We can achieve that by preserving the transparent, trust-based dialogue that is already under way. In that way, we can lay

the foundation for a New Deal for Africa through a reformed global economic and financial governance that is more fair and more inclusive. Such a New Deal is possible if we see to it that the relationship structures with our continent are based more on partnership than on official development assistance.

Clearly assistance alone cannot meet the needs of a continent of more than 1 billion people where a great deal is yet to be built. Beyond those domestic efforts, the Africa to which its people aspire most of all needs access to adequate concessional and mixed resources in the form of loans to finance the sectors that are vital to its economic growth. These include, inter alia, infrastructure, energy, agriculture and industry, as well as water, sanitation, health, education and training.

To that end, a New Deal for Africa should help to overcome the deterministic mindset that has hampered the continent's access to those resources. I call upon partner countries and institutions to work with us to relax the rules of the Organization for Economic Cooperation and Development to harness Africa's investment potential. Each of us has a role to play, because the investment needs of Africa that is being built are shared opportunities for growth and prosperity.

Likewise, seventy-six years after the creation of our Organization, reform of the United Nations is necessary. The multilateral system inspires confidence so long as it brings together and reflects the aspirations and interests of all stakeholders. It is high time for the composition of the Security Council to reflect the realities of the twenty-first-century United Nations in all of its diversity, not the reality of the obsolete post-World War landscape. Senegal therefore reaffirms its commitment to the Common African Position as set out in the Ezulwini Consensus.

Building our shared future also means taking care of our planet, in line with the principle of shared but differentiated responsibility given the ravages of global warming. Under our nationally determined contribution, Senegal is pursuing its efforts towards an energy transition, with the goal of basing more than 30 per cent of installed electrical capacity on renewable energy. That will be shored up by the solar electrification project under way for 1,000 villages, in line with the partnership for the Green Climate Fund and the West African Development Bank.

Ultimately, thanks to the gas-to-power strategy, we are seeking to achieve the goal of 100 per cent clean

energy through the forthcoming use of gas resources. But our countries cannot achieve an energy transition or abandon the polluting practices of industrialized nations without a viable, fair and equitable alternative. Natural-gas use as a transition energy should be maintained. That is why Senegal believes that an end to financing for the gas sector under the pretext that gas is a fossil fuel, without accounting for the fact that it is also an especially clean energy, would represent a major obstacle to our efforts to achieve an energy transition, universal access to electricity, competitiveness and economic and social development.

Our countries, which are already shouldering the overwhelming burden of an uneven exchange, should not be expected to shoulder also the burden of an uneven energy transition; hence I would call for gas-financing mechanisms to be maintained as a transition energy.

We face another important challenge: the status of women worldwide. As we have just commemorated the twenty-fifth anniversary of the Beijing Declaration and Platform for Action, with the Generation Equality initiative, we know that progress has been achieved. However, we are cognizant in particular of the long road that lies between us and the goal of eliminating all forms of inequality, discrimination and violence against women and girls. It is not acceptable for women and girls, who represent half of humankind, to continue to endure such treatment in the twenty-first century. Senegal therefore in January 2020 criminalized acts of rape and paedophilia.

As we continue the overarching mobilization for women's protection and empowerment, we must also focus on that of young people, including through the promotion of inclusive financing and resource allocation under the Global Financing Facility campaign initiated by the World Bank.

These are without a doubt difficult and uncertain times. However, let us nourish the hope mentioned in the theme of this session. To achieve that, we must act bearing in mind the fact that the United Nations was built on the promise of a better world, one governed by the principles of the sovereignty of, cooperation among and the diversity of peoples. It is faith in those ideals that has brought the representatives of peoples to this Hall for the past 76 years. Consequently, every blow to sovereignty, cooperation and diversity represents a blow to our shared ideals and to our reason for being here. A world weary of the blight of war, isolationism,

environmental destruction and material servitude is headed for a fall. The promise of a better world for all blossoms in the soil of dialogue and mutual respect, not in the dogma of conformism and cultural and civilizational contempt. It blossoms in a spirit of openness, respect and care for the other, in easing the plight of the hungry, the thirsty, the sick and those who lack education.

To that end, we cannot be satisfied merely with empty promises. It is our duty to work for a future of fulfilled promises. Such a future requires that we lay down our weapons, manifest greater solidarity, protect our environment, cultivate our shared values, and accept and respect our differences by abandoning civilizational dicta.

It is thus that we will bring forth the world of our dreams, a world of coexistence — a better world for all. I wish the General Assembly every success at its seventy-sixth session.

The Acting President: On behalf of the General Assembly, I wish to thank the President of the Republic of Senegal for the statement he has just made.

Mr. Macky Sall, President of the Republic of Senegal, was escorted from the General Assembly Hall.

Address by Mr. Frank-Walter Steinmeier, President of the Federal Republic of Germany

The Acting President: The Assembly will now hear an address by the President of the Federal Republic of Germany.

Mr. Frank-Walter Steinmeier, President of the Federal Republic of Germany, was escorted into the General Assembly Hall.

The Acting President: On behalf of the General Assembly, I have the honour to welcome to the United Nations His Excellency Frank-Walter Steinmeier, President of the Federal Republic of Germany, and to invite him to address the Assembly.

President Steinmeier (*spoke in German; English text provided by the delegation*): As we meet in this venerable forum, the final election rallies are being held in Germany. The day after tomorrow, 60 million Germans will be called upon to elect a new parliament. They will decide on new coalitions and on the successor to the Federal Chancellor who has governed Germany for 16 years.

At this time of political transition in my country, I would like to assure the Assembly that after this election, Germany will remain a country that is aware of its international responsibility and shoulders it.

There are two compelling reasons for that. First, we Germans do not forget that our political and economic rebirth after two World Wars, our journey to re-enter the international community after all the horrors for which my country was responsible and, finally, our peaceful reunification — this, Germany's path of fortune — was possible only with the support of our neighbours and partners.

Secondly, we remain convinced that the path to a more peaceful future and the resolution of the major issues facing humankind will require much, much greater cooperation on the part of the international community.

The Preamble to Germany's Basic Law formulates our aspiration in brief but precise terms: "to promote world peace as an equal partner in a united Europe". That aspiration, that obligation is one shared by every German Government, and that is why it was important for me to come to New York today as Federal President and convey Germany's message to the international community: our partners can rely on us, and our competitors will need to keep reckoning with us.

To my mind, our foreign policy responsibility begins with a frank and undistorted look at the world. Over the past few days, speakers at this session of the General Assembly have been unusually open in their endeavours here. Indeed, the global situation today is in many respects sobering. The fall of Kabul marks a turning point. We achieved our goal of defeating those who wrought horrendous terror on that city 20 years ago. But despite an immense endeavour and investment, we were not able in two decades to establish a self-sustaining political order in Afghanistan.

My country also shares responsibility, and we have an ongoing responsibility, particularly towards the many Afghans who had hoped for a more peaceful, free and democratic future.

Yet I believe we need to ask ourselves: what conclusion do we draw from this failure?

What lessons can we learn and what tasks do we feel able to perform having had to acknowledge that we wanted too much? I am convinced that resignation would be the wrong lesson to draw. To my mind, this moment of geopolitical disenchantment contains three

messages for our foreign policy: we need to become more honest, smarter and stronger.

First, we need to be honest with regard to both our options and our limits. We need to be more realistic in defining and prioritizing our aims and interests. We can often achieve more when we want less.

Secondly, we need to be smarter in choosing our instruments and setting our priorities. German and European foreign policy must not restrict itself to being right and condemning others. We need to extend our diplomatic, military, civilian, humanitarian toolboxes. For me, being smart also means less a sense of mission and more openness in our endeavour to find potential solutions and common ground, including with those who are different from us.

Thirdly, even though some may find this paradoxical, we need to get stronger with regard to our means. Citizens in all our countries expect their Governments to protect them from threat and attack — and rightly so. That is why, in these unstable times, my country is also investing more in its defence capability. But one thing is clear as well: future generations will not judge us on our military strength today but on whether we were able to resolve problems and conflicts. Military strength without the will to forge understanding or the courage to engage in diplomacy does not make the world a more peaceful place. That is why we need strength at the negotiating table just as we need strength in defence. For this reason, Germany shouldered this responsibility over the past two years in the Security Council, and we would like to do so again in the 2027-2028 term.

Yes, we failed on many things in Afghanistan, but our failure should not be cause for *schadenfreude* for others. I am deliberately using this German word that has made its way into many languages: *schadenfreude*, which refers to a mindset in which loss to one is gain to another. Such a mindset fails to do justice to the reality of our interconnected world. Regional instability, weakening State structures, refugee and migrant flows, religious extremism and terror, and new forms of conflict — hybrid, digital, environmental and resource-based — are developments that threaten us all, and all of us, small and large alike, have to deal with them.

The major Powers — the United States, China and Russia — shoulder a particular responsibility towards smaller countries. The privileges the major Powers enjoy in the United Nations system are justified only to

the extent that they promote and uphold the international peaceful order in the interests of all and do not ignore or undermine that order in pursuit of their own interests. The United Nations is not a boxing ring devoid of values at the disposal of world Powers. I also do know that our hand pointing the finger at others has other fingers pointing back at ourselves. Those warning now about an American withdrawal should not succumb to similar reflexes at home. We Europeans and we Germans have to do more for our own security. We need to do more for peace and stability in our neighbourhood and around the world.

We need to continue our multilateral efforts — in Libya, in eastern Ukraine and in the Middle East. We are ready to renew the nuclear agreement, and we call upon Iran to return to serious negotiations as quickly as possible.

I know we are in agreement with our closest partner, France, in saying that we need a strong common foreign and security policy in Europe. Only a strong Europe can expect others to play their part along with us in building a peaceful international order. Only a strong Europe can do both at the same time: seek cooperation with China where cooperation is in the interest of both sides and indeed necessary, and, at the same time, demand that China respect human rights and international law, as well as the legitimate interests of its neighbours.

A strong, rules-based peaceful order also needs a strong transatlantic partnership. We know that the United States is setting new and different priorities, and we know that, as the world changes, alliances also need to adapt. But no short-term advantage is worth causing cracks to appear in our transatlantic unity. We need to be mindful of that together.

The responsibility of the major Powers, including us Europeans, weighs upon us all the more heavily when we call to mind the great global challenges, the major issues facing humankind. Never before have we had such an existential experience of our interdependence, our reliance on one another, as we have had in the almost two years of the coronavirus pandemic. And yet, although we do know that the pandemic is only over when it is over everywhere, when we take stock of global vaccine distribution, the picture is at best mixed.

Too many people are still waiting for the life-saving vaccine. That is why the distribution of vaccines must not be an instrument for countries to showcase themselves or grant tactical favours. The COVAX initiative under

the auspices of the United Nations is the right way forward together, because it is our shared way forward together. One in three COVAX vaccine doses is being made available by Europe, and, as the world's second-largest donor, my country will contribute €2.5 billion, which will make at least another 100 million doses available by the end of the year.

What holds true for the existential threat posed by the pandemic is just as true for climate change. Apocalyptic fires and scorching temperatures, tropical storms and hurricanes, failed harvests, drought and famine: they are happening now, they are happening in this country and everywhere. They pose a threat to people, families, livelihoods — to everyone, particularly the most vulnerable — but also to the rich industrialized countries. Devastating floods in western Germany this summer cost almost 200 of my compatriots their lives, and we also recall the recent images from New York City of huge masses of water in streets, apartments and subways.

Against this dramatic backdrop, the regression to the national egoisms I warn against is more than just a step back to the past: it is robbing us of our shared future. It is harming the very institutions and instruments that we now need. We need strong joint decisions at the upcoming summit in Glasgow.

After all, when it comes to climate change, it is also true that the gap between our ambitious goals and our concrete policies remains much too wide. It is our shared job to close this gap, and we need to do it now. After all, we are living in an era in which humankind can irreversibly destroy the living conditions on our planet. It is up to us, our generation, to leave the future open for our children and grandchildren. We have to leave them an open future in which climate and environmental protection, economic prosperity, a self-determined life in freedom and social cohesion are all possible simultaneously. This is — and I am not using this lofty word lightly — is our historic task. We must not fail because the future of humankind is at stake.

I began my address with democracy and the democratic transition unfolding in my own country. As I draw to a close, I would like to widen the angle once more and consider the situation of liberal democracy as a whole — its credibility, its impact and its future at this difficult geopolitical juncture. In Afghanistan, a long engagement which cost many lives has failed — but not the idea behind it. My country has a deep-seated

commitment to the idea of freedom and democracy, perhaps precisely because our German path to get there was long.

We do of course know that, in reality, political systems will never be perfect — not in Europe, not in America, not anywhere. Consequently, they can neither be exported, nor, taking it further, imposed. I believe the task is a different one: it is not by missionary zeal that we render the best service to this tremendous idea but by letting the strength of democracy shine through at home, by bringing democracy to bear in the daily lives of our citizens and by resisting any authoritarian temptation. Only through that can we render the best service to this tremendous idea.

At this General Assembly, President Biden spoke of the global power of democracy (see A/76/PV.3). I would like to underscore that democracy is not a force directed against anyone. It is not a Western instrument of political power. It is an open project, regardless of compass reading or geographical borders — and regardless of skin colour. It is the project for freedom and human dignity that the countries of the world have set as their yardstick in the Universal Declaration of Human Rights. Because the Universal Declaration must remain the yardstick for us Germans, even after failing in Afghanistan, withdrawal from the world is not an option. While people are being robbed of their dignity, indifference is impossible.

That is why more realism in foreign policy does not mean less responsibility, nor does it mean less ambition to make the world a better place. On the contrary, the inherent human yearning for freedom and dignity and self-determination will never be extinguished anywhere. Doing justice to this human yearning instead of suppressing it — that is the real question defining our future in the twenty-first century.

And this question will not be decided on any battlefield in our world. After all, the firepower of the most powerful army comes to an end, as does the long arm of the strongest State. But the appeal of freedom and democracy in the hearts and minds of people lives on. That is my firm belief.

The Acting President: On behalf of the General Assembly, I wish to thank the President of the Federal Republic of Germany for the statement he has just made.

Mr. Frank-Walter Steinmeier, President of the Federal Republic of Germany, was escorted from the General Assembly Hall.

Address by Mr. Borut Pahor, President of the Republic of Slovenia

The Acting President: The Assembly will now hear an address by the President of the Republic of Slovenia.

Mr. Borut Pahor, President of the Republic of Slovenia, was escorted into the General Assembly Hall.

The Acting President: On behalf of the General Assembly, I have the honour to welcome to the United Nations His Excellency Mr. Borut Pahor, President of the Republic of Slovenia, and to invite him to address the Assembly.

President Pahor: Almost all the challenges we face are global. The solutions for them can be found only by working together. We have a historic opportunity to steer change in a direction beneficial for all humankind. I welcome the Secretary-General's intention to hold a broad debate about our common future. We have to engage in meaningful discussion and dialogue, even with those — or specifically with those — with whom we do not agree. The culture of dialogue has dangerously deteriorated owing to widespread intolerant or offensive speech, even hate speech. We must do everything within our power to emphasize respect for and consideration of different opinions and their reconciliation. It is about the art of listening and speaking to others. Constructive cooperation is possible only through dialogue, and cooperation is the only way of reaching peaceful solutions to all disputes.

Having said that, I would like in my statement to address three main topics: the coronavirus disease (COVID-19) pandemic, climate change, and peace and security.

First, with regard to the COVID-19 pandemic, this pandemic is proving to be a demanding and, also, unfortunately, divisive challenge for our societies. I express my deepest sympathies to all those who have suffered, and I pay respect to new heroes, among them medical and health-care workers, scientists, teachers and the young generation that has struggled with limited access to education. Science has once again proved its decisive role. The pandemic has set us before the greatest test in global solidarity in generations. I am

proud to say that my country, Slovenia, pledged half a million euros to the COVAX facility, and our share of donated vaccines, measured per capita, is among the world's highest.

Secondly, with regard to climate change, the recent report of International Panel on Climate Change (IPCC) is alarming. It has become clear that the environment is in worse condition than expected. Let me assure the Assembly that, in its capacity as President of the European Union Council in the run up to and during the twenty-sixth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change (COP 26), Slovenia is committed to the objective of a climate-neutral European Union by 2050. We will do our utmost to contribute to the success of the COP 26 conference in Glasgow. It is imperative that we move on climate-change mitigation, adaptation and financing in order to meet the objectives of the Paris Agreement.

The IPCC report is in fact a final, urgent call for immediate climate action from us. More than ever, we need to listen to scientists and experts. We can learn from them, and if we do, our decisions will be better. My permanent advisory committee on climate change, established two years ago, is an example of good practices. We regularly discuss a variety of aspects of climate change and recommend the Government or legislative measures to be adopted.

The much-needed green transition should go hand in hand with digital transformation. We must commit to achieving climate neutrality through reform and investments in the areas of energy efficiency, renewable energy, sustainable mobility and circular business models.

Climate change greatly affects water — through both the droughts and floods that we witnessed this summer — and has an impact on the quality of water. Competition for scarce water resources will intensify. The imminent water crisis is a threat, but it also presents an opportunity to rethink water innovation, governance and collaboration on all levels. Slovenia is a country with a long tradition of integrated water-resource management and cross-border cooperation on water. We will continue to raise awareness and understanding of the interlinkages between water and climate change and the importance of water for international peace and security.

Climate change profoundly affects food security. For the very first time in modern history, a famine in one country — Madagascar — is attributed solely to global warming. Since 2014, Slovenia has doubled its contribution for food security, in particular through World Food Programme initiations for South Sudan and Yemen, but also through bilateral projects. Slovenia has recently been helping to ensure food and water security for children and other vulnerable groups in Madagascar through the humanitarian association Akamasoa founded by Father Pedro Opeka, which is an outstanding example of fighting poverty. Through these efforts, over the last 30 years, the lives of thousands of poor people who once lived off of garbage dumps have changed.

The Akamasoa community in Madagascar gives humankind high hopes that poverty can be eradicated. However, our efforts to fight famine need to go beyond humanitarian aid. We have to accelerate the transition to sustainable and resilient food systems. That is why Slovenia welcomes the holding of the very first United Nations summit on food systems, which I see as an opportunity to raise awareness of the importance of responsible investment in environmentally friendly agriculture and the prevention of food loss and waste.

I believe the responsible use of new and emerging technologies can help us deal with modern challenges. New technologies offer numerous opportunities to mitigate climate change, support sustainable agriculture, introduce smarter mobility, offer better education and improve the effective use of resources, to name just a few activities. That is why I was delighted to officially launch, together with the Director-General of UNESCO, Ms. Audrey Azoulay, the International Research Centre on Artificial Intelligence, in Ljubljana, the capital of Slovenia, in March 2021.

The pandemic has only increased our dependence on the digital space, while at the same time revealing its vulnerability to the spread of the hate speech I mentioned earlier. It is important to keep in mind that fundamental freedoms apply both online and offline.

Thirdly, with regard to peace and security, the dependence on the digital space has also revealed our vulnerability to security threats and cyberattacks. It has highlighted the extent of the damage caused by such attacks with respect to critical infrastructure, the economy and society; these attacks have even caused loss of life. The nature of conflicts has expanded. To

enable peace and security in all domains, we should collectively and more efficiently respond to different crises that exceed the capacities of individual States to react alone. We should also promote reconciliation processes more energetically once peace and security are established.

The interconnected and interdependent nature of peace and security, sustainable development and human rights is more evident than ever. The COVID-19 pandemic has worsened the situation of the most vulnerable members of our societies — children, the elderly and human rights defenders. In many societies, we face shrinking spaces for freedom of expression. The full realization of human rights for all has proven to be key to our resilience and must be an integral part of our recovery.

The situation in Afghanistan has exposed the fragility of our human rights system. Let us never forget that women's and children's rights, as well as the rights of minorities, are universal human rights. Slovenia therefore welcomed the Secretary-General's call for action on human rights and supports a higher regular-budget allocation for the work of the Office of the United Nations High Commissioner for Human Rights.

Finally, following the atrocities of the Second World War, we have built an international system for the promotion of dialogue and the peaceful settlement of all disputes. The system is codified in international law, for whose principles we must actively ensure respect, with a view to strengthening international justice. It is a question of effective multilateralism, which Slovenia passionately advocates. It is the finest achievement of the United Nations. Once again, let us work together.

The Acting President: On behalf of the General Assembly, I wish to thank the President of the Republic of Slovenia for the statement he has just made.

Mr. Borut Pahor, President of the Republic of Slovenia, was escorted from the General Assembly Hall.

Address by Mario Abdo Benítez, President of the Republic of Paraguay

The Acting President: I now give the floor to the representative of Paraguay to introduce an address by the President of the Republic of Paraguay.

Mr. Arriola Ramírez (Paraguay) (*spoke in Spanish*): I have the great honour to introduce the

pre-recorded video statement by His Excellency the President of the Republic of Paraguay, Mr. Mario Abdo Benítez, on the occasion of the general debate of the seventy-sixth session of the General Assembly.

The Acting President: The Assembly will now hear an address by the President of the Republic of Paraguay.

A pre-recorded video statement was shown in the General Assembly Hall (annex II and see A/76/332/Add.7).

Ms. Fatima (Bangladesh), Vice-President, took the Chair.

Address by Mahmoud Abbas, President of the State of Palestine

The Acting President: I now give the floor to the representative of Palestine to introduce an address by the President of the State of Palestine.

Mr. Al-Malki (Palestine) (spoke in Arabic): It is my honour to introduce the pre-recorded statement by His Excellency Mr. Mahmoud Abbas, President of the State of Palestine, before the seventy-sixth session of the General Assembly. I wish this session every success in dealing with the challenges that the peoples of the world and our people face as they look to us to fulfil our duties and achieve their rights.

The Acting President: The Assembly will now hear an address by the President of the State of Palestine.

A pre-recorded video statement was shown in the General Assembly Hall (annex III and see A/76/332/Add.7).

Agenda item 8 (continued)

General debate

Address by Mr. Charles Michel, President of the European Council

The Acting President: The Assembly will hear a statement by His Excellency Mr. Charles Michel, President of the European Council.

Mr. Charles Michel, President of the European Council, was escorted to the rostrum.

The Acting President: On behalf of the General Assembly, I have the honour to welcome to the United Nations His Excellency Mr. Charles Michel, President

of the European Council, and to invite him to address the Assembly.

Mr. Michel (European Council) (spoke in French): Nadia Murad was born in Iraq. Nadia Murad is Yazidi, and on 15 August 2014 her life changed: jihadists attacked her village. Six of her brothers were murdered before her eyes. That day she would see her mother for the last time. She would be captured to become a sex slave and would suffer the most horrible abuses. She eventually escaped. Today Nadia Murad is a Nobel Peace Prize winner and fights tirelessly for the rights and dignity of women.

From this rostrum I want to quote what she said just a few days ago:

“Today we see the price of conflict marked on women’s bodies in Iraq, Afghanistan, Tigray and so many other places ... So much potential is lost when the power of women in preventing conflict and rebuilding communities is ignored.”

I met Nadia Murad. I saw in her eyes all the strength of humankind. I heard in the softness of her voice an absolute determination. She has decided to draw from the tragedy and endless suffering an unshakeable strength to transform the world. It is because of Nadia Murad’s inspiration that I address the General Assembly today.

(spoke in English)

The European Union (EU) was forged by Europeans, like an irrepressible surge of dignity and freedom after two bloody world wars. Today we face another turning point in human history because we are entrenched in another war — a global war. That global war has no opposing sides and no armies and no land is lost or conquered. Yet that war destroys lives and brings countries to their knees and unimaginable suffering to families.

I am talking about the war that we humans have waged against nature. We have tortured our planet and abused our natural resources. We have committed acts of war against our environment, and now nature is fighting back, bringing us back to our senses and back to humility.

No one can say “I did not know”. For decades, scientists have sounded the alarm, but their warnings have fallen on deaf ears. We turned away so as not to see, and today the shock is brutal. We are reaping

what we have sown — the fires that have devastated Australia, the droughts that have ravished Africa, the floods that have scarred Europe and the hurricanes that have battered the United States.

There is another scourge that has afflicted our planet for nearly two years, which was also predicted by science — the coronavirus disease (COVID-19). It has killed 4.7 million people and shattered the lives of billions more.

But the pandemic has also led us back to the essential — life and human dignity. To safeguard those, we have taken exceptional measures — massive confinement that has brought our economies, our social lives and, most seriously, our freedoms to a near standstill.

The pandemic has opened our eyes to the obvious — our lives and our health are inextricably linked to the health of our fields, forests, oceans and fauna. We share our planet with other living beings, and it is time. It is time to stop waging war against nature. It is time for humans to sign an armistice with nature — a peace treaty with our planet — for the generations to come.

It is time for us to transform the world, just as the previous generation did after the most recent world war. Inspired by the vision of the signatories of the Charter of the United Nations, it is time to get back to basics — reason and good judgment. Inspired by those principles, they left us an international order based on rules to promote peace. They built liberal democracies to guarantee the dignity of each individual. They championed the development model based on the freedom to trade and to pursue economic opportunity to ensure prosperity.

Those choices have ushered in progress and greater stability. But the world of yesterday is not that of today, and even less the world of tomorrow.

Brutal unilateralism too often elbows out multilateralism. The ambition to dominate creates new dependencies and leads to tensions and conflicts. Democracies are under pressure, both from within and from without. Authoritarian regimes — openly or not — meticulously undermine the principles of freedom at home and even beyond their borders.

Finally, our model of economic development has run its course. Its flaws are increasingly visible — the extreme exploitation of resources and

increasing inequality. We must escape that vicious circle. We are indeed at an inflection point. We must ask ourselves: What world do we want for tomorrow?

We want a world inspired by reason, a world that trusts in science and guarantees the dignity and freedom of every human being. We want a fairer and a safer world. We want cooperation rather than confrontation, solidarity rather than isolation, transparency not secrecy. And we want loyalty — honouring our word when our word is given.

(spoke in French)

The international community can count on the European Union to support the 2030 Agenda for Sustainable Development and the Sustainable Development Goals, with full confidence in Secretary-General Guterres.

A fairer world is one in which we are all protected from COVID-19. The European Union has sought to provide comprehensive support for research and has developed significant vaccine production capacities. We have exported 700 million doses to 130 countries and have invested €3 billion in the COVID-19 Vaccine Global Access Facility. But we must recognize that the vaccination gap with developing countries is unacceptable. We need to take even more vigorous action.

We have launched concrete projects, investing €1 billion to develop pharmaceutical production capacities, including for vaccines, in several African countries. We are also ready to support partnerships in Latin America.

Finally, we know now it will not be enough to defeat this pandemic. We must prevent future ones and strengthen the resilience of the entire world. That is the goal of the international treaty on pandemics that we proposed in partnership with Dr. Tedros Ghebreyesus. I encourage everyone to support the launch of negotiations as soon as possible.

A fairer and safer world is also a world free of the climate threat. We need to set ambitious targets. The Paris Agreement on Climate Change was a major step to that end, and the European Union played a major role. Unlike others, we stood firm to defend it and, two years ago, the 27 Heads of State and Government of the European Union led the way by committing to climate neutrality by 2050. Others are following our example. In the same ambitious spirit, the European Union subsequently revised the target date to 2030.

Of course, we must also make progress in international cooperation. We believe we should move towards carbon-pricing. The EU began such an initiative with the Emissions Trading System because we believe that approach stimulates innovation, produces results and encourages a circular economy.

We must also stimulate investment in the greening of the economy. We hope to be able to develop global strategies to establish a regulatory framework for green financing.

Finally, we all know that not everyone is equal in the race against the clock for global warming. Developed countries have a particular responsibility to support developing countries. Despite the 2009 and 2010 pledges to mobilize \$100 billion annually to finance the international fight against global warming, few have kept their word.

From 2013 to 2019, the European Union and its member States contributed €127 billion, one third of the total. We urge the other partners to keep their promises as well. It is a matter of trust and equity.

A fairer and more secure world is also a peaceful world. At this very moment, women are being brutalized and raped because they are women. That weapon of war is used in the Horn of Africa.

In Ethiopia, we call for a ceasefire and an immediate end to the ethnic violence. Access to humanitarian aid must be guaranteed without hindrance.

Poverty and radicalism are two mutually reinforcing scourges. Education, basic services, health and infrastructure are the best remedies against instability and its concomitant dangers. In the Sahel, the European Union and nine of its member States are working with the population to help with security, defence and development aid. Restoring the authority of the State and ensuring governance are essential to achieve lasting results.

The new situation in Afghanistan is a failure for the international community, and we must learn from it. But one thing is certain — the end of military operations does not mean the end of the European commitment to the Afghan people. We want to avoid any kind of humanitarian catastrophe and to preserve as far as possible the achievements of the past 20 years, especially with regard to the rights of women and girls.

In the Indo-Pacific region, the European Union is the largest investor and one of the most important trading partners — 40 per cent of our trade passes through that region. We have decided to significantly strengthen our cooperation there. That is the reason for the current strategic partnership with the Association of Southeast Asian Nations. Security and the freedom of navigation in the South China Sea and the Indian Ocean must be guaranteed, in accordance with international law. The European Union will fully assume its responsibilities in that regard.

The European Union will never turn a blind eye to human rights violations. The rule of law, non-discrimination and respect for minorities — including lesbian, gay, bisexual, transgender, queer and intersex rights — are cardinal values. That is the purpose of our ongoing human rights dialogue with many countries around the world. We firmly defend our values, but we are also ready to engage in dialogue to address global challenges such as climate, biodiversity and the fight against pandemics.

Peace is much more than the absence of war. Peace can never be taken for granted. It is shaped on a daily basis. It is nurtured by the mutual connections among our societies. The more interests we share, the less conflict we have. Economic, scientific, cultural and intellectual exchanges are powerful forces for stability. That requires regional or continental integration projects as well as major partnerships between those new integrated areas — whether in Latin America and the Caribbean, Asia or Africa.

With our African brothers, we are working hard for a new alliance with the African continent. Listening, mutual respect, taking into account the specifics and realities on the ground, transparency and good governance must be the hallmark on both sides. We will mobilize the private sector to invest in infrastructure and new technologies. We will support all efforts to promote education, which is the best way to ensure a better future. Our common interests can greatly enable the success of our new partnership.

The European Union and our member States are one of the world's leading economic Powers. We are also the primary sponsor of peace and sustainable development. We fund one quarter of the regular budget of the United Nations, 30 per cent of the total peacekeeping budget and half of global development aid. It is a deliberate choice that is consistent with our vision of

an open and interconnected world. We have values to promote, citizens to protect and interests to defend. It is in that spirit that we are developing the European Union's strategic autonomy, including in our security and defence capabilities in order to be less dependent, strengthen our positive influence and consolidate our Atlantic alliance, which is rooted in our democratic values and is an unshakeable pillar of our security and stability in the world. Stronger allies make a stronger alliance in transparency and loyalty.

Of course, we want to deepen our positive influence in our immediate neighbourhood. That is the reason for our Eastern Partnership, which is a long-term commitment with Ukraine, Georgia, Moldova, Armenia and Azerbaijan. That is also the reason for our support for the people of Belarus and our firm stance towards the Lukashenko regime, in particular when it attempts to use migrants as a hybrid weapon to destabilize members of the European Union. Finally, that is why we are working to strengthen ties with the countries of the Western Balkans.

The recent upsurge in violence in the Middle East is yet another reminder of the absolute necessity of resuming peaceful dialogue towards a two-State solution between Israel and Palestine.

To transform the world, make it more just and secure and guarantee the dignity of everyone — that is the pledge of the United Nations. Let us all live up to that promise for all the Nadia Murads of this world and for the generations to come. The international community can count on the European Union.

The Acting President: On behalf of the General Assembly, I wish to thank the President of the European Council for the statement he has just made.

Mr. Charles Michel, President of the European Council, was escorted from the rostrum.

Address by Mrs. Isatou Touray, Vice-President of the Republic of the Gambia

The Acting President: The Assembly will now hear an address by the Vice-President of the Republic of the Gambia.

Mrs. Isatou Touray, Vice-President of the Republic of the Gambia, was escorted to the rostrum.

The Acting President: I have great pleasure in welcoming Her Excellency Mrs. Isatou Touray,

Vice-President of the Republic of the Gambia, and inviting her to address the Assembly.

Mrs. Touray (Gambia): Once again, we thank almighty Allah for making it possible for us to gather in person at the General Assembly to collectively discuss and find solutions to our shared challenges as members of the international community. That is even more important today as we strive to overcome the challenges posed by the coronavirus disease (COVID-19) pandemic.

On behalf of His Excellency President Adama Barrow and the entire population of the Gambia, let me express our sincere gratitude to His Excellency Mr. Volkan Bozkır for his excellent leadership during the seventy-fifth session of the General Assembly.

Similarly, the Gambia welcomes the present presidency of the General Assembly with renewed hope and enthusiasm for what we can collectively accomplish during the seventy-sixth session. We are optimistic that the five-point agenda encapsulated in this presidency of hope will enable us to deliver to the satisfaction of our global organ. Let me assure the President of my delegation's unflinching support and cooperation during his tenure.

We also commend the Secretary-General for his sterling leadership and reform initiatives during one of the most difficult moments as the world faces an unprecedented health, socioeconomic and environmental crisis.

I warmly greet all gathered here on behalf of His Excellency Mr. Adama Barrow, President of the Republic of the Gambia, who would have loved to be here in person but, due to urgent State matters, could not. Instead, he has asked that I extend his best wishes for a successful seventy-sixth session of the General Assembly.

The importance of the theme the President has chosen for our general debate, namely "Building resilience through hope — to recover from COVID-19, rebuild sustainably, respond to the needs of the planet, respect the rights of people and revitalize the United Nations", cannot be overemphasized. The challenges we face today as the international community require resilience-building and recovery from COVID-19 while building sustainability in response to the needs of our planet and its people. Those in turn require a revitalized United Nations that is fit for purpose.

Today Africa as a whole is grappling with the negative effects of conflicts and insecurity. The challenge of addressing the root causes of conflict and climate change require greater global solidarity and United Nations leadership. Apart from the heavy human and material costs, conflicts impede production, damage infrastructure, prevent the reliable delivery of social services and disrupt the growth of societies. Due to conflicts in the continent, poverty continues to be perpetuated, with a negative impact on our collective goal of achieving sustainable peace and security.

The socioeconomic conditions and the governance and security situation in the Sahel continue to alarm us. A more urgent and holistic response to the problems of the Sahel is currently needed. Without a stable Sahel, the West African region will lag in its development aspirations.

In Africa today there is undisputed recognition of strong interlinkages between peace and development, with studies confirming that armed conflicts remain a major obstacle to development in the continent.

Against that backdrop, my delegation calls on the international community to come together and act coherently to address the root causes of conflicts and recovery in Africa by adopting new approaches and narratives that suit the demands of our time. The international community should intensify its collective efforts to accelerate progress towards achieving the Sustainable Development Goals (SDGs) and the goals and targets of Agenda 2063, including those of the Silencing the Guns in Africa initiative. We must also strengthen the partnership between the United Nations and the African Union in formulating joint responses to existing and emerging threats to peace, security and development in Africa.

We call on the United Nations and the rest of the international community to help build resilience and sustainability in Africa by promoting global engagement and actions around issues of health, education, COVID-19 recovery, vaccine accessibility, democracy, social protection and human-capital development with a view to consolidating regional integration.

We must continue to accelerate structural transformation while promoting industrialization in Africa. Furthermore, our partners should adopt a conflict-sensitive lens to development programming in Africa, including approaches that would prioritize prevention, stabilization, transformation and

sustainability in order to help African countries in their post-pandemic recovery and long-term development.

Like the rest of the global community, we are deeply concerned about the challenges of vaccine access and equity, abject poverty, the crushing debt crisis and youth unemployment. Building back better from COVID-19, reviving the momentum towards achieving the SDGs and addressing ongoing development challenges will require extraordinary international engagement and solidarity. For our continent, delays in addressing those challenges will continue to have devastating consequences on our economies.

We are calling for a new strategic orientation and partnership that would accelerate our pandemic recovery. In our view, building-back-better initiatives should focus on job creation, digitalization, increased SDG financing, strengthened health systems, scientific research and the increased utilization of local experts in programme and project interventions in Africa. Global recovery will be achieved only when vaccine equity, availability and accessibility are adequately addressed in all countries — big or small, developed or developing.

As we continue to count on the United Nations development system for a renewed development partnership in this decade of action to help us address our development challenges, we call on our partners to increase their funding without heavy earmarking. United Nations agencies and other development partners need funding flexibility and predictability in order to deliver programmes that support building prosperous and structurally transformed economies that leave no one behind, especially the least developed countries (LDCs) and middle-income countries.

While the COVID-19 pandemic has undoubtedly exacerbated human suffering in all spheres, it has also challenged us to mobilize all efforts and resources to address the eradication of poverty and inequalities through collective action and renewed momentum towards achieving the SDGs. The pandemic has exposed existing fragilities and vulnerabilities and disrupted economic activities and employment, causing a sharp reduction in revenues and in our ability to achieve the SDGs. Africa's gross domestic product, for example, dropped to an estimated -3.4 per cent in 2020.

At the national level, the Government of the Gambia recently completed the mid-term review of the Gambia national development plan for the period 2018

2021 in order to take stock of the current successes and gaps. In the light of that review, we are taking concrete steps to redefine the strategic priorities of the plan to account for the new challenges resulting from the COVID-19 pandemic.

We convey our appreciation to the United Nations and all development partners for providing us with timely, innovative and critical support during the pandemic, which helped us ensure Government business continuity, the provision of social protection and the strengthening of our health system.

The COVID-19 pandemic continues to have a significant socioeconomic impact on LDCs, which must be reversed through new and innovative and inclusive programmes, policies and financing to help them recover and build back better. With preparations for the fifth United Nations Conference on the LDCs (LDC-V) currently under way, it will be important for the international community to recalibrate and commit to concrete actions that will support a resilient recovery and the attainment of the SDGs in this decade.

As an LDC, the Gambia believes that it is crucial for Governments to be equipped with the necessary tools and adequate resources to finance our development priorities, which is what we are articulating as part of the LDC-V process. As the state of our collective security continues to be tested by unprecedented threats and challenges, the call to action has become more urgent for the international community to support the efforts of the Security Council in the maintenance of international peace and security.

In that regard, United Nations peacekeeping operations have proven to be the Organization's strongest instrument and most impactful tool in assisting countries' transition from conflict to peace. United Nations peacekeeping efforts deserve our renewed support and participation.

The Government of the Gambia has consistently demonstrated its commitment to United Nations peacekeeping through its contribution of troops and police to various missions, with an ever-improving level of performance, discipline and commitment. We continue to enhance our participation by deploying more women peacekeepers, providing better training in areas that require critical skill sets and forging partnerships with stakeholders to expand our participation in more peacekeeping missions.

Once again, with the support of all our friends, the Gambia continues to progress on a positive and upward trajectory. The Government's policies and approach continue to be guided by our awareness of the difficult history that we travelled as a country to usher in democracy.

The Gambia is at a crossroads as we continue to seek national reconciliation, entrench our democracy and consolidate the rule of law. We are on the verge of organizing presidential elections in December 2021 and legislative elections in 2022. The Government will spare no effort to ensure that those elections are held under free and fair conditions as we march towards the next phase of our political transition. We approach those elections in the knowledge that our journey towards reform and transformation in the areas of good governance, transitional justice, civil service and the security sector is a continuing one. We are grateful to our partners who continue to accompany us in our sustaining peace and peacebuilding efforts.

Developments in the international community continue to be a matter of concern to my delegation. On Palestine, we must always remember that peace and security in Palestine and Israel mean peace and security for the Middle East region and the world at large. It is therefore imperative for the international community to encourage genuine dialogue with a view to ending the deadlock. We must intensify efforts to bring both sides of the conflict to the negotiating table. The use of force and violence will only add to the suffering of the people living in the area. We continue to be deeply traumatized by the negative consequences of the conflict and cannot continue to ignore the humanitarian catastrophe that accompanies it.

It is our strong view that peaceful coexistence is the only viable way forward. Putting an end to occupation and impunity, upholding international law, lifting the blockade on the Gaza Strip, addressing the dire humanitarian and refugee crisis and having an independent Palestinian State, with East Jerusalem as its capital, should therefore be urgently pursued by all and sundry. A new peace and political process must be launched by the Quartet.

Since we last met in this Hall, the plight of the Rohingya Muslim minority in Myanmar and elsewhere has not improved. The Gambia will continue to pursue the case at the International Court of Justice until the victims of the atrocity crimes receive justice. The

international community must not relent in its quest for accountability in alleviating the dire circumstances of the Rohingya victim communities.

The Gambia believes in friendly relations between States as the bedrock of international solidarity and cooperation. In that regard, we call on the United States to end the embargo against Cuba and pursue meaningful cooperation with its Government and people. Let the embargo be a relic of history.

Furthermore, the Gambia is strongly committed to the principle of recognizing only one China. That is a cardinal principle of our foreign policy, which hinges on further strengthening our excellent bilateral relations on the basis of mutual respect, sovereign equality and shared prosperity — a win-win approach.

We are aware of the geopolitical competition for influence by regional and global Powers, but as small States Members of the United Nations we are more interested in seeing nations increase their cooperation in fighting poverty, climate change, conflicts and global insecurity. We want to see a world of shared prosperity and innovation. We share one planet, and we owe it to posterity to leave it in better shape. Let us eliminate this pandemic together and build forward better by leaving no one behind.

The biggest lesson we have learned from the pandemic is that no one is safe without others and that our institutions are not fit for purpose. We must use the lessons of this pandemic to engender critical reforms of our institutions so that we are better prepared for the next pandemic, climate event or humanitarian catastrophe. The United Nations development system is currently undergoing critical reforms, and we are happy that it is adapting in ways that are contributing to mitigating the impact of COVID-19 in developing countries.

One of the last holdouts of reform is the Security Council. Africa's quest for greater representation on the Security Council is legitimate, just and overdue. We must not relent until our demands are met and fulfilled. We want to have a greater voice in deciding issues that affect us. We call on all true friends of Africa to support our demands based on the Ezulwini Consensus and the Sirte Declaration.

Once again, on behalf of President Barrow and the Government and the people of the Gambia, I extend our sincere gratitude and appreciation to all our bilateral and multilateral development partners for accompanying

us on our march towards greater democracy, good governance, development and prosperity. I wish one and all a successful seventy-sixth session of the General Assembly.

The Acting President: On behalf of the General Assembly, I wish to thank the Vice-President of the Republic of the Gambia for the statement she has just made.

Mrs. Isatou Touray, Vice-President of the Republic of the Gambia, was escorted from the rostrum.

Address by Ms. Mariam Chabi Talata, Vice-President of the Republic of Benin

The Acting President: I now give the floor to the representative of Benin to introduce an address by the Vice-President of the Republic of Benin.

Mr. Araba (Benin) (spoke in French): I have the honour to introduce the pre-recorded statement by Her Excellency Ms. Mariam Chabi Talata, Vice-President of the Republic of Benin, on behalf of His Excellency Mr. Patrice Athanase Guillaume Talon, President, Head of State and Head of Government of the Republic of Benin, on the occasion of the general debate of the seventy-sixth session of the General Assembly.

The Acting President: The Assembly will now hear an address by the Vice-President of the Republic of Benin.

A pre-recorded video statement was shown in the General Assembly Hall (annex IV and see A/76/332/Add.7).

Address by Ms. Rebecca Nyandeng De Mabior, Vice-President of the Republic of South Sudan

The Acting President: The Assembly will now hear an address by the Vice-President of the Republic of South Sudan.

Ms. Rebecca Nyandeng De Mabior, Vice-President of the Republic of South Sudan, was escorted to the rostrum.

The Acting President: I have great pleasure in welcoming Her Excellency Ms. Rebecca Nyandeng De Mabior, Vice-President of the Republic of South Sudan, and inviting her to address the Assembly.

Ms. De Mabior (South Sudan): On behalf of His Excellency President Salva Kiir Mayardit, I stand before the General Assembly to share the recent

developments in our country. I intend to do so in the spirit of constructive engagement.

On 9 July 2011, we emerged from a long liberation struggle against oppression and domination. After 10 years of independence, we remain on a path of nation-building founded on the vision and inspiration of our liberation struggle and what we have committed to under the Revitalized Agreement on the Resolution of Conflict in the Republic of South Sudan, which was realized through the support of the United Nations, the African Union and key friendly nations.

While our determination to implement the provisions of the agreement has been impacted by many challenges — above all the outbreak of the global coronavirus disease (COVID-19) pandemic and the limited availability of the resources needed for the implementation of the agreement — it has nonetheless enabled the formation of an inclusive Transitional Government of National Unity, the establishment and operation of local governments and the setting up of the Transitional National Legislative Assembly, all of which are fervently serving the people.

President Kiir launched the national dialogue to complement the agreement while the revitalized peace process was under way. The national dialogue followed a bottom-up approach, conducting grass-roots consultations that covered all the regions in the country and articulated the views and the recommendations of the people of South Sudan, including on the Government that will serve them. The President received the report of the national dialogue in May 2021 and pledged to implement its recommendations, which provide the foundation as we embark upon the process of developing our first-ever constitution.

The Revitalized Agreement and national dialogue are necessary historic steps in our country's quest for peace, but we are still far from building a nation that can provide essential services and development for our people. As national leaders, we admittedly have made mistakes, which may have disappointed our friends, supporters and the world. We have learned from those mistakes, and I am here to engage in constructive dialogue with our international partners, bearing in mind the lessons and consequences of our actions and, more important, the dreams, aspirations and marching orders of our people on the kind of Government and society they want.

Permit me to highlight a few points on our efforts to bring about much-needed peace, security and development for our people.

First, I would like to acknowledge that, although our independence was the product of the struggle and sacrifices of our people, we could not have won without the political and material support of our friends, allies and partners from around the world. We are deeply grateful to them.

Secondly, I want to assure our friends and partners that we are determined never to go back to war. We pledge to pursue the promises our liberators made to our people. We must ensure peace, security and dignity for all without distinction. We must replace the destruction of war with the productive use of our vast natural resources and national assets for the good of our people.

Thirdly, we fully realize that the responsibility for pursuing that vision is our own as a people. We believe that the partnerships we seek can be accomplished only through constructive, mutually beneficial engagements.

The failure to fulfil the promises of our struggle is due to objective reasons for which practical solutions must be found by ourselves in cooperation with our partners.

While there should be no doubt about the goodwill of President Kiir and the Government he leads to secure peace and the establishment of a just, peaceful, inclusive and prosperous South Sudan, we need to identify and address the objective reasons for those failures.

President Kiir recently stated that it is now time to correct past mistakes and open a new page for building a better future of peace, development and prosperity for our people.

We should recall that, at our independence, the international community pledged to help build the capacity of our infant country in all areas of nation-building. As a result, the United Nations Mission in South Sudan (UNMISS) was created to help establish the foundations of our new nation. However, after the outbreak of the war, that vision was abandoned, and priority was placed on protecting civilians and providing humanitarian assistance. As a result, support for the capacity-building of the State was terminated.

The protection of civilians is a priority. As the Vice-President responsible for the humanitarian cluster

in our Government, I champion that cause, but it should not be at the expense of capacity-building and sustainable development. Building States' capacities to govern responsibly and effectively is essential. It is also necessary to guard against the unintended consequences of dependency on humanitarian assistance. With the constant improvement in peace and security, it is time to transition from emergency and direct our efforts to resetting the sustainable development agenda.

The development of the revitalized national development strategy is the Government of South Sudan's clear and deliberate road map for accelerating the implementation of our access, while laying the foundations of sustainable peace and the stabilization of our economy.

It is a painful and shameful situation for a country endowed with vast resources of fertile land to be regarded as poor. We must ensure peace and security in the country and redouble our efforts to support those of our people who want to return and are returning to their areas of origin so that they may participate fully in nation-building and contribute to bringing about food security in the country.

At the core of our efforts are our young people. South Sudan is a young and youthful country. We call on our partners to help us in our continuing efforts to develop the skills of women and young people, provide them with jobs and livelihood opportunities and harness their energy and productive capacity to provide them with an alternative to picking up a gun again and engaging in destructive behaviour.

I am glad to note that encouraging steps have recently been taken in that direction. For example, our security forces and their UNMISS counterparts have begun to promote rural peace and security. We will soon unveil a national youth service programme and set up a youth empowerment fund, in partnership with the United Nations Development Programme and other partners. The Government welcomes and appreciates such fruitful and positive engagements.

To fulfil the vision of our liberation struggle, we must use our oil revenues to fuel economic growth through investment in agriculture. We will invest in infrastructure to connect our rural communities to markets. We need the public and private sectors, including foreign investors, to join hands in turning South Sudan's potential wealth into a reality.

I am glad to report on the implementation of the various chapters of the agreement.

We have formed executive and legislative organs at the national and state levels, in line with the power-sharing formulas outlined in chapter I of the agreement.

More important, we have made significant progress in implementing the public financial management reforms outlined in chapter IV. Those measures have met the expectations of international financial institutions and other external partners.

In addition, the constitution-making process recently took a significant step forward through the convening of a workshop that charted a road map towards the drafting and adoption of the permanent constitution.

The implementation of chapter V, on transitional justice, accountability, reconciliation and healing, is moving forward at a relatively slow pace, not for lack of political will but rather for objective reasons that we are addressing with our regional and international partners.

We can therefore say that the glass is half full with respect to the implementation of most chapters of the Revitalized Peace Agreement. Where the glass remains half-empty is with respect to chapter II, on a permanent ceasefire and transitional security arrangements. There is an urgent need to form a unified professional army under one command and control. Security sector reform is the most challenging part of the agreement, as it contains elements at the centre of the violent conflicts in the country.

The parties to the agreement and other stakeholders should continue their dialogue to build the mutual understanding and confidence needed to address and resolve long-standing differences. Building sustainable peace requires inclusivity, collective investment, determination, diligence and patience.

Having celebrated the tenth anniversary of independence this year, the next decade — the Decade of Action to deliver on the Sustainable Development Goals by 2030 — is an opportune moment that coincides with our efforts to develop the country's economy by investing in agriculture. Moreover, with young people estimated to represent 73.6 per cent of the population, the Government promises to leverage women's and young people's contribution to agriculture and economic development.

Climate change has already impacted the lives of at least 1 million people across South Sudan. Torrential rains have resulted in the worst flooding in 60 years and have inundated villages and towns and destroyed livestock. South Sudan has developed and submitted its second nationally determined contribution (NDC), which lays out the framework of its commitments to the Paris Agreement and its contribution to the global effort to reduce emissions to below 1.5°C, despite the fact that it already has among the lowest carbon emissions. The NDC not only places South Sudan on a sustainable low-carbon-growth pathway but also develops its resilience against climate-induced shocks and stresses.

South Sudan contributes more than its fair share in reducing global emissions. Yet it is among the countries that suffer the most from the impact of climate change. We call upon Member States to aggressively respond to the call for action to further cut emissions if we are to avert a catastrophic situation that will be a defining moment for humankind.

South Sudan stands ready to help the world. That is in our national interest since we have the natural resources and capacity to enhance climate mitigation and adoption measures. However, funding those measures is essential so that we join the call for climate financing to be made accessible to developing countries in order to enable us to help the world, while also preventing climate change impacts from reversing our development gains and increasing the vulnerability of our people and country to shocks and stresses.

I am happy to report that the bilateral relationship between South Sudan and the Sudan has significantly improved. We have cooperated effectively to resolve our national problems, positively reinforcing our mutual relationship. There are, however, issues that still need to be resolved between our two countries. First and foremost is the issue of the contested area of Abyei. The Protocol on the Resolution of the Conflict in the Abyei Area of the Comprehensive Peace Agreement between the Government of the Republic of the Sudan and the Sudan People's Liberation Movement/Sudan People's Liberation Army already provides the basis for resolving that issue.

Unfortunately, we disagree on the implementation of the Abyei Protocol and have entered into several additional agreements without a final solution. Now Khartoum has called for the withdrawal of Ethiopian forces from the United Nations Interim Security Force

for Abyei. Any alternative arrangements will take time and leave a dangerous security gap in the Area. That issue can be resolved peacefully through an arrangement that will give the Abyei people their freedom and dignity. Moreover, that will enable them to play a positive role at the border between the two Sudans.

We are determined to learn from the past and look forward to engaging in a constructive dialogue, revitalizing cooperation and being more effective in pursuing our shared objectives. We must make the Revitalized Peace Agreement succeed, and we can do that only with the support of our regional and international partners. Simply stated, South Sudan desires and is ready to turn a new page.

Lastly, I have come to the General Assembly with the spirit of my late husband, Dr. John Garang De Mabior, and all those who paid the ultimate price in the struggle. It was a dream for Dr. John to liberate his people and address the global community at this very rostrum. Being in the General Assembly Hall as a female Vice-President from an independent South Sudan realizes Dr. John's dream.

The Acting President: On behalf of the General Assembly, I wish to thank the Vice-President of the Republic of South Sudan for the statement she has just made.

Ms. Rebecca Nyandeng De Mabior, Vice-President of the Republic of South Sudan, was escorted from the rostrum.

Address by Mr. Nikol Pashinyan, Prime Minister of the Republic of Armenia

The Acting President: I now give the floor to the representative of Armenia to introduce an address by the Prime Minister of the Republic of Armenia.

Mr. Mirzoyan (Armenia): I have the honour to introduce the pre-recorded statement by His Excellency Mr. Nikol Pashinyan, Prime Minister of the Republic of Armenia.

The Acting President: The Assembly will now hear an address by the Prime Minister of the Republic of Armenia.

A pre-recorded video statement was shown in the General Assembly Hall (annex V and see A/76/332/Add.7).

Address by Mr. Pravind Kumar Jugnauth, Prime Minister, Minister for Defense, Home Affairs, and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity of the Republic of Mauritius

The Acting President: I now give the floor to the representative of Mauritius to introduce an address by the Prime Minister, Minister for Defense, Home Affairs, and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity of the Republic of Mauritius.

Mr. Koonjul (Mauritius): With the President's permission, I invite the General Assembly to hear a pre-recorded statement by the Honourable Pravind Kumar Jugnauth, Prime Minister of the Republic of Mauritius.

The Acting President: The Assembly will now hear an address by the Prime Minister, Minister for Defense, Home Affairs, and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity of the Republic of Mauritius.

A pre-recorded video statement was shown in the General Assembly Hall (annex VI and see A/76/332/Add.7).

Address by Mr. Stefan Löfven, Prime Minister of Sweden

The Acting President: I now give the floor to the representative of Sweden to introduce an address by the Prime Minister of Sweden.

Ms. Eneström (Sweden): I would like to take this opportunity to congratulate Mr. Abdulla Shahid on taking up the position of President of the General Assembly at its seventy-sixth session. I also welcome the reappointment of Mr. António Guterres as Secretary-General for a second term. Both of them can count on Sweden's full support for their important work.

It is my honour now to introduce Sweden's pre-recorded national address on the occasion of the general debate of the seventy-sixth session of the General Assembly, delivered by His Excellency Mr. Stefan Löfven, Prime Minister of Sweden.

The Acting President: The Assembly will now hear an address by the Prime Minister of Sweden.

A pre-recorded video statement was shown in the General Assembly Hall (annex VII and see A/76/332/Add.7).

Address by Ms. Mia Amor Mottley, Prime Minister, Minister for National Security and the Civil Service and Minister for Finance, Economic Affairs and Investment of Barbados

The Acting President: The Assembly will now hear an address by the Prime Minister, Minister for National Security and the Civil Service and Minister for Finance, Economic Affairs and Investment of Barbados.

Ms. Mia Amor Mottley, Prime Minister, Minister for National Security and the Civil Service and Minister for Finance, Economic Affairs and Investment of Barbados, was escorted to the rostrum.

The Acting President: I have great pleasure in welcoming Her Excellency Ms. Mia Amor Mottley, Prime Minister, Minister for National Security and the Civil Service and Minister for Finance, Economic Affairs and Investment of Barbados and inviting her to address the Assembly.

Ms. Mottley (Barbados): At the outset, please permit me to congratulate Secretary-General António Guterres and Deputy Secretary-General Amina Mohammed on their reappointments, and the President of the General Assembly at its seventy-sixth session on his election.

If I used the speech prepared for me to deliver today, it would be a repetition — a repetition of what the Assembly has heard from others and also from me. Equally, how many more times will we then have a situation where we say the same thing over and over again to come to naught.

We cannot do that anymore. I ask simply that we recall that three years ago, when I delivered my maiden speech (see A/73/PV.13), I indicated from this very rostrum and told the international community that the world appeared awfully similar to what it looked like 100 years ago.

Barbados made that position clear. Regrettably, we have not come to say, "We told you so", but we have come to say that the needle has not moved and that we have not seen sufficient action on behalf of the people of the world. I am therefore not here to keep members long today, and I shall be very brief.

How many variants of the coronavirus disease must arrive before a worldwide action plan for vaccinations will be implemented? How many more deaths must it take before 1.7 billion excess vaccine doses in the possession of the advanced countries of the world will be shared with those who have simply no access to vaccines?

How much more fake news will we allow to be spread without States defending public digital space? We have come together with alacrity to defend the right of States to tax across the digital space, but we are not prepared to come together with the same alacrity to defend the rights of our citizens not to be duped by fake news in the same digital space.

And how many more surges must there be before we ask when the world will take action? None are safe until all are safe. How many more times will we hear that? How much more must we do before the global moral strategic leadership that our world needs comes?

How much more must global temperatures rise before we end the burning of fossil fuels? How much more must sea levels climb in small island developing States before those who profited from the stockpiling of greenhouse gases contribute to repairing the loss and damage that they occasioned, rather than asking us to deplete the fiscal space that we have for development to cure the damage caused by the greed of others? How many more hurricanes must destroy, locusts devour and islands be submerged before we recognize that \$100 billion for adaptation is simply not even enough?

The answer is that we are waiting for urgent, global, moral and strategic leadership. How many more crises must hit before we see an international system that stops dividing us and starts to lift us up? How many more times must people come up to this rostrum and speak about the plight of the people of Cuba and Haiti and see very little being done to lift the floor of social development to give those people the right to pursue their legitimate ambitions? How many more crises and natural disasters must there be before we see that traditional conventions of aid mean that assistance does not reach those who need it the most and those who are the most vulnerable?

And how much wealthier must technology firms get? The top five technology firms have a market capitalization of \$9.3 trillion — I did not say billion. How much wealthier must they get before we worry about the fact that so few of us have access to data and

knowledge and that our children are being deprived of the tools that they need in order to participate in online education?

The answer is that we have the means to give every child on the planet a tablet, we have the means to give every adult a vaccine and we have the means to invest in protecting the most vulnerable on our planet from a changing climate — but we have chosen not to. It is not because we do not have enough. It is because we do not have the will to distribute that which we have. It is also because, regrettably, the faceless few do not fear the consequences sufficiently.

How many more leaders must come up to this rostrum and not be heard before they stop coming? How many times must we address an empty Hall of officials in an institution that was intended to be made for leaders to discuss with leaders the advancement necessary to prevent another great war or any of the other great challenges of our humanity?

How many more times will we stand idly by and watch as women and men of colour — and women in general — are disproportionately attacked as they seek to lead international organizations?

And, yes, how many more times must great needs be met simply by nice words, and not have before us the opportunity to see the goodwill that is necessary to prevent nationalism and militarism?

The answer is that this age dangerously resembles that of a century ago — a time when we were on the eve of the Great Depression, when we were fighting a similar pandemic and when fascism, populism and nationalism were leading to the decimation of populations through actions that are too horrendous for us to even contemplate. Our world does not know what it is gambling with. If we do not control this fire, it will burn us all down.

As I said two years ago (see A/74/PV.9), this is not science fiction. We heard the Secretary-General make the same comment on Tuesday morning, “[t]his is not science fiction; this is our reality today.” (A/76/PV.3, p. 4)

If the truth be told, the Secretary-General’s speech said it all, but who will stand here and support him to give him and our institutions — whether the World Health Organization, the International Monetary Fund, the World Bank, the regional development banks or the relevant development institutions — the mandate to go

forward if we continue to refuse to summon the political will to confront what we know we must confront?

I ask, who in this Hall will sign a new charter for the twenty-first century — not one designed for the next 75 years, because the world in which we live is moving too quickly? Let us try for the next 25 years to meet the needs of the twenty-first century, not the needs of the middle of the twentieth century in the aftermath of a world war that none of us can really relate to today. To paraphrase Robert Nesta Marley, who will get up and stand up for the rights of our people? Who will stand up in the name of all the millions of people who have died during this awful pandemic? Who will stand up in the name of all those who have died because of the climate crisis? Who will stand up for the small island developing States that need 1.5°C to survive on our way to the twenty-sixth Conference of the Parties to the United Nations Framework Convention on Climate Change?

Who will stand up, not with a little token but with real progress? Who will stand up for all those in our countries who continue to suffer the indignity of unemployment and underemployment and whose access to food is currently being compromised by increased food and transportation prices? Transportation, quite frankly, has been manipulated. It is not beyond us to solve that problem. If we can find the will to send people to the Moon and solve male baldness, as I have said over and over again, we can solve simple problems like letting our people eat at affordable prices and ensuring that we have the necessary transportation.

We have been told that democracy is what matters in our country and that democracy is fundamentally an issue of the majority and numbers. But why do we not count who stands up in here? Why do we not reckon with the numbers here? It is against that background that I say that this is not 1945, with 50 countries. This is 2021, with many countries that did not exist in 1945 and that must face their people — who want to know what the relevance is of an international community that only meets and fails to listen and talk to one another — and answer their needs.

It is against that background that I say that our voices must be heard and matter. Today Barbados calls at this dangerous fork in the road that the nation States of the Assembly and the people of the world must indicate in which direction we want our world to go and not leave it to the faceless few who have worked so

hard to prevent the world's ample prosperity from being shared with all of our people.

I ask everyone to support us, as we will introduce a draft resolution in the plenary to endorse the approach of Secretary-General António Guterres. When I met with him two days ago, I told him that we share the same philosophy and we want the same destination; the only issue is which road we take and what are the obstacles and potholes in the road that we must overcome.

I fear that we are leaving the General Assembly in need of another General Assembly, with real engagement to secure real progress. That is what the Secretary-General called for on Tuesday. I regret that the token initiatives will not close the gap. On Monday morning, I said to the Prime Minister of the United Kingdom that I was a student in his country and that, as we got off the train, each time there would be a pre-recorded message that simply said, "Mind the gap." Let us not only mind the gap but determine as a global community of nations that numbers matter and that we have the population and Member States to send the signal of the direction that we want our world to follow at this dangerous moment.

Let us do so with the calm assurance that those who live for great causes never ultimately fail, but we must summon the courage to do it. In the name of our people, I ask us to find the global, moral and strategic leadership. It must be global because our problems are global, moral because we must do the right thing and strategic because we cannot solve every problem of the world, but must solve those within our purview immediately.

The Acting President: On behalf of the General Assembly, I wish to thank the Prime Minister, Minister for National Security and the Civil Service and Minister for Finance, Economic Affairs and Investment of Barbados for the statement she has just made.

Ms. Mia Amor Mottley, Prime Minister, Minister for National Security and the Civil Service and Minister for Finance, Economic Affairs and Investment of Barbados, was escorted from the rostrum.

Address by Sheikh Hasina, Prime Minister of the People's Republic of Bangladesh

The Acting President: The Assembly will now hear an address by the Prime Minister of the People's Republic of Bangladesh.

Sheikh Hasina, Prime Minister of the People's Republic of Bangladesh, was escorted to the rostrum.

The Acting President: It is my distinct honour and privilege to welcome Her Excellency Sheikh Hasina, Prime Minister of the People's Republic of Bangladesh, and to invite her to address the Assembly.

Sheikh Hasina (Bangladesh) (*spoke in Bangla; English interpretation provided by the delegation*): I congratulate the President of the General Assembly at its seventy-sixth session on his election. We have confidence in his presidency of hope to steer us through a sustainable recovery that leaves no one behind. I also congratulate Mr. Volkan Bozkir, the previous President of the General Assembly, for his leadership in the face of unprecedented challenges during the historic seventy-fifth session of the General Assembly.

I take great pride in being able to say that I represent my country, Bangladesh, for the seventeenth time at the General Assembly.

The seventy-sixth session is being held while the coronavirus disease (COVID-19) is claiming lives across the globe. Many countries are being affected by recurring waves of new variants. The pandemic has battered health systems and economies across the world. I pay tribute to all front-line workers for their dedicated service and sacrifice during the crisis. Against the grim reality of COVID-19, the fact that the theme of this session focuses on hope is very timely.

As an avowed supporter of multilateralism and the United Nations system, Bangladesh would like to see the Organization as a source of hope and aspiration during this critical time. We must set aside our differences and rise as one, while harnessing our collective strength to build back a better world for all.

This is a very special year for us, as we celebrate the golden jubilee of our independence. The celebration coincides with Mujib Year — the centenary of the birth of the Father of the Nation, Bangabandhu Sheikh Mujibur Rahman. I pay my profound respect and homage to the Father of the Nation, Bangabandhu Sheikh Mujibur Rahman, whose selfless, lifelong struggle and visionary leadership brought us our long-cherished independence. I also pay my deepest tribute to the valiant freedom fighters for their courage and sacrifices to free our motherland.

The Father of the Nation was a strong advocate of multilateralism and called the United Nations the centre of the future hopes and aspirations of the world's peoples. On the very first day of our journey in the United Nations, he said in his maiden speech before the General Assembly, on 25 September 1974,

“Our goal is self-reliance; our chosen path is the united and collective efforts of our people. International cooperation and the sharing of the resources and technology could, no doubt, make our task less onerous and reduce the cost in human suffering” (*A/PV.2243, para.23*).

He called for building a world free of economic inequalities, social injustice, aggression and threats of nuclear war, which are as relevant today as they were 47 years ago. We therefore continue to lend our voice and leadership to all issues related to building an inclusive and equal society. Our calls for vaccine equality, our firm position against any form of injustice, such as against the Palestinian people, the resolution of the Rohingya crisis and promoting climate justice are a few examples of our global commitment.

We have been working hard to fulfil the unfinished dream of our Father of the Nation. We are now among the five fastest-growing economies in the world, ranking forty-first in terms of gross domestic product (GDP). Over the past decade, we have reduced the poverty rate from 31.5 per cent to 20.5 per cent. Our per-capita income jumped more than threefold, to \$2,227, in only a decade. Our foreign currency reserve has reached an all-time high at \$48 billion.

Bangladesh has made impressive progress in the socioeconomic sphere and women's empowerment over the past decade. The infant mortality rate was reduced to 23.67 per 1,000; the maternal mortality rate to 173 per 100,000 live births; and the average longevity of people rose to 73 years. According to the World Economic Forum, since 2014 Bangladesh has ranked seventh, ahead of its regional neighbours, with regard to the political empowerment of women.

Our Digital Bangladesh initiative has stimulated transformative impacts on socioeconomic development, education, disaster risk reduction, women's empowerment and so on. Our social safety net programmes have also significantly expanded. As for the Sustainable Development Goal Index score, the *Sustainable Development Report 2021* identified Bangladesh as having progressed the most since

2015. Such progress was due to the heavy investment in women's advancement and empowerment, which contributed to our transformative development.

We achieved the milestone of graduation from a least developed country (LDC) this year. Our vision is to transform Bangladesh into a knowledge-based society and a developed country by 2041 and a prosperous and resilient delta by 2100.

The impact of COVID-19 on Bangladesh has been much less than feared. That is mainly because of our health-care system, which has been strengthened from the grass-roots level. In addition, we adopted a timely, multipronged, multi-stakeholder approach to tackling its challenges. From the very beginning, we took some firm decisions to balance between lives and livelihoods. Those decisions included 28 stimulus packages, to the tune of \$14.6 billion, or 4.44 per cent of our GDP, to keep our economy afloat. We have allocated \$1.61 billion for vaccines in the current budget cycle.

Notably, we paid serious attention to the most vulnerable sectors of our society, such as the ultra-poor, the disabled, the elderly, returnee migrants and vulnerable women. At the outbreak of the pandemic last year, we immediately distributed cash and other kinds of assistance to nearly 40 million people. Our well-timed intervention and our people's resilience helped us to achieve more than 5 per cent economic growth in 2020.

Since time immemorial, humankind has faced the onslaughts of nature and pestilence, as well as human-made conflicts and disasters. Yet humankind has survived those monumental challenges with hope in their hearts and belief in themselves.

The pandemic is another such crisis, out of which many inspiring stories of human survival and magnanimity have been born. Sadly however, the malaise seems likely to be here for a while. Therefore, as we have done in the past, we must come forth with fresh, inclusive and global ideas to fight that common enemy. Let me highlight a few specific issues in that regard.

First, for a COVID-19-free world, we must ensure universal and affordable access to vaccines for people across the world. At the previous session of the General Assembly (see A/75/PV.12), I urged the Assembly to treat COVID-19 vaccines as a global public good. That was echoed by many other leaders. Yet those

calls remain largely unheeded. Instead, we have seen growing vaccine divides between the rich and the poor nations.

According to the World Bank, 84 per cent of vaccine doses have so far gone to people in high and upper-middle income countries, while the low-income countries have received less than 1 per cent. Such vaccine inequality must be urgently addressed. We cannot chart out a sustainable recovery and be safe by leaving millions behind.

I therefore reiterate my call to ensure equitable and affordable access to vaccines for all. The immediate transfer of vaccine technologies could be a means to ensure vaccine equity. Bangladesh is ready to produce vaccines on a mass scale if the technical know-how is shared with us and a patent waiver is granted.

Secondly, the pandemic has disproportionately impacted climate-vulnerable countries. The report of the Intergovernmental Panel on Climate Change Working Group I provided a grim scenario of our planet. Unless immediate measures are taken, the devastating impacts of climate change will be irreversible. No country, rich or poor, is immune to the destructive effects. We therefore call upon the rich and industrialized countries to cut emissions, compensate for the loss and damage and ensure adequate financing and technology transfer for adaptation and resilience-building.

As Chair of the Climate Vulnerable Forum and the Vulnerable Twenty Group of Ministers of Finance, we launched the Mujib Climate Prosperity Plan — Decade 2030, outlining a transformative agenda from climate vulnerability to climate prosperity. The upcoming twenty-sixth Conference of the Parties to the United Nations Framework Convention on Climate Change, to be held in Glasgow, provides us with an opportunity to rally support for new and inclusive ideas in that regard. Let us not miss out on that opportunity.

Thirdly, the pandemic has severely disrupted our education system. According to UNICEF, close to half of the world's students were affected by partial or full school closures. Millions of students in low-income countries did not have the resources and technologies to join remote-learning facilities, which jeopardized decades of gains in enrolment and literacy rates, among other achievements. We need a global plan to prioritize education recovery by investing in digital tools and services, ensuring access to the Internet and building the capacities of teachers. We also call on the United

Nations system to rally partnerships and resources to make that happen.

Fourthly, despite the unprecedented challenges of the COVID-19 pandemic, we are on track to graduate from the LDC category. Nevertheless, the pandemic has jeopardized the graduation prospects and aspirations of many countries. We look forward to receiving more support from our development partners for an incentive-based graduation structure in order to motivate and incentivize sustainable graduation. As one of the Co-Chairs of the Preparatory Committee for the Fifth United Nations Conference on the Least Developed Countries, we expect that a concrete outcome of the Doha conference will be the enabling of more countries to sustainably graduate from the LDC category.

Fifthly, migrants have been front-line contributors during the pandemic as essential workers, providing health-care and other emergency services. Yet many of them have been particularly hard-hit due to loss of jobs, salary cuts, lack of access to health and other social services and forcible return. We urge migrant-receiving countries to treat them fairly and protect their jobs, health and well-being during these trying times.

Sixthly, the Rohingya crisis is now in its fifth year, yet not a single forcibly displaced Myanmar national has been repatriated to Myanmar. Despite the uncertainty created by the recent political developments in Myanmar, we expect the international community to provide enhanced focus and active support so that a durable solution to that crisis will be found. Myanmar must create the conditions conducive to the return of displaced persons. We are ready to work with the international community on that compelling priority.

For our part, to facilitate the temporary stay of the forcibly displaced Myanmar national Rohingyas in Bangladesh, we have relocated some of them to Bhasan Char. We have also included all eligible Rohingyas in the national vaccination drive in order to curb the spread of COVID-19 in the camps. I would like to reiterate that the crisis was created in Myanmar and that its solution lies in Myanmar.

The international community must work constructively for a permanent solution of the crisis through the safe, sustainable and dignified return of the Rohingyas to their homes in Rakhine state. Their successful return will require the full support of the international community. We expect the leadership of

the Association of Southeast Asian Nations to step up its ongoing efforts, and the international community must back the accountability processes in place.

We envision a peaceful, stable and prosperous South Asia. We firmly believe that it is incumbent upon the people of Afghanistan to rebuild their country and decide the course of their future themselves. Bangladesh stands ready to continue to work with them and the international community in order to ensure the socioeconomic development of the people of Afghanistan.

Peace remains a pre-eminent focus of our foreign policy. As a sponsor of the flagship Declaration and Programme of Action on a Culture of Peace, we remain deeply committed to creating a peaceful society. Threats of terrorism and violent extremism jeopardize peace and security in many parts of the world. We therefore maintain a zero-tolerance policy in that regard.

As a leading peacekeeping nation, we are proud of our contribution to global peace. Despite the unprecedented challenges of the pandemic, our peacekeepers serve in some of the most difficult circumstances across the globe, with the utmost dedication and professionalism. The international community must do all it can to ensure their safety and security.

With respect to our constitutional obligation, we have always been a steadfast supporter of complete disarmament. We firmly believe that the ultimate guarantee of international peace and security lies in the total elimination of nuclear weapons and other weapons of mass destruction. It was that conviction that led us to ratify the Treaty on the Prohibition of Nuclear Weapons, which entered into force earlier this year.

The COVID-19 pandemic has brought to the fore the inadequacy of the global response to tackle emergencies. It has also put a spotlight on the critical need for global solidarity and collaboration in order to launch an effective COVID-19 pandemic response. We must demonstrate our ability to work and act together on common issues and create space for new partnerships and solutions. That must start right here at the United Nations, with Member States across regions rising above narrow political interests. Only then can we pursue any meaningful collaboration towards a resilient and inclusive recovery. At this critical juncture, the United Nations stands as our best hope. Let us join hands to keep that hope alive.

Before I conclude, I wish to humbly remind this organ, which was established to ensure peace and justice around the world, that I am still seeking justice for the brutal massacre of my family 46 years ago. It was in the early morning of 15 August 1975 that a band of renegade killers ruthlessly assassinated my father, the father of the nation and then-President of Bangladesh, Bangabandhu Sheikh Mujibur Rahman; my loving mother, Sheikh Fazilutunnesa Mujib; my three brothers, the freedom fighter Captain Sheikh Kamal, the freedom fighter Lieutenant Sheikh Jamal and 10-year-old Sheikh Russell; and my paternal uncle, the freedom fighter Sheikh Abu Naser. Eighteen of my close family members were brutally murdered. My younger sister, Sheikh Rehana, and I survived the carnage as we were abroad at the time. For six years we were in exile, suffering from the agony of losing near and dear ones.

Nevertheless, my struggle continued. Since returning to Bangladesh, I have devoted my life to fulfilling the dream of my father, the Father of the Nation, Bangabandhu Sheikh Mujibur Rahman, for a happy and prosperous golden Bangladesh. I have faced death threats multiple times, and I have been imprisoned multiple times, but I have never stopped. My only goal is to fulfil the dream of my father to establish a golden Bangladesh. I shall continue to do so as long as I live.

God willing, the people of Bangladesh will lead prosperous lives. May Bangladesh live forever.

The Acting President: On behalf of the General Assembly, I wish to thank the Prime Minister of the People's Republic of Bangladesh for the statement she has just made.

Sheikh Hasina, Prime Minister of the People's Republic of Bangladesh, was escorted from the rostrum.

Address by the Prime Minister and Minister for General Affairs of the Kingdom of the Netherlands

The Acting President: The Assembly will now hear an address by His Excellency Mr. Mark Rutte, Prime Minister and Minister for General Affairs of the Kingdom of the Netherlands.

Mr. Mark Rutte, Prime Minister and Minister for General Affairs of the Kingdom of the Netherlands, was escorted to the rostrum.

The Acting President: I have great pleasure in welcoming His Excellency Mr. Mark Rutte, Prime Minister and Minister for General Affairs of the Kingdom of the Netherlands, and inviting him to address the Assembly.

Mr. Rutte (Netherlands): This spring, after a year in the grip of the coronavirus disease (COVID-19) pandemic, we looked forward to the summer. We were full of hope and anticipation. Despite our concern for our loved ones and our economies, there was a light at the end of the tunnel thanks to the scientific community, which developed vaccines in record time, offering a way out of the crisis. Defeating the virus seemed like only a matter of time. The summer of 2021 would be the summer of freedom regained.

But in fact it became a summer of worry. It is true that, in the most affluent parts of the world, vaccination campaigns are well under way. Globally, vaccination coverage is growing by the day, but it is not growing fast enough and is not growing everywhere — not by any means. What is more, the virus hit back and the Delta variant took hold. The pandemic itself is far from over, let alone the long-term consequences of the crisis.

There were other major concerns too. Different parts of the world were battered by extreme weather and devastating natural disasters, from heavy flooding in Africa, China and Western Europe to forest fires in North America and the Mediterranean and hurricanes in the Caribbean. Using hard science and clear statistics, the report of the Intergovernmental Panel on Climate Change confirmed what we could see with our own eyes: climate change is happening now. It is impacting us all and is hitting us hard.

On top of all that, this summer a tragedy unfolded in Afghanistan. None of us will forget the heartbreaking images of the violence, the people trying to flee, the desperation and the humanitarian need. Right now it is hard to predict the consequences of those recent developments, but I am sure that we all felt powerless and despondent. There was a sense of fighting a losing battle, a feeling that the negative forces were winning over the positive and a fear that our efforts were futile.

I understand those feelings, but at the same time I want to appeal to everyone here: let us not give in to cynicism and fatalism. That is my message today — especially today and especially here. This place, the United Nations Headquarters, this beacon of international cooperation, has proved in the past that we

can find solutions together even if our problems seem too big or too complex. One has only to think back to the start of the United Nations over 75 years ago, when much of the world lay in ruins. At the very point when the world faced an impossible task, countries united and got to work. Although the starting points are very different, we need the same approach now.

As Secretary-General Guterres wrote in the summary to his recent report *Our Common Agenda*,

“In our biggest shared test since the Second World War, [humankind] faces a stark and urgent choice: a breakdown or a breakthrough. [...] The choice is ours to make; but we will not have [that] chance again.”

It is therefore up to us to make the right choices. I see it as our solemn duty to bring about that breakthrough and to work together, with people from all walks of life and with non-governmental organizations and business, on solutions to the major problems of our time for today's generations and for generations to come.

Today I would like to focus on three critical developments — three crises, in fact — that have dominated our attention this summer. The first is the fight against the coronavirus disease and the road to post-pandemic recovery. The second is the disruptive impact of the climate crisis and what we need to do in response. And the third is the situation in Afghanistan.

Let me start with the most acute challenge we face: finding a way out of the COVID-19 pandemic. We have to realize how dependent we are on each other, because the reality is that no one is safe until everyone is safe. COVID-19 will remain a threat as long as a large part of the world is not fully vaccinated. Global solidarity is therefore not simply the right thing to do; it is the only thing we can do to end the pandemic. To that end, we need to put all our effort into stepping up vaccine production and sharing the available doses fairly so that we can vaccinate as many people as quickly as possible.

The Kingdom of the Netherlands is fully committed to that goal. For example, we have contributed €172 million to the Access to COVID-19 Tools Accelerator of the World Health Organization. For every vaccine dose we administer in the Netherlands, we aim to give one away. By the end of the year, we hope to have donated more than 20 million vaccines to countries in need via the COVID-19 Vaccine Global Access Facility.

Together with the public health crisis, COVID-19 has also led to a shadow pandemic. Staying at home under the lockdowns has shown to be especially dangerous for women, as domestic violence has increased dramatically. More broadly, the most vulnerable segments of society are the ones that have been hit hardest by the crisis. The impact on young people, women and girls has been enormous.

Young people have not been able to attend school and faced other obstacles in their development. Many women lost their jobs in global supply chains like the clothing industry. What is more, some Governments have used anti-COVID-19 measures as a pretext to restrict fundamental human rights, such as the freedom of expression. Many human rights defenders and civil society organizations have suffered as a result.

Given all that, it is essential that we work to achieve a socioeconomic recovery that benefits everyone and that we get back on course to achieving the Sustainable Development Goals (SDGs) by 2030. Together with the goals of the Paris Agreement on Climate Change, the SDGs are our guide towards a sustainable recovery in an uncertain world. In order to support that objective, the Kingdom of Netherlands has become the second-largest donor, after Norway, to the United Nations COVID-19 Response and Recovery Fund to bolster countries' socioeconomic resilience. We also support valuable initiatives like the Global Financing Facility for Women, Children and Adolescents, which aims to lessen the impact of the pandemic on sexual and reproductive health and rights.

In short, the breakthrough we need requires a two-track approach: first, getting the virus under control around the world and, secondly, working towards an economic recovery that benefits everyone and is green and sustainable.

That brings me to my second point, which is the disruptive impact of climate change. That is no longer a theoretical doomsday scenario; for many, it is now a stark reality. We felt it this summer. Every part of the world experienced extreme weather and devastating natural disasters that are clearly the result of climate change caused by humans. The Kingdom of the Netherlands was not spared either. The six low-lying islands of the Caribbean that are part of the Kingdom of the Netherlands live with the constant threat of sea-level rise, drought and tropical hurricanes, like much of the global South.

In Europe, the Netherlands and its neighbours were hit by extreme rainfall this summer. Tranquil rivers transformed into raging torrents that destroyed everything in their path. Elsewhere in the world, extreme temperatures had devastating impacts, including severe forest fires that forced many people to flee their homes. Clearly, we need to collectively embrace climate action, and we need to do it fast. It is therefore more vital than ever that the twenty-sixth Conference of the Parties to the United Nations Framework Convention on Climate Change, to be held in November, succeed.

Together we must find a way to reduce harmful emissions to net zero by 2050, and we must ensure that the goal of limiting global warming to 1.5°C degrees remains within reach. We cannot allow political tensions among countries to get in the way of achieving those goals. We cannot saddle our future generations with the problem. And limiting emissions is not the only challenge. Climate adaptation is at least as important because the impact of climate change is already a threat — one we have to arm ourselves against now.

For the Kingdom of the Netherlands, that is not new. For centuries, we have been battling the elements — from North Sea floods to Caribbean storms. Climate adaptation is in our DNA. That is why we hosted the online Climate Adaptation Summit at the beginning of this year. The event saw the launch of the Adaptation Action Agenda, which aims to turn words into deeds.

The Kingdom of the Netherlands understands that we not only need to get our own house in order but we also have to help others do the same. We therefore provide expertise and financial support to protect vulnerable areas against the elements. We have increased our public climate financing, and we support Secretary-General Guterres' call to spend at least half of it on adaptation. In fact, in recent years the Kingdom of the Netherlands has spent almost 70 per cent of its public climate financing on adaptation.

Of course, it is not a matter of either/or. We need to step up our efforts on both adaptation and mitigation and help one another do so. We are all facing the same storm but we are not all in the same boat. That means developed countries have a responsibility to help developing countries take the necessary measures. Only together can we turn things around.

Thirdly, this summer we saw a tragedy unfold in Afghanistan. The situation is desperate. We cannot

abandon the millions of Afghans who are in need of urgent humanitarian aid and whose rights are being trampled, especially the rights of women, girls and minorities. Various United Nations organizations are doing all they can to provide such aid. The people of the United Nations are our eyes and ears on the ground. Even more important, they are the helping hands reaching out to those in need of aid and protecting the weakest in society. We must support and facilitate that good work.

To that end, at the donor conference held on 13 September, the Netherlands pledged an additional €13.5 million for the Afghanistan Humanitarian Fund and the Afghanistan Situation Regional Refugee Preparedness and Response Plan. The people of the world, and the Afghan people in particular, are counting on the United Nations.

Over the past 20 years, the international community, including my country, has worked very hard in Afghanistan. Many countries, together with the United Nations and the Afghan people, have tried to ensure a better future for all Afghans in which everyone has opportunities, regardless of their gender, ethnicity or beliefs. And it is important to note that we have definitely taken steps in the right direction.

The Netherlands would like to express our thanks and appreciation to all the military personnel, diplomats and aid workers — as well as the many brave and determined Afghans themselves — who made that possible. We will never forget the many people, including 25 Dutch military personnel, who paid the ultimate price. Thanks to their courage and commitment, a generation has grown up in Afghanistan with better opportunities, child mortality has fallen by 60 per cent, more girls and women have been able to get an education and life expectancy has risen by 16 years.

Those are statistics that matter, but the harsh reality is that we have to pause those efforts now. The question is whether all the hard work of the past 20 years will be undone by recent developments. It is too soon to tell. There continue to be many possible outcomes for Afghanistan, but we must be mindful of the Taliban's track record. Whatever happens, we will continue working to push developments in Afghanistan in the right direction, however difficult that may seem right now. That is because ultimately, we have to continue defending the international legal order and universal human rights in Afghanistan and around the world.

For the Kingdom of the Netherlands, this is especially true in the context of the downing of Malaysia Airlines Flight MH-17. Together with the other countries of the MH-17 Joint Investigation Team, we continue doing all we can to ensure that justice is done. At the moment, family members of the victims are getting the opportunity to share their stories in court, and the emotional impact of that is enormous. One of them said, “We will never be able to come to terms with our loss as long as those responsible refuse to accept responsibility”. I therefore once again call on all countries to cooperate fully with the investigation, in line with Security Council resolution 2166 (2014), so that justice is served and responsibility accepted.

Mr. Salovaara (Finland), Vice-President, took the Chair.

In recent months, we have been confronted with our own vulnerability and that of the world around us. I began my remarks by urging everyone not to give in to cynicism and fatalism because, as the philosopher Karl Popper once wrote,

“We are all responsible for what the future holds in store. Thus it is our duty not to prophesy evil, but rather to fight for a better world”.

Please be assured that the Kingdom of the Netherlands will continue working with full conviction to that end, together with all Member States.

The Acting President: On behalf of the General Assembly, I wish to thank the Prime Minister and Minister of General Affairs of the Netherlands for the statement he has just made.

Mr. Mark Rutte, Prime Minister and Minister for General Affairs of the Kingdom of the Netherlands, was escorted from the rostrum.

Address by Mr. Kyriakos Mitsotakis, Prime Minister of the Hellenic Republic

The Acting President: The Assembly will now hear an address by the Prime Minister of the Hellenic Republic

Mr. Kyriakos Mitsotakis, Prime Minister of the Hellenic Republic, was escorted to the rostrum.

The Acting President: I have great pleasure in welcoming His Excellency Mr. Kyriakos Mitsotakis, Prime Minister of the Hellenic Republic, and inviting him to address the Assembly.

Mr. Mitsotakis (Greece): For nearly two years, the world has been grappling with one of the greatest challenges we have faced in modern times. The impact of the coronavirus disease (COVID-19) is an ever-present reminder of the realities we continue to face in the battle against the pandemic. But as we gather here this week I believe that, despite the pain and disruption brought about by this horrible disease, there are real reasons to be optimistic. If recent events have taught us anything, it is that hope is born out of cooperation.

For the first time in human history, our planet joined hands and delivered a collective scientific miracle — the discovery, development and production of not just one but several safe and effective vaccines in an amazingly short period of time. What in the past would have taken us decades was achieved in months. And Europe led the way on numerous fronts. We led the way on vaccine procurement. Vaccines were purchased by the European Union (EU) and distributed to all its States members, based on their population, regardless of their size or economic might. It was a true act of solidarity.

Europe led the way on vaccine donations to countries outside the European Union. In my country Greece’s case, 1.5 million doses to date, with 4 million more to come, were donated to countries ranging from Iraq to Rwanda and from Libya to Jordan. We also committed 510,000 doses through the COVID-19 Vaccine Global Access Facility. We agreed as Europeans last July on an unprecedented EU-wide fiscal stimulus package — NextGenerationEU — which is now driving a sustained economic recovery across the continent.

And we agreed on the development of the EU Digital COVID Certificate — an innovative concept that Greece was the first to propose — the implementation of which has been absolutely central to the restoration of our freedoms, the support of our tourism industry and the rejuvenation of our economies. As we stand here today — less than six weeks from the twenty-sixth Conference of the Parties to the United Nations Framework Convention on Climate Change, to be held in Glasgow — we continue to talk about the other great issue of our time, climate change, with a renewed sense of urgency. The question is whether we are capable of aligning our flowery rhetoric with the necessary action to avert a catastrophe of unimaginable consequences.

Let me be clear: this is no longer about climate change; this is about addressing an acute climate crisis.

Our collective response to the COVID-19 pandemic crossed borders and demonstrated that, when the world needed to stand up and stand together, it was able to effectively confront global issues. Our collective response to the climate crisis must do the same.

Scientists tell us that the Mediterranean ecosystem, which is home to some of the world's most ancient civilizations, is particularly susceptible to the consequences of rising temperatures. Of course, my country Greece is not immune. This summer we paid a very heavy price as unprecedented mega-fires ravaged my country. Yet help to fight the fires came from across Europe and beyond. I am deeply grateful to the 23 countries that sent us support to help us tame a natural phenomenon of ferocious intensity.

I am very pleased that last Friday, together with Greece, the leaders of eight other Mediterranean countries made the climate crisis the focal point of the eighth Summit of the Southern Countries of the European Union, held in Athens. The Athens Declaration, adopted by Portugal, Spain, France, Italy, Croatia, Cyprus, Malta, Slovenia and Greece, focuses on key areas of the climate crisis that are of particular relevance to the Mediterranean, including biodiversity, forest management, the marine environment and civil protection, prevention and preparedness. My country's commitment to addressing the climate crisis is unwavering and transcends all aspects of public policy.

Two years ago, before the COVID-19 pandemic struck, I announced from this rostrum (see A/74/PV.9) that by 2028 Greece would shut down all its electricity-production plants fired by lignite — that is, brown coal. We are currently working to make that happen even sooner, possibly by 2025. We are investing €24 billion of European and national funds to support the green transition. We are addressing the issue of plastics pollution on land and at sea. We intend to effectively protect our marine environment by designating 10 per cent of our seas as no-catch zones by 2030.

We are also implementing ambitious plans, in partnership with the private sector, to accelerate the use of green energy in our most sensitive ecosystems. For example, on the island Astypalaia, in the Dodecanese, we have begun a long-term project together with Volkswagen to develop Europe's first fully green island. And Greece is leading a global initiative that aims to accelerate action to protect its cultural and natural heritage from the impacts of climate change.

Let me turn now to the escalating complexity of international relations and our continued efforts to consolidate regional peace and security. Since we previously met at the General Assembly, the eastern Mediterranean has unfortunately seen more days of instability than calmness. While it is true that there are diverging views between Greece and our close neighbour Turkey, Greece has always been committed to the rules and principles of international law and remains a strong advocate of the notion that all disputes need to be settled peacefully, always in accordance with the Charter of the United Nations.

Let me point out that it is the United Nations Charter that bans the use or the threat of force. However, since 1995 Greece has faced a formal, regularly renewed, clearly illegal and unacceptable threat of the use of force by Turkey — what is known as a *casus belli*. Furthermore, given that Greece is a maritime country made up of many thousands of islands and a coastline that stretches for more than 14,000 kilometres — the longest in the Mediterranean — as a global maritime power we are fully committed to the law of the sea, as reflected in the United Nations Convention on the Law of the Sea.

After many years of difficult negotiations, we recently signed delimitation agreements on our maritime zones with Italy and Egypt, and we have agreed with Albania to refer delimitation to the International Court of Justice. That, I believe, is the best proof that disputes regarding maritime delimitations, no matter how complex or long-standing, can be resolved provided that we agree on a common rule book. And the only rule book available is the that of the international law of the sea.

It is that mindset that defines our approach to Turkey. We have always supported the need for open channels of communication and cooperation between our two neighbouring countries. What happened last year, when Ankara raised tensions unnecessarily and without provocation, threatening confrontation between two NATO allies, must not be repeated. Turkey should understand that its aggressive attitude in that respect undermines the prospects for a mutually beneficial relationship and jeopardizes regional security and stability.

More than that, it makes Turkey's relationship with Europe that much more complicated. Let me be absolutely clear: we will continue to protect our

sovereignty and sovereign rights across our territory on land, at sea and in our airspace. At the same time, I will spare no effort to continue reaching out to Turkey to explore avenues of cooperation.

I have a vision for the eastern Mediterranean. Instead of fighting the previous century's battles over hydrocarbons — a fading commodity — we can, and have to, join forces and cooperate against new common enemies. They include the climate crisis, which affects both our countries equally, as well as the threat posed by illegal migration, in which Turkey has an important role to play in cooperating with us to eradicate the networks of illegal smugglers that prey on the desperation of vulnerable people. There is much our two countries can do together. We are bound by history and geography to coexist, and it is in our common interests to do so peacefully and prosperously.

Where I am less optimistic is on the issue of Cyprus. It is regrettable that Turkey continues to ignore a series of United Nations resolutions, including Security Council resolutions 541 (1983) and 550 (1984), and insists on the militarization of the island. It continues its illegal violation of Cyprus' maritime zones and airspace and violates United Nations resolutions on the fenced area of Varosha.

Greece remains fully committed to supporting the efforts led by the Secretary-General for the resumption as soon as possible of results-oriented negotiations on a viable solution to the Cyprus issue. Such a solution can be found only on the basis of the relevant Security Council resolutions, which call for a mutually acceptable settlement of a bizonal, bicomunal federation, with political equality, a single sovereignty, a single international personality and a single citizenship. Any talk of a two-State solution is simply unacceptable.

In our immediate neighbourhood, Libya continues to suffer from the devastating effects of a decade-long civil war. The Libyan people deserve a peaceful future in which their destiny is in their own hands, free from the presence of foreign troops, mercenaries and foreign fighters. Libyans want the right to freely elect their own Government without foreign intervention. We stand by them and support their demand for the withdrawal of all foreign forces and the holding of free elections on 24 December. We appreciate the work done by the United Nations and by Special Envoy of the Secretary-General for Libya, Mr. Ján Kubiš.

I also want to briefly address the issue of the Western Balkans. Greece has always been an active supporter of greater European integration as a vehicle for a more prosperous, stable and democratic future for the region. Ever since the adoption of the Thessaloniki Agenda for the Western Balkans in 2003, that EU perspective has been the driving force for reform, democratization and change. But let us be honest that there has also been fatigue and disappointment. Eighteen years is a long time. In a matter of days, the EU-Western Balkans summit will be held in Slovenia. Let us not miss the opportunity to use the summit to take a bold step forward. It is time for the European Union to deliver.

Greece believes in a multilateral approach to the complex global challenges of today, but I am also a firm believer in the absolute necessity of Europe's strategic autonomy. Recent events have clearly demonstrated that we must be both willing and able to do more as Europeans on our own.

That should not come at the expense of our trans-Atlantic bonds. If anything, a European defence union will strengthen NATO. It will oblige European countries to address issues of inter-operability and meagre defence budgets. It will accelerate our cooperation on cyber and space.

If Europe is to be not just an economic but also a geopolitical powerhouse, it is time for that debate to start in earnest. Those countries most eager to proceed can do so at a faster pace. Our strategic interests in the eastern Mediterranean, the Middle East and the Sahel force us to address that challenge with a renewed sense of urgency, because there will be missions in which NATO or the United Nations will not be present but the EU should be.

Let me conclude by saying that earlier this year, on 25 March, Greece celebrated the two-hundredth anniversary of the beginning of our war of independence. Our ancestors fought for freedom, dignity and respect for the rule of law. They prevailed against all odds, because they were doing the right thing for themselves and their children. The challenges we face are no less formidable. Six thousand years of civilization and the futures of every generation to come rest on our shoulders. Armed with the power of reason and science and a determination to rise to the occasion, I am convinced that we will also do the right thing for ourselves, our children and the future of the fragile yet beautiful blue planet that humankind calls home.

The Acting President: On behalf of the General Assembly, I wish to thank the Prime Minister of the Hellenic Republic for the statement he has just made.

Mr. Kyriakos Mitsotakis, Prime Minister of the Hellenic Republic, was escorted from the rostrum.

The meeting rose at 3 p.m.

Annex I**Address by Mr. Michel Aoun, President of the Lebanese Republic**

[Original: Arabic, English and French]

Your Excellency, Mr. Abdulla Shahid, President of the General Assembly,
Your Excellency, Mr. António Guterres, Secretary-General of the United Nations,
Excellencies, Heads of State and Government,
Ladies and Gentlemen,

At the outset, I would like to congratulate your Excellency on your election to preside over the seventy-sixth session of the United Nations General Assembly, wishing you success in carrying out your duties, in light of the continuous global endeavours to recover from the repercussions of Covid-19. I would have preferred to congratulate you in person rather than through video-conference, which was imposed by the global health situation, for the second year in a row.

I wish to thank His Excellency Mr. Volkan Bozkir for running well the affairs of last year's General Assembly, and to congratulate His Excellency Secretary-General António Guterres on his re-election for a second term at the head of the international organization, thanking him on his efforts for Lebanon and his contribution to the organization of three conferences in support of the Lebanese people in the aftermath of the Beirut Port blast tragedy.

Our thanks also go to the Heads of States who participated in these conferences, to governmental and non-governmental organizations, and to all those who have contributed to this support. I wish to thank France in particular, whose President rushed to Lebanon personally to support it in its ordeal, and the friendly and brotherly States that contribute to promoting our armed forces which are fighting terrorism and cooperating with the Peacekeeping forces to preserve calm and stability on our Southern borders and to implement resolution 1701 (2006).

Ladies and Gentlemen,

Twenty years ago, a few miles from the headquarters, the largest terrorist operation struck the heart of New York, causing thousands of victims and leaving deep marks in the world's conscience. It also had tremendous repercussions at a global scale, and entailed a war on terrorism that succeeded sometimes and failed sometimes.

In all cases, many peoples, especially in our region, have paid dearly for that war, in terms of death, destruction and displacement, and they are now pulling themselves together and trying to rise as New York had risen, because the will of life is more powerful than any terrorism, and it undoubtedly converges with the theme of the present session "Building Resilience Through Hope".

Esteemed audience,

As the Lebanese Government has been formed according to the constitutional mechanism after a political crisis that lasted more than a year, Lebanon has embarked on a new phase that would hopefully mark a promising step on the path of recovery. There is no doubt that major internal and international challenges await the new government to earn the confidence of both the people and the international community after having obtained that of the Lebanese Parliament.

Over the past two years, Lebanon has known its hardest times, whereas successive crises — some inherited and ramified and some urgent — exploded simultaneously, affecting all sectors.

Indeed, the financial and economic policies adopted for decades and built upon the profit-based pattern, in addition to corruption and waste that result from bad management and absence of accountability, pushed Lebanon into an unprecedented financial and monetary crisis which led to economic stagnation, a stifling livelihood crisis, and growing in unemployment, migration and poverty rates.

The Government has committed to carry out the pressing and required financial and economic reforms, to fight corruption and lay down a financial recovery plan in the context of continuing negotiations with the International Monetary Fund, accompanied by a plan to generalize the social safety net, a plan to reform and — where needed — restructure the banking system, and to carry on with the implementation of the electricity sector plan.

The kick-off was with the entry of the financial forensic audit of Lebanon's Central Bank's accounts into force after completing the necessary procedures, and this audit shall be applied to all public accounts; this very audit that I have committed before the people of Lebanon and the international community to execute in line with the principles of transparency and accountability.

And as we rely on the international community to finance vital projects in the public and private sectors to revitalize the economic cycle and create job opportunities, we also rely on it to help us recover the smuggled funds stemming from corruption crimes.

Ladies and Gentlemen,

The wars of the region around us have contributed to the exacerbation of our crises, especially the Syrian war which have weighed heavily on us, notably through the imposed siege that has deprived Lebanon of its vital extension, or the infiltration of terrorism into our territories, or the large numbers of Syrian displaced who streamed into Lebanon, exceeding today 1.5 million.

I have been vocal, at all fora and specifically that of the United Nations, in exposing the catastrophic outcomes of displacement on all economic, social, health and security aspects, and I appealed to the international community to help us secure the safe return of the displaced; but unfortunately, no one responded to our appeals, and assistance continued to be given to the Syrians in their place of residence in Lebanon rather than extending it to them in their country, and this encouraged them to stay where they are.

Today, as Lebanon is resisting to survive and go on, I repeat the plea: yes, the international community must help Lebanon shoulder the exhausting burden entailed by the displacement crisis; yet, it must first work for the safe return of the displaced to their country. Lebanon, which has laid a comprehensive plan for this return, affirms its position rejecting any form of integration of the displaced, as it reiterates its position rejecting any form of settlement of Palestinian refugees, based on the necessity to find a solution to the Palestinian issue in accordance with relevant international resolutions, specifically those guaranteeing the right of return.

On the other hand, the persistent Israeli threats remain the main concern of the Lebanese State, the last aspect of which was Israel's attempt to explore for oil and

gas in the disputed area on the maritime borders. Lebanon condemns any attempt to transgress the boundaries of the Exclusive Economic Zone within which Lebanon holds on to its right to oil and gas resources, especially that exploration procurement has begun months ago, then was halted due to strains whose source is no longer a secret to anyone.

Lebanon demands the resumption of indirect negotiations for the demarcation of the Southern maritime borders according to international laws. It affirms that it shall not back off and shall not accept any compromise. The role of the international community is to stand by it.

Esteemed audience,

The COVID-19 pandemic has hit the world with its catastrophic consequences on health, economy, education and other sectors. In Lebanon, its repercussions were exponentially greater because they added up to its crises and they still do. Although the concerned authorities and health organs have dealt with this emergency situation with a professional and proactive approach that kept the infection figures within acceptable ranges, the repercussions have been very hard on an already shaky economy and on the health sector, in light of the growing shortage of drugs, medical supplies and fuel, in addition to the human drain of doctors and nurses due to migration for economic reasons.

As for the vaccination, Lebanon shall have the credit of being among the pioneering countries in this respect, as the rate of vaccination to date has reached 30 per cent, and we are striving to surpass the 40 per cent goal by the end of the year.

Amid these crises, the catastrophic Beirut Port blast came to aggravate the suffering. Today, more than a year later, our capital continues to be quiet and dark, as it remains a disaster-stricken city. We want the heart of our country to beat again, and we also want the Port of Beirut to return to being a pole of attraction.

We are grateful for all the humanitarian assistance that has been sent to our people. Today, the need remains pressing for reconstruction and development supplies and we welcome any international endeavour to rehabilitate and develop the port, till it is re-operated fully as per the applicable laws.

The international solidarity with our capital and our people is commendable. It has contributed indeed to healing some wounds, but the assistance that Beirut wants as well lies in what may be required by the probe in order to disclose the truth to serve justice. The comfort of the victims' parents and the healing of the wounded's pain can only be complete by serving justice.

The Lebanese justice is investigating the causes and circumstances of the explosion and the administrative liabilities; it has many defendants and arrested. The investigation, which remains confidential, still needs to unveil where the explosive materials came from, why they entered our port, which is really behind them, and if the satellites captured anything at the moment of the blast. We therefore repeat our request to the States, which possess information and data that help the investigation to share them as needed.

Ladies and Gentlemen,

The crises of the past two years in Lebanon and the world have delayed the procedures related to the creation of the "Academy for Human Encounters and

Dialogue” which I had launched from the rostrum of the United Nations in 2017, and which earned the support of the General Assembly in 2019 as per resolution 73/344. However, the course of events and the raging conflicts in the surroundings reaffirm the importance of this initiative and what is sought from it in terms of human and civilizational communication.

I’m pleased that a large piece of land very close to Beirut has been allocated to host the Academy, and the necessary studies have been prepared to initiate construction works. I call on all friendly and brotherly States to join those, which have already expressed their desire to sign the Academy establishment convention.

Esteemed audience,

The theme that you have picked for this session, “Building Resilience Through Hope”, is not a mere literary title for the Lebanese people. It is rather a life experienced on a daily basis, for resilience is our life’s journey, our hope has never faded nor has its light ever dimmed. And despite all the hardships, crises and tragedies that besiege us, our people are struggling for a better tomorrow.

As Lebanon tries tenaciously to work its way towards recovery, it relies on international solidarity to achieve its goals.

Thank you.

Annex II

Address by Mr. Mario Abdo Benítez, President of the Republic of Paraguay

[Original: Spanish]

Mr. President of the General Assembly,
Mr. Secretary-General of the United Nations,
Ladies and gentlemen,

We find ourselves gathered here to address the problems that are causing the most distress to all of our peoples. It is our responsibility to ensure that every speech amounts to more than just words and that we can create a space for deep and sincere reflection.

COVID-19 continues to teach us all lessons. It has shown us how solidarity and empathy are vital in dealing with a pandemic and how countries made rapid progress in vaccine production with commendable speed, but it also brought to light some realities that we must face.

On vaccines: how difficult it has been for many countries, like ours, to have to tell our peoples that, despite having arranged and paid for vaccines on time through the COVAX mechanism recommended by the World Health Organization to ensure equitable distribution, the vaccines did not arrive on time. That is the experience of Paraguay and many other countries that have had to wait.

Paraguay has always been committed to multilateralism because we understand that the common problems that transcend our individual countries require a joint response, as in the case of COVID-19. However, we cannot hide our deep disappointment at the response of the multilateral system to the effective and timely distribution of vaccines.

That reality must be addressed in this Hall with a willingness to assess what has happened and to make changes for the future. We cannot turn a blind eye to the fact that some tried to use the vaccine as a tool for political and ideological extortion at one of the most difficult moments in recent human history.

I would like to highlight the cooperation of those brotherly and friendly countries that selflessly extended their hands in solidarity to the Paraguayan people by donating vaccines that allowed us to save lives and move forward with our immunization programme. I would therefore like to thank, once again, the Governments of the United States, Qatar, India, Spain, Mexico, Chile, Colombia, the United Arab Emirates and Uruguay for such a noble gesture. Our country will never forget it.

Mr. President,

Paraguay's economy is largely based on food production for the world and our status as a landlocked developing country strongly conditions our development, including in a structural manner. In the context of post-pandemic recovery, those conditions will once again be a determining factor and it will be vital to facilitate effective access for our products to the markets of most developed countries.

For our part, to lessen the impact of those conditions, we are deploying our efforts to turn our geographical location into an advantage. The ambitious bioceanic corridor project, which will cross Paraguayan territory and link the Atlantic Ocean with the Pacific, is a clear example of how we intend to take advantage of our geographical position and promote the physical integration of our region.

Mr. President,

Integration and sustainable development are priorities in the Republic of Paraguay's foreign policy. For decades, my country has been committed to an energy matrix based on clean and renewable energy, with a commitment to care for the environment and the conviction that energy is an indispensable requirement to continue promoting development.

Ladies and gentlemen,

Climate change is linked to the current water crisis affecting our region. Low river levels are compromising the availability of water for human consumption, affecting navigability conditions, severely damaging our foreign trade, which depends on river transport, and threatening the efficiency of our energy generation sources. We therefore underline the importance of honouring the international commitments of the Paris Agreement on Climate Change, in particular those on climate finance, to support the mitigation and adaptation efforts of developing countries, especially those of us most vulnerable to global warming.

Mr. President,

Terrorism, drug trafficking and transnational organized crime are real threats to the international community. For that reason, Paraguay is committed to combating the financing of such activities and money laundering in particular. To that end, we have updated our regulatory frameworks — as well as taking other measures — with the aim of strengthening institutional response capacities and international cooperation to effectively address that scourge.

One of the greatest atrocities of organized crime is the use of children in its activities. Paraguay once again condemns that despicable practice, which we have already suffered, as well as other inhumane actions such as kidnapping and extortion.

Our Government will not cease in its unrelenting and determined fight against criminal groups within the framework of the law, nor will it spare any effort to achieve the return of our compatriots kidnapped by such groups. Our country is a staunch defender of life, the family and human rights.

Mr. President,

As a founding Member, Paraguay reaffirms its support for the United Nations and its importance as the forum that brings together most of the countries of the world.

In order to strengthen democratic governance and establish a more balanced system of decision-making in the United Nations, we believe that the role of the General Assembly should be strengthened and the reform of the functioning of the Security Council should be considered.

Universality is a basic principle of our Organization and, in that connection, we support the inclusion of Taiwan in the United Nations system.

Mr. President,

The ideal of a world governed by peace, democracy and respect for human rights, freedoms and security requires the efforts of all of us. As we set aside our differences and respect the principle of equality of all States, we must deepen the dialogue aimed at promoting actions to combat poverty and inequality in order to promote more equitable development.

I conclude by echoing Pope Francis' words during the General Audience at the Vatican: "Hope is audacious". Hope knows how to look beyond personal comfort, beyond the small securities and compensations that narrow our horizons, and how to open up to great ideals that make life more beautiful and dignified. Let us walk together in hope.

I thank you.

Annex III

Address by Mr. Mahmoud Abbas, President of the State of Palestine

In the name of God the most compassionate and merciful.

H.E. Mr. Abdullah Shahid, President of the United Nations General Assembly

H.E. Mr. António Guterres, Secretary-General of the United Nations

Excellencies Heads of Delegations and Delegates,

Ladies and Gentlemen,

This year marks the 73rd anniversary of the Nakba. More than half the Palestinian people were uprooted from their land and deprived of their property in that time. Myself, my family and many others still possess the deeds to our land. These deeds are registered as part of the United Nations' records.

Here is that deed, and many Palestinians carry theirs, as they still hold onto the keys of their houses to this day. We have not been able to recover our properties due to Israeli laws that disregard international law and violate United Nations resolutions, which affirm the right of the Palestine refugees to return to their homeland and to recover their properties and receive just compensation, most notably as enshrined in General Assembly resolution 194 (III).

Contravening those rights, Israel, the occupying Power, enacts laws and holds court hearings to unlawfully and forcibly displace Palestinians from Sheikh Jarrah and Silwan in Jerusalem, which can only be characterized under international law as ethnic cleansing, which is rejected by our people and the international community as a whole and constitutes a crime under international law.

This year also marks the passing of 54 years since Israel's military occupation of the rest of the Palestinian territory in the West Bank, including, East Jerusalem, and the Gaza Strip in 1967.

This occupation persists despite having concluded an agreement of principles — known as the “Oslo Agreement” — to achieve peace and mutual recognition with Israel in 1993. While we remained committed to all of its elements to this day and agreed to every call and initiative to achieve a political solution on the basis of international legitimacy, including the 2002 Arab Peace Initiative and the 2003 Quartet Roadmap, Israel has not honoured its obligations under the signed agreements and has evaded participating in peace initiatives and instead pursued its expansionist, colonial enterprise, destroying the prospect of a political settlement based on the two-State solution.

To those who claim there is no Palestinian partner for peace and that we do not “miss an opportunity to miss an opportunity”, I challenge them to demonstrate that we have rejected even once a genuine and serious initiative to achieve peace, and I accept the judgement of the world in this regard.

Ladies and Gentlemen,

Does the Israeli occupying Power believe that it can elude its responsibility for the crime of uprooting more than half of the Palestinian people from their land and for committing numerous massacres, killing and maiming thousands of Palestinians in 1948, in Bald el-Sheikh, Deir Yassin, Abushusha, Tantoura, Ein Zaytoun, Kabia

and others and the subsequent destruction of over 500 Palestinian towns and villages? Does Israel believe it can simply ignore the legitimate rights, including political rights, of millions of Palestinians within and outside of Palestine, the owners and sons and daughters of this land, at the heart of it Jerusalem? Does it believe it can continue its policies to steal their land, suffocate their economy and prevent them from breathing the air of freedom?

Does Israel believe it can endlessly promote a false narrative that ignores the historic and present right of the Palestinian people to their homeland? The crimes and aggressive policies of the Israeli occupying Power against our people, land and holy sites will not thwart our people's struggle to achieve their freedom and independence on their land. This colonial regime it has established on our land will disappear, regardless of how long it takes. We will not allow them to hijack our lives and kill our people's dreams, hopes and aspirations to realize freedom and independence.

Ladies and Gentlemen,

It is regrettable that the policies of the international community and the decisions of the relevant United Nations bodies regarding a solution for the Question of Palestine have until now not been upheld and implemented, resulting in a failure to hold Israel accountable and sanction it for its violations of international law, allowing Israel, which claims to be a democratic State, to act as a State above the law.

There are still some countries that refuse to acknowledge the reality that Israel is an occupying Power, practicing apartheid and ethnic cleansing. These countries proudly state that they have shared values with Israel, what shared values are you referring to? This has emboldened Israel, only furthering its arrogance and allowing it to reject and violate all UN resolutions.

At the same time, there are those who demand from the Palestinian people and institutions, who believe in the culture of peace and the rule of law, to provide explanations and justifications to demonstrate they do not incite hatred and promote violence. For example, we have to explain and justify what appears in our curriculum, which reflects our narrative and national identity, while no one is demanding to review the Israeli curriculum and media, so the world can see the real incitement by Israeli institutions. We reject these double standards.

Why should we have to clarify and justify providing assistance to families of prisoners and martyrs who are the victims of the occupation and its oppressive policies? We cannot abandon our people and we will continue striving to free all our prisoners. And I salute here the prisoners' heroic stand. If the occupation ends, there will no longer be a prisoners' issue. I cannot but wonder as I address the universal conscience, is there anyone on this earth who would punish the dead and prevent their families from burying them except those who are deprived of morality and humanity?

Until when will this historical injustice against our people continue? Do the States that provide financial and military support to Israel, which it uses to prolong its occupation and kill Palestinians, or those that remain silent in the face of its aggressive policies, besieging and suffocating Palestinians, do these States actually believe they are ensuring peace and security for the Israeli people and stability for the region? I say it loud and clear: they are not.

What more do you want from the Palestinian people? We have honoured all our obligations under United Nations resolutions, we have pressured our people and

ourselves to endure the suffering imposed on us in the pursuit of hope, but all for what outcome? Historical events over the decades have proven that these international policies towards Israel are misguided.

Ladies and Gentlemen,

As regards unifying our internal front, we reiterate that the Palestine Liberation Organization (PLO) is the legitimate and sole representative of the Palestinian people, and that we are committed to the unity of our people and land and to holding legislative and presidential elections and to the Palestinian National Council as soon as holding such elections in Jerusalem is guaranteed as per signed agreements. We call on the international community to help us bring pressure to bear upon the occupying Power to ensure these elections are held in Jerusalem as we cannot continue being deprived of elections.

Let me state here that we did not cancel the elections, but only postponed them as we could not hold them in Jerusalem. Until this situation is addressed, we will continue striving to create the necessary conditions for the formation of a successful unity government so we can assist our people everywhere and implement reconstruction plans in the Gaza Strip, what requires a complete end to the aggression throughout the territory of the State of Palestine.

I am glad to reaffirm that the coming months will witness the holding of municipal elections in accordance with the law, and elections for all unions and universities are underway.

Ladies and Gentlemen, As regards building state institutions, we stress that we have a full-fledged State with institutions that act in accordance with the rule of law and the principles of accountability and transparency, democracy and pluralism, respect for human rights and empowerment of women and youth. We have acceded to 115 legal instruments and international organizations, committed to upholding our people's rights and strengthening our legislation and regulations, including as they pertain to human rights. We will continue our endeavours to join international organizations.

We have taken the initiative of working jointly with human rights organizations and civil society to preserve these national accomplishments and to guide and adapt the work of our institutions on the basis of the rule of law.

I have issued instructions to take the necessary measures to correct any wrongdoing and continue upholding the rule of law, the freedom of expression and human rights as the path our country insists to remain on.

I reaffirm to the international community our commitment to political engagement and dialogue as the path to achieve peace, and to peaceful popular resistance and to combating terrorism in all its forms and origins in our region and the world. We have numerous agreements with countries around the world to combat global terrorism.

Ladies and Gentlemen,

I wish to refer here to the constructive dialogue currently underway with the United States administration to resume Palestinian-US relations and to undertake steps that will ensure the occupying Power's abidance by signed agreements. From our side, we will strive to succeed in this endeavour so as to create conditions

conducive to moving swiftly towards a final political settlement that ends the Israeli occupation of our country.

However, the current and former Israeli governments have persisted in evading the two-State solution based on international law and UN resolutions, and insisted in pursuing occupation and military control over the Palestinian people while presenting illusionary economic and security plans as an alternative. These unilateral plans will not achieve security and stability for anyone as they undermine efforts for a genuine peace and prolong occupation and entrench the reality of one apartheid state.

Ladies and gentlemen,

This is a moment of truth with the occupying Power. We are at a crossroads. We have had enough. This situation cannot continue and our people cannot endure it any longer.

I have dedicated my life to achieving peace and chose the path of peaceful, legal and diplomatic work in international fora. We have extended our hands time and time again for peace and still we cannot find a partner in Israel that believes in and accepts the two-State solution.

The leaders of Israel no longer feel any shame while stating their blunt opposition to this solution that is supported by global consensus. I warn that undermining the two-State solution based on international law and UN resolutions will open the way for other alternatives imposed on us by the situation on the ground as a result of the continuation of the Israeli occupation of our State; the absence of a just solution for the plight of 7 million Palestine refugees uprooted from their land in 1948; the systematic theft of Palestinian land and the ongoing crimes of the occupation and demolition of homes as a means of collective punishment; the killings and arrests and detention by the thousands, including of women, the sick and children as well as the imposition of the inhumane blockade over the Gaza Strip; and measures annexation under numerous pretexts and names, including the settlement plan they now invented in the City of Jerusalem and that we fully reject, all coupled with the crime of forcibly displacing Palestinians from their land, as part of a policy of racial discrimination and ethnic cleansing pursued by the occupation in the absence of a deterrent international response.

Our people will not surrender to the reality of occupation and it's illegal policies and practices. They will pursue their just struggle to fulfil their right to self-determination, and options are available, including returning to a solution based on the partition plan of resolution 181 (II) adopted in 1947 which gives the State of Palestine 44 per cent of the land, double the space provided for on the 1967 borders. We remind everyone that Israel seized by military force half of the land dedicated to the State of Palestine in 1948, which is a solution in conformity with international legitimacy.

If the Israeli occupation authorities continue to entrench the reality of one apartheid state as is happening today, our Palestinian people and the entire world will not tolerate such a situation and circumstances on the ground will inevitably impose equal and full political rights for all on the land of historical Palestine, within one State. In all cases, Israel has to choose. These are the options, and it has to choose.

Ladies and Gentlemen,

International law stipulates the right to a free and dignified life, and calls on States to take the necessary measures to protect and secure this right, as protection constitutes an indispensable and decisive element for the maintenance of peace, security, stability, and development. In this regard, I call on the Secretary-General António Guterres to work on the basis of the relevant United Nations resolutions on protection, including the resolution adopted during the General Assembly emergency session held in June 2018 under “Uniting for Peace” to take the necessary steps towards developing an international mechanism for protection, as foreseen in his report of August 2018, and to activate this mechanism on the borders of the occupied State of Palestine in 1967, including East Jerusalem, to avail our people of international protection.

In parallel, and in accordance with the same resolution, I call on the Secretary-General to convene an international peace conference, in line with the internationally-recognized terms of reference and United Nations resolutions and the Arab Peace Initiative, and under the sole auspices of the international Quartet.

To ensure our initiative is not open-ended, we must state that Israel, the occupying Power, has one year to withdraw from the Palestinian territory it occupied in 1967, including East Jerusalem, and we are ready to work throughout this year on the delineation of borders and solving all final status issues under the auspices of the international Quartet and in accordance with United Nations resolutions. If this is not achieved, why maintain recognition of Israel based on the 1967 borders? Why maintain this recognition?

Moreover, in this regard, we will go to the International Court of Justice as the supreme international judicial body, on the issue of the legality of the occupation of the land of the Palestinian state and the relevant obligations for the United Nations and States around the world in this regard and all will have to respect the conclusions of the Court. Colonialism and apartheid are prohibited under international law and they are crimes that must be confronted and a regime that needs to be dismantled.

The international community’s support for this initiative, consistent with international law and United Nations resolutions, may save the region from an unknown fate. We all have a chance to live in peace and security, good-neighbourly relations, each in our State, and delaying implementation of these steps will keep the region in a situation of turmoil and instability with dire consequences. Do the leaders of Israel dream of maintaining their occupation forever? Do they want this occupation to last forever?

Ladies and Gentlemen,

Why should a Palestinian continue living either under Israel’s racist occupation or as a refugee in neighbouring countries? Are there no other alternatives, freedom for example? The Palestinian everywhere is a creative and dynamic human being and the entire world can testify to that. Palestinians deserve to live free in their homeland.

From this podium I call on the sons and daughters of Palestine everywhere around the world to continue pursuit of their peaceful and popular struggle that has shown the true image of the valiant Palestinian people striving for freedom and independence by resisting occupation and apartheid.

I salute our people everywhere and salute all nations and countries that have stood in solidarity with our people during the Jerusalem uprising and the prisoners

uprising and against the aggression that killed hundreds, spread destruction and displaced thousands of our people in the West Bank, Jerusalem and the Gaza Strip

I also salute all those who took part in demonstrations in the United States and Europe and everywhere across the globe to demand an end to the Israeli occupation, apartheid and ethnic cleansing and to call for justice, freedom and self-determination for our people. This is an awakening, recognizing the true Palestinian story, and I urge all to continue raising and defending it and defending the Palestinian right to life, equality and statehood. Opposing aggressive policies and practices of the Israeli occupation and settlers and of the Zionist narrative in general is not an act of incitement or anti-Semitism, but rather the duty of every free man and woman in the world.

In this connection, I convey to the international community our gratitude and appreciation for their political and material support to our people and for the building our institutions and national economy. But the time has come to take tangible steps to revive hope and end the Israeli occupation of our land and people and to consecrate the values of justice and peace in our region. I wonder what prevents countries that recognize Israel from recognizing the State of Palestine, since they support the two state solution?

I say to Israel's leaders: Do not oppress and corner the Palestinian people and deprive them of dignity and their right to their land and State as you will destroy everything. Our patience and the patience of our people have limits. I reiterate yet again that the Palestinian people will defend their existence and identity and will not kneel or surrender, they will not leave and will remain on their land defending it, defending their fate and pursuing their great journey towards ending the occupation. Of the land of the State of Palestine and its capital East Jerusalem. We say once more: this is our land, our Jerusalem, our Palestinian identity, and we shall defend it until the occupier leaves, as the future belongs to us and you cannot claim peace and security for yourselves alone. Let us be.

Peace be upon you.

Annex IV

Address by Ms. Mariam Chabi Talata, Vice-President of the Republic of Benin

[Original: French]

President of the United Nations General Assembly,
Heads of State and Government,
Secretary-General of the United Nations,
Ladies and gentlemen,

His Excellency Mr. Patrice Talon, President of the Republic of Benin, who could not be here today, has tasked me with delivering the following address on his behalf.

First of all, Mr. President, I would like to thank you for the excellent conduct of the work of the 76th session of the United Nations General Assembly.

The theme of this session is: “Building resilience through hope — to recover from COVID-19, rebuild sustainably, respond to the needs of the planet, respect the rights of people, and revitalize the United Nations”.

When we look at the current state of the world, at various levels, we acknowledge that this theme is very significant, meaningful and relevant to our lives.

It invites us to move away from the ambient and growing scepticism and the rising despair in our hearts in order to solve our current problems and rebuild sustainably.

Mr. President,

For some time now, the international community has had to face the global and destructive reality of the COVID-19 pandemic. In that regard, my country thanks the United Nations and its specialized agencies, in particular the World Health Organization, for prioritizing the quest for a definitive solution to this health crisis.

Widespread and ongoing mobilization, as well as uniting our energies, have allowed for the development of vaccines. Vaccination rates are increasing throughout the world. However, Africa’s vaccination rate remains low, and the continent continues to face other equally deadly infections, namely malaria and HIV/AIDS.

Regarding our domestic management of COVID-19, the State of Benin has opted to fully vaccinate all its citizens and provide subsidization worth several billion CFA francs to people and companies whose businesses have been adversely affected by the pandemic.

In this regard, we thank all partners that support our country in its fight to achieve the SDGs, in line with the Government’s Action Programme.

With regard to the need to rebuild sustainably, we must strive to predict the occurrence of future scourges. Isolated, temporary and local action steps alone are no longer enough. Each State, each continent must open up to others so that, through common and concerted efforts and synergies in actions taken, the world can be rid, once and for all, of its concerns and fears.

Concerning insecurity caused by violent extremism and crime, my country faces two critical situations:

- Terrorism, which is a genuine threat on its northern borders,
- Maritime piracy in the south

To address those issues, in addition to the necessary measures taken internally, Benin joins all initiatives at the regional and international levels to ensure peace, free movement and security for its citizens and everyone on its territory.

The same applies to the needs of the planet. We hope for and expect the same behaviour and attitudes to save a planet that suffers abuses of all kinds, such as overexploitation and excess production and consumption. Beyond our individual sovereignties, we must be compelled to work together on a plan to meet the needs of countries and the planet. We must meet food, water and energy needs — needs that I refer to as strategic — by considering current threats and future generations.

With regard to human rights, the SDGs remind us of them every day through the targets set.

Our country believes that achieving the SDGs is the most concrete and reliable way to ensure respect for human rights. That is why our country strives to mobilize, through various strategies, resources that should enable our citizens to have access to

- an adequate food system with school canteens throughout the country,
- quality education for life,
- health care via the system of insurance for the strengthening of human capital, which protects the poorest,
- drinking water, by expanding our distribution networks,
- energy, by expanding our electricity network and sources of clean energy.

Today, thanks to the successful issuance of SDG Euro bonds, our country has been able to mobilize most of the resources needed to achieve the majority of the SDGs.

At the political level, with the reform of the party system, the regular organization of elections, good governance and the fight against corruption, Benin ensures that its citizens enjoy their human rights.

Mr. President,

The progress made by our country has been tangible, palpable and concrete in recent years. We, there-fore, believe that we deserve to be a member of the Human Rights Council for the period 2022-2024 in order to share our experience in the area of protecting and promoting human rights.

This platform is, therefore, a solemn opportunity for me to recall that our country's candidacy has already been formally endorsed by the African Union.

With this support from our neighbours, we also invite all member countries of the United Nations to support Benin's candidacy during the elections that will take place in New York in October 2021.

Mr. President,

Finally, with respect to revitalizing the United Nations, it is crucial to reform the institution so as to guarantee its foundation of equality, justice and solidarity among Member States. Times have changed, the world has evolved. Our institution must also evolve and adapt to modern times.

We appeal to the spirit of consensus to make the United Nations a modern, free and fair institution.

Meanwhile, my country reaffirms its support for diplomatic initiatives that seek to create a viable Palestinian State, with full international sovereignty, living in peace with the State of Israel.

Benin also supports the efforts of the United Nations to find a lasting solution to the situation concerning Western Sahara.

Lastly, my country stands in solidarity with the resolution adopted by the 34th Summit of the African Union in February 2021, in Addis Ababa, on the economic blockade imposed on Cuba by the United States of America. We reiterate the need for the United States to take all necessary measures to end the blockade in the name of promoting peace and development.

Benin therefore calls for the normalization of relations between Cuba and the United States — two countries that are friends of Benin.

Since we must live in hope, we expect that the various calls made here will be heard by all to ensure the advent of a modern, united, free, fair, secure and prosperous world for all.

I thank you.

Annex V**Address by Mr. Nikol Pashinyan, Prime Minister of the Republic of Armenia**

Honourable President of the General Assembly,

Ladies and gentlemen,

I am pleased to once again deliver a statement at the United Nations General Assembly.

First of all, I would like to congratulate Mr. Abdulla Shahid on his election as President of the General Assembly, as well as Mr. António Guterres on his re-election as Secretary-General of the United Nations. I am confident that with your leadership you will help us overcome the vast challenges we are facing.

Today in my speech, I would like to refer to the situation in the South Caucasus region, present our views and proposals on the solution of the existing problems.

As you know, in the fall of 2020, Nagorno-Karabakh was subjected to aggression. The war that lasted forty-four days took the lives of several thousands of people. Tens of thousands of residents of Nagorno-Karabakh were displaced. The aggression was accompanied by numerous gross violations of international law by the Azerbaijani armed forces, including deliberate targeting of civilians and vital infrastructure, extrajudicial killings of prisoners of war and civilian hostages, torture and many other documented crimes. As a result of these actions, in the parts of Nagorno-Karabakh, which came under the control of Azerbaijan, the Armenian people were subjected to complete ethnic cleansing. Unfortunately, the international community here again could not prevent the mass atrocities. Today, no Armenian lives or practically could live in the territories under the control of Azerbaijan.

Thanks to the mediation efforts of the Russian Federation, it was possible to stop the bloodshed. On November 9, a trilateral ceasefire statement was signed. Peacekeeping forces of the Russian Federation were deployed in Nagorno-Karabakh, which today ensure stability and security thereon.

Dear Colleagues,

One month ago, the Republic of Armenia National Assembly approved the Government's Action Plan for 2021-2026, where one of the key provisions is to open an era of peaceful development for our country and the region. Moreover, as per the results of the early parliamentary election held on June 20, 2021, the people of Armenia gave to our Government a mandate to move towards this key goal. It should be emphasized that our Government received this important mandate based on the results of elections that were held to overcome the domestic political crisis.

This was the second election in our country after the Non-violent, Velvet, People's Revolution in Armenia in 2018. Both elections were assessed by international observers as competitive, transparent, and in line with democratic standards.

So, how are we going to achieve the goal of opening an era of peaceful development for our country and the region? Through dialogue, overcoming incrementally the atmosphere of painful hostility in our region. We realize that the path will be difficult and long. Unfortunately, the incidents designed to delegitimize the peace agenda and deepen and institutionalize the atmosphere of hostility occur on

a daily basis. Violations of the ceasefire, aggressive and insulting statements against Armenia and the Armenian people continue to escalate the atmosphere.

An act against the peace agenda is the fact that, contrary to Article 8 of the November 9 statement, Azerbaijan not only still holds several dozen citizens of the Republic of Armenia in captivity, but also has sentenced many of them to 6 to 20 years imprisonment on trumped-up charges. In addition, there are persons whose captivity has not yet been confirmed by Azerbaijan, although there is clear evidence that they were captured. This becomes even more unacceptable against the background that in the fall of 2020, Azerbaijani users posted videos of the capture of specific Armenian soldiers, and later the decapitated or shot bodies of those soldiers were discovered. We have irrefutable evidence about the torture of our captives.

An outrageous example of the deepening of the atmosphere of hostility is the opening of the so-called trophy park in Baku, where Azerbaijani schoolchildren are taken on excursions to watch the mannequins of captured, killed or bleeding Armenian soldiers.

These and other steps are taken to demonstrate the impossibility of peace in our region, but we will consistently advance that agenda by using every opportunity and by creating new opportunities to open an era of peace for our region.

In this sense, I consider the opening of regional communications extremely important, which is stated in the 9th point of the trilateral declaration signed by the President of the Russian Federation, the President of Azerbaijan and the Prime Minister of Armenia of November 9, 2020 and January 11, 2021.

The interconnected transport arteries of the region will be an outcome of resolving this issue. Opportunity will be created for establishing economic ties, which is one of the important prerequisites for peaceful development.

While examining the topic of reopening transport links, we discovered that there are options that aim at sustaining regional isolation and hostility, but there are also options that emphasize regional interconnectedness and can be a step-by-step solution of the problem of hostility. We are an advocate for the latter option.

If the railway connecting Armenia to Turkey is opened too, then the topic of opening regional communications will cover broader scope.

Honourable Mr. Secretary General,

Armenia is ready for a constructive dialogue, which should lead to the establishment of sustainable and lasting peace in the region. In this regard, we propose to complete the process of return of prisoners of war, hostages and other captives without delay.

It is also necessary to resume the peace process for the settlement of the Nagorno-Karabakh conflict under the auspices of the OSCE Minsk Group Co-Chairs.

There is no doubt that the situation created through the use of force cannot gain legitimacy from the point of view of international law. The right of the people of Artsakh to self-determination cannot be suspended through the use of force; the conflict cannot be considered resolved through the use of force. The Nagorno-Karabakh conflict is awaiting its just settlement. This is evidenced by the statements of the Co-Chair countries, which emphasize the need to resume the negotiation process based on the well-known principles.

We believe that the contacts mediated by the Co-Chairs will enable the parties to find common ground, and to open avenues for addressing many difficult issues.

Next is the issue of delimitation and demarcation of the Armenia-Azerbaijan border. I must state with regret that it is difficult to imagine a border delimitation process on the backdrop of almost daily shootings and various provocations on the Armenian-Azerbaijani border, on the backdrop of units of the armed forces of Azerbaijan having infiltrated the sovereign territory of the Republic of Armenia on May 12, 2021 in the Sotk-Khoznavar section. To overcome this situation, we have suggested the following actions: In the above mentioned section, the armed forces of both Armenia and Azerbaijan should withdraw simultaneously to the Soviet times border, international observers would be deployed along that border and under international auspices we would start delimitation and demarcation. We are ready to implement this proposal at any time.

Dear Colleagues,

In my speech, I touched upon issues of vital importance for our country and for the region. These issues need urgently to be addressed today and require the urgent attention of the international community.

At the same time, as I conclude my speech, I would like to reaffirm that Armenia, as a responsible member of the international community and a reliable partner, will continue to contribute to the strengthening of comprehensive international order, to international cooperation based on the purposes and principles of the UN Charter, promoting sustainable development and protection of fundamental human rights.

We are committed to a constructive and inclusive dialogue with all our partners.

Armenia is ready to make every effort to contribute to overcoming the current global challenges such as climate change, the COVID-19 pandemic, issues of international peace, security and sustainable development.

With this, let me complete my speech by wishing success to the works of the 76th session of the UN General Assembly.

Thank you for attention.

Annex VI

Address by Mr. Pravind Kumar Jugnauth, Prime Minister, Minister for Defense, Home Affairs, and External Communications, Minister for Rodrigues, Outer Islands, and Territorial Integrity of the Republic of Mauritius

Mr. President,

It is indeed a great pleasure to see you steering the proceedings of the 76th Session of the General Assembly of the United Nations. Mauritius and Maldives share common challenges as developing islands of the Indian Ocean. We wish to assure you of our full cooperation and support during your Presidency.

I extend my gratitude to H.E. Mr. Volkan Bozkır for his successful Presidency of the last Session.

Let me also congratulate His Excellency Mr. António Guterres upon his re-election as Secretary-General of the United Nations and thank him for his comprehensive report entitled “Our Common Agenda”.

Mr. President,

You have chosen a very appropriate theme for this session given the unique situation we are in for the past 20 months.

Building resilience through hope, recovering from COVID-19, rebuilding sustainably, responding to the needs of the planet, respecting the rights of people, and revitalizing the United Nations cover the whole range of activities which are not only urgent but also crucial if we are to ensure our long term continued existence on our planet, in a manner that enhances multilateralism and cooperation, protects the rights of people by reinforcing our institutions and the Rule of Law, and leaves no one behind.

The COVID-19 pandemic caught a totally unprepared world with unparalleled intensity, disrupting governments and societies, the multilateral system, and more importantly, the lives and livelihood of people.

It has brought to light the scale of global interconnectedness. Events in one country can have rippling effects across the globe.

Almost two years later, we are still grappling with the pandemic and its mutations and despite the fact that vaccines have come out amazingly fast, we are still not in a position to say that life is back to normal.

In fact, just as many countries were finding it hard to find basic protective equipment at the beginning of the pandemic, they are now facing similar challenges to have access to affordable and effective vaccines.

While advanced economies have been able to deploy massive fiscal stimulus to cushion the pandemic’s impact and have succeeded in achieving mass vaccinations, the policy response of developing countries has been constrained by several factors, and access to vaccines is still limited.

Inequitable vaccine distribution is not only leaving millions of people vulnerable to the virus, but it is also allowing new variants to emerge, with the result that recovery will take longer.

We welcome the US initiative to organize a Leaders' Summit to consider ways of eradicating the Pandemic. The meeting held this week shows that bringing together World Leaders, economic partners, and vaccine producers, and the scientific community can lead to concerted actions to fight the pandemic.

We should strive towards producing more vaccines, more rapidly, and decentralize their production to cater for the needs of the people around the globe.

Multilateral facilities such as the COVAX should be fully funded and empowered to redistribute surplus vaccine doses.

Necessary technology and resources should be shared with developing countries, including SIDS like Mauritius, to enable the roll out of vaccines for faster return to normalcy.

In the same vein, unilateral economic sanctions should be reviewed in light of the humanitarian urgency to fight the pandemic.

Mr. President,

With these initiatives, we stand a good chance to eradicate the pandemic or at the very least, be able to learn to live with it, but the world will still have to face the economic challenge that has come with the pandemic.

COVID-19 has severely impacted the world economy. Mauritius was not spared and our GDP contracted by 14.9 per cent in 2020.

Public health spending has had to be increased significantly, together with a string of measures to assist business transformation, support the tourism sector, increase local food production, and support various sectors of the economy.

Along with the pandemic, Mauritius has also faced other challenges concerning its financial services sector, and we have had to address these as a matter of great urgency in order to keep the sector afloat.

Mr. President,

Before the pandemic, Small Island Developing States were already facing significant levels of debt distress.

While we welcome the G20 Debt Service Suspension Initiative, we believe this facility should be extended to include Small Island Developing States, in particular the Middle-Income Countries as well.

A new global financial architecture focusing on fiscal space and debt sustainability is urgently needed for SIDS.

Mauritius fully supports the proposal to produce a Multidimensional Vulnerability Index to be used in determining the type and measure of support that will be needed by a country, not only to build its resilience, but also to put it on track to achieve its SDGs.

Mr. President,

The Paris Agreement was hailed as a major breakthrough in our efforts to tackle climate change, but the climate events since, show that unless we commit to doing much more, our planet, and indeed our existence, are severely threatened.

The last Intergovernmental Panel on Climate Change report is unequivocal, we are in the red and human influence is to a large extent responsible for the state of our atmosphere, ocean, and land.

The world has great expectations from the COP26 Summit. We all know what needs to be done; it is not sufficient to simply raise ambitions, but more importantly, we need to commit to deliver on them.

We owe this to future generations.

Mauritius welcomes the fact that the Green Climate Fund has nearly reached the level of contributions that has been pledged. But this will be meaningless unless access to it is simplified, especially for SIDS.

Mr. President,

Oceans are hosts to huge amounts and varieties of biodiversity that need to be protected.

We support ongoing work for a legally binding instrument on biodiversity beyond national jurisdiction that would allow an equitable sharing of benefits.

Mr. President,

The protection and promotion of human rights and gender equality should remain at the centre of all our endeavours.

We have an immense responsibility towards our future generations. Throughout the world, students and young people have been facing growing frustration because of confinements, education disruptions, and fewer job opportunities.

Special efforts need to be made to bring them in the mainstream. Mauritius stands ready to support all initiatives in that regard.

Mr. President,

One sector which has thrived during the pandemic relates to infodemics and criminal activities in cyberspace. This has to be addressed globally.

We support the elaboration of an international Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes.

Mr. President,

The use of force to legitimize governments is a matter of grave concern to the international community and affects peace and regional stability. We condemn such acts just as much as we condemn the resurgence of violent extremism and terrorism in Africa.

We stand in solidarity with the Afghan people and hope that peace prevails and brings stability to the region. We support all regional and international initiatives aimed at finding sustainable peaceful solutions. We also call for a just and lasting settlement for the Palestinian people.

Mr. President,

Mauritius expresses the hope that under your Presidency, the process of reforming the Security Council in order to make it more representative of the new realities will be accelerated.

The historical injustice done to Africa must be corrected. Africa should have its rightful place in an expanded Security Council which should also include a seat for SIDS.

Mr. President,

It remains a matter of concern that more than two years after the International Court of Justice ruled that the decolonization process of Mauritius has not been lawfully completed in view of the unlawful excision of the Chagos Archipelago from its territory prior to independence, and that the United Kingdom has an obligation to withdraw its unlawful administration from the Archipelago as rapidly as possible, we still see no action on the part of the colonial power.

And yet, the findings of the ICJ have been affirmed by UN General Assembly Resolution 73/295 and in January this year, a Special Chamber of ITLOS has held that those authoritative determinations of international law by the ICJ have binding legal effect, rendering it beyond legitimate dispute that Mauritius is sovereign over the Chagos Archipelago as an integral part of its national territory.

The ITLOS Special Chamber also underscored that in adopting resolution 73/295, the General Assembly has set out modalities for the completion of the decolonization of Mauritius, which the ICJ has ruled every member of the UN, and UN agency, has an obligation to support.

The ITLOS Chamber will now proceed to delimit the maritime boundary between Mauritius and Maldives on the basis of Mauritius being the Coastal State in relation to the Chagos Archipelago.

We note with further satisfaction that Specialized Agencies of the United Nations such as the Universal Postal Union have recently adopted by a large majority a resolution to give practical effect to General Assembly resolution 73/295, thereby ensuring respect for international law and its obligations under the Agreement it signed in 1947 with the UN.

Mauritius looks forward to further implementation of Resolution 73/295 by other international and regional organizations, with the support of UN Member States.

Mauritius remains committed to implementing a programme for the resettlement in the Chagos Archipelago of Mauritian nationals, in particular those of Chagossian origin who were forcibly removed by the UK from the Chagos Archipelago in violation of their basic human rights.

I express, on behalf of the Government and people of Mauritius and in particular the Mauritians of Chagossian origin, our sincere gratitude to all the countries that have been supporting us in completing our decolonization and we appeal to the colonial power to comply with the rulings of the international courts and the resolutions of the General Assembly. Compliance with international law is the responsibility of all law-abiding States.

Mr. President,

I would like to reiterate the commitment of Mauritius to ensuring the continued operation of the defence facility in Diego Garcia. Mauritius considers the facility vital to the maintenance of international peace and security in the Indo-Pacific region, and to efforts to combat terrorism, piracy, and the illicit trafficking of drugs and persons.

In this regard, Mauritius, as sovereign over the Chagos Archipelago, which includes Diego Garcia, stands ready to enter into a long-term arrangement with the United States in respect of Diego Garcia.

Mr. President,

With regard to Tromelin which also forms an integral part of the territory of Mauritius, we call for the early resolution of the dispute over the island in the spirit of friendship that characterizes the relations between Mauritius and France.

Mr. President,

We can no longer afford to be fractious. We need to promote, preserve, and strengthen multilateralism.

Together, we can build more sustainable, equal societies and economies.

Together, we can transform our world into one that recognizes and respects the dignity of every human being.

I thank you.

Annex VII

Address by Mr. Stefan Löfven, Prime Minister of Sweden

Excellencies,

This year marks 75 years since Sweden became a member of the United Nations.

Today's global challenges demonstrate the urgent need to strengthen international cooperation, with a modern UN at its core.

The devastating impact of the pandemic has tested the resilience of our societies and put pressure on the multilateral system.

More than half of the world's population have not yet been vaccinated against COVID-19.

Making sure that vaccines are accessible equally to everyone must be our priority.

COVAX remains our best instrument. Sweden is its largest per capita contributor, and I am proud to announce that we intend to increase our support for global access to vaccines.

We look forward to cooperating with all Member States in identifying ways to improve health systems' prevention, preparedness and response capacities.

Excellencies,

The extreme weather events we have witnessed, with forest fires, flooding and heat waves, underline the urgent need to act against climate change.

We must listen to the science and transform our societies. We must keep the 1.5 degree goal alive.

Lower emissions, adaptation and protection of biodiversity must be our priority. Recovering from the pandemic will provide an opportunity to build back greener.

This year, we need to stand up to the test as we gather at COP26 in Glasgow, COP15 in Kunming, and prepare to conclude a legal instrument to protect biodiversity in the high seas.

Next year marks 50 years since the world gathered in Stockholm for the first ever UN conference on the environment. In June, we will host Stockholm+50, which we expect will be a catalyst for necessary transformative actions for a systemic change as with regard to the environment and climate change agenda. Let's take this opportunity to help redefine humankind's relationship with nature.

Excellencies,

A renewed commitment to strengthening international cooperation must be based on our joint responsibility to uphold international law.

Human rights are universal and apply to all.

We reiterate our strong support for the Secretary-General's 'Call to Action for Human Rights' and advancing human rights across all of the work conducted by the UN.

We remain deeply concerned that respect for democracy continues to decrease globally. Sweden will continue our strong support to democratic institutions and processes, and to defenders of democracy.

Through Sweden's cross-regional 'Drive for Democracy' initiative, we aim to push back against authoritarianism and promote democracy worldwide.

Excellencies,

The pandemic has exacerbated critical gaps in equality, particularly gender equality. Women and girls have been disproportionately affected. Sustainable development, peace and security are not possible when women and girls are left behind.

This is why my Government is a feminist government.

Sweden will always stand up for sexual and reproductive health and rights.

Excellencies,

International solidarity is part of the Swedish DNA. We remain firm in our global commitments, including to provide 1 per cent of GNI to overseas development assistance.

Free, fair and sustainable trade is key in order to create new jobs and increase prosperity. The World Trade Organization has an essential role in upholding a rules-based international trading system. We must ensure that we have the means to build back better and greener.

As chair of the ILO Governing Body this year, we will promote labour rights.

Excellencies,

The pandemic has also increased the suffering of the most vulnerable. The number of people in need of humanitarian assistance to survive has reached a new record level. Global hunger, driven by armed conflicts and climate change, is soaring.

We urge Member States to urgently step up funding to save lives and alleviate suffering.

Sweden remains one of the largest humanitarian donors.

We need to find new ways to support the Afghan people to sustain the achievements made in the last 20 years. The increasingly acute humanitarian crisis and the protection and promotion of human rights — in particular regarding people belonging to minorities, women and girls — must be addressed. In this, the UN plays a critical role. Sweden's longstanding engagement and our support to the Afghan people remain steadfast.

Excellencies,

Sweden continues to be a champion for long-term peacebuilding and we are a substantial contributor of personnel to UN peace operations.

In Yemen, relentless fighting has worsened the humanitarian catastrophe. Sweden remains deeply engaged. We urge the parties to agree on a ceasefire and take part in political talks under UN auspices. The implementation of the Stockholm and Riyadh agreements remains a key step. Sweden is committed to leading international efforts to mobilise additional funding for the world's largest humanitarian operation.

In Ethiopia, the Tigray conflict's expansion is causing immense human suffering. We urgently call on all parties to ensure full and sustained humanitarian access, agree to a ceasefire and work for a political solution.

Excellencies,

One year ago, peaceful protests in Belarus were followed by ruthless repression. Sweden and the EU demand respect for human rights. We support the Belarusian people's right to democracy, freedom of expression and the rule of law.

Sweden remains a steadfast supporter of Ukraine's territorial integrity, sovereignty and independence. We continue to unequivocally denounce Russia's illegal annexation of Crimea and Sevastopol.

This year, Sweden is chairing the Organization for Security and Co-operation in Europe. Our guiding principle is to return to the basics by defending the European security order based on respect for international law and the UN charter.

Strengthening the OSCE's cooperation with the UN is a priority, not least on the ground in conflict situations.

Excellencies,

The nuclear threat is as present as ever. To reverse this negative trend, we welcome recent steps such as the extension of the New START Treaty, and the US and Russian joint statement reaffirming that "a nuclear war cannot be won and must never be fought".

The Stockholm Initiative for Nuclear Disarmament aims to ensure that concrete steps towards nuclear disarmament are taken, not least in view of the upcoming Review Conference of the Non-Proliferation Treaty.

Some progress has been made, but much more remains to be done. We call on all States, in particular nuclear weapon states, to do their part.

We call on the Democratic People's Republic of Korea to adhere to its international obligations and take steps towards denuclearisation.

Excellencies,

This will be my last address as Prime Minister of Sweden to the General Assembly. As I look back at my seven years in office, I can only conclude that global challenges are becoming ever more pressing. But together, we have also made important progress.

Sweden remains an active champion of finding common solutions to the challenges we jointly face. Our roadmap is global implementation of the 2030 Agenda.

Gender equality is the unfinished human rights struggle of this century. Gender equality has always been a key priority in decision-making and resource allocation in my government — and I have promoted gender equality globally.

Climate change is the defining issue of our time. In 2017, the Swedish Parliament adopted the most ambitious climate reform in Sweden's history, aiming at net zero emissions of greenhouse gases by 2045. Together with India, I am proud to have launched the Leadership Group for Industry Transition.

Inequality has further accelerated. Together with the ILO and the OECD, I launched the Global Deal partnership for decent work and inclusive growth in 2016. The objective is to improve the global labour market and enable people to benefit from globalization.

In October, I will host the Malmö International Forum on Holocaust Remembrance and Combating Anti-Semitism — Remember ReAct. The rise of racism, xenophobia, Islamophobia and antisemitism must be rigorously countered. The Forum aims to take concrete steps in the work for Holocaust remembrance and the fight against antisemitism.

Excellencies,

Last year's adoption of the UN75 Declaration, co-facilitated by Sweden and Qatar, was a recommitment to strengthening international cooperation, with a modern, innovative and inclusive United Nations at its core.

Together with the Prime Minister of Spain, I have launched a network of leaders to support the Secretary-General in taking the Common Agenda forward. Future generations should be at the centre of these efforts. We look forward to contributing to the preparations of a 'Summit of the Future' in 2023.

Sweden joined the United Nations 75 years ago. Rest assured that we will continue working with all of you all towards a peaceful, green, more equal and healthier planet.

We will remain as committed to international cooperation in the future as we have been over these last 75 years.

Thank you.

ANNEX NO. 21



United Nations

MEETINGS COVERAGE

SEVENTY-SEVENTH SESSION,
26TH MEETING (AM)

GA/SPD/771
11 NOVEMBER 2022

Fourth Committee, Concluding Its Work, Approves Six Draft Resolutions, Including Request for ICJ Opinion on Israeli Occupation

Texts Would Also See General Assembly Renew UNRWA Mandate into 2026

The Fourth Committee (Special Political and Decolonization), completing its work for the main part of the General Assembly's seventy-seventh session, approved six draft resolutions plus one draft decision today, including texts that would renew the mandate of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and request an advisory opinion from the International Court of Justice on Israel and the Occupied Palestinian Territory.

By a recorded vote of 98 in favour to 17 against, with 52 abstentions, it approved the draft resolution titled "Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem" (document A/C.4/77/L.12/Rev.1).

By its terms, the Assembly would demand that Israel cease all measures that violate the human rights of the Palestinian people, including the killing and injuring of civilians, the arbitrary detention and imprisonment of civilians, the forced displacement of civilians and the transfer of its own population into the Occupied Palestinian Territory, including East Jerusalem.

It would also have the Assembly decide to request the International Court of Justice to render urgently an advisory opinion on the legal consequences arising from the ongoing violation by Israel of the right of the Palestinian people to self-determination, from its prolonged occupation, settlement and annexation of the Palestinian territory occupied since 1967.

Israel's representative, in a general statement prior to the vote, said that calling for the Court's involvement would decimate any chances of reconciliation between Israel and the Palestinians. Urging delegations to vote against that text, he said such resolutions demonize Israel and exempt the Palestinians of any responsibility for their current situation.

Several delegates expressed concern about requesting an advisory opinion from the Court, with France's representative, speaking on behalf of several countries,

stressing that such proposals should be thoughtfully discussed and consulted on with the United Nations membership in a timely manner.

Through the draft resolution titled “Assistance to Palestine refugees” (document A/C.4/77/L.10) — approved by a recorded vote of 165 in favour to 1 against (Israel), with 10 abstentions (Burundi, Cameroon, Canada, Guatemala, Marshall Islands, Federated States of Micronesia, Nauru, Palau, United States, Uruguay) — the Assembly would extend UNRWA’s mandate until 30 June 2026. It would also call upon donors to strengthen their efforts to meet the Agency’s anticipated needs.

The Permanent Observer of the State of Palestine welcomed the approval of that text and others as a crucial message of hope to the people of Palestine. Spotlighting support among delegations for an advisory opinion from the International Court of Justice, he nevertheless expressed regret that some States had wavered and emphasized that the broad majority remains committed to justice.

Through a related draft resolution titled “Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East” (A/C.4/77/L.9), the Assembly would decide to consider a gradual increase in the United Nations regular budget allocation to the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to support expenses for operational costs related to executive and administrative management functions of the Agency. It was approved by a recorded vote of 164 in favour to 6 against (Canada, Israel, Liberia, Marshall Islands, Federated States of Micronesia, United States), with 5 abstentions (Burundi, Cameroon, Guatemala, Rwanda, Uruguay).

Among other texts, the Committee approved a draft resolution on “Palestine refugees’ properties and their revenues” (document A/C.4/77/L.11), by a recorded vote of 160 in favour to 7 against (Canada, Israel, Liberia, Marshall Islands, Federated States of Micronesia, Nauru, United States), with 7 abstentions (Brazil, Burundi, Cameroon, Guatemala, Rwanda, South Sudan, Togo). Its terms would have the Assembly request the Secretary-General to take appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, to protect Arab property, assets and property rights in Israel. It would also urge the Palestinian and Israeli sides to deal with the question of Palestine refugees’ properties and their revenues within the framework of final-status peace negotiations.

A draft resolution titled “The occupied Syrian Golan” (document A/C.4/77/L.13) was approved by a recorded vote of 148 in favour to 3 against (Israel, Liberia, United States), with 22 abstentions. By its terms, the Assembly would call upon Israel, the occupying Power, to comply with relevant resolutions on the Syrian Golan, in particular Security Council resolution 497 (1981). It would also call upon Israel to desist from changing the Syrian Golan’s physical character, demographic composition, institutional structure and legal status, and to desist in particular from the establishment of settlements.

By a recorded vote of 150 in favour to 8 against (Canada, Hungary, Israel, Liberia, Marshall Islands, Federated States of Micronesia, Nauru, United States), with 14 abstentions, the Committee approved the draft resolution titled “Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan” (document A/C.4/77/L.14). By its terms, the Assembly would reiterate its demand for the immediate and complete cessation of all Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan. It would also reiterate its call for the prevention of all acts of violence, destruction, harassment and provocation

by Israeli settlers, and call for accountability for the illegal actions perpetrated by Israeli settlers in the Occupied Palestinian Territory.

Finally, acting without a vote, the Committee also approved a draft decision on its programme of work for the seventy-eighth session, with several delegates taking the floor to discuss whether the Committee should amend its working methods in light of lessons learned during the COVID-19 pandemic.

In concluding remarks, Committee Chair Mohamed Al Hassan (Oman) noted that the Committee approved 34 draft resolutions and 3 draft decisions during the main session, which contained 26 formal meetings.

Also delivering general statements and explanations of position concerning the draft resolutions were representatives of Australia, United States, Uruguay, Singapore, Ecuador, Liechtenstein, New Zealand, Japan, Kenya, Austria, Iran, China, United Kingdom and Timor-Leste.

Making general statements concerning the draft decision were representatives of the United States, Argentina, Mexico, Cuba, Uruguay, Algeria, Nicaragua, El Salvador, United Kingdom and Egypt.

Representatives of South Africa, Indonesia, Cuba and Namibia presented the draft resolutions for action.

The Fourth Committee will reconvene in 2023 at a date and time to be announced, to take up the report of the Special Committee on Peacekeeping Operations and to elect its Bureau for the General Assembly's seventy-eighth session.

Action on Draft Resolutions

The Committee first took up a series of draft resolutions (documents A/C.4/77/L.9-L.11) relating to "Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East" (L.9), "Assistance to Palestine Refugees" (L.10) and "Palestine refugees' properties and their revenues" (L.11).

The representative of South Africa, introducing those texts with Indonesia, said they are based on resolutions adopted by the Assembly at its seventy-sixth session, with relevant updates. They reaffirm the rights of Palestine refugees, as well as the international community's long-standing support for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). The most significant update to "L.10" is the decision to renew UNRWA's mandate. It also reiterates a call to donors to continue to contribute to the Agency and to increase their contributions.

The representative of Indonesia added that "L.9" reaffirms that UNRWA's work remains crucial against a backdrop of serious economic deterioration in the region. It appeals to donors to close the funding gap to allow the Agency to continue its programme and avoid the serious repercussions of the potential suspension of its activities. Turning to "L.11", he noted that it reaffirms Palestine refugees are entitled to income from their property.

The representative of Namibia then introduced the draft resolution titled "Israeli Practices Affecting the Human Rights of the Palestinian people in occupied Palestinian territory, including East Jerusalem" (document A/C.4/77/L.12), saying that it has been nearly 20 years since the General Assembly last asked the

International Court of Justice for an advisory opinion regarding the Palestinian question. In that span of time, the situation has only worsened. Requesting an advisory opinion is not a controversial or confrontational response to a deplorable situation, but rather a peaceful, civilized and legal initiative to allow the Court to pronounce itself on this matter.

The representative of Cuba, introducing the draft resolution titled “The occupied Syrian Golan” (document A/C.4/77/L.13), said it expresses the Assembly’s deep concern over that situation, which dates back to 1967. Introducing the draft resolution titled “Israeli Settlements in the Occupied Palestinian Territory, including East Jerusalem and the occupied Syrian Golan” (document A/C.4/77/L.14), he said it underscores the need to put an end to settlement activities and the forced displacement of Palestinian civilians.

The Secretary of the Committee delivered an oral statement pertaining to operative paragraph 16bis of “L.9”, saying that the text, if adopted by the Assembly, would entail no programme budgetary implications in the Secretariat’s programme budget for 2023. However, due to the need for more internal consultations, the Secretariat cannot provide estimates for additional resource requirements for 2024 and subsequent years.

The Committee then moved to take action on the UNRWA-related drafts.

It first approved the draft resolution “Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East” (document A/C.4/77/L.9) by a recorded vote of 164 in favour to 6 against (Canada, Israel, Liberia, Marshall Islands, Federated States of Micronesia, United States), with 5 abstentions (Burundi, Cameroon, Guatemala, Rwanda, Uruguay).

It then approved the draft resolution “Assistance to Palestine refugees” (document A/C.4/77/L.10), by a recorded vote of 165 in favour to 1 against (Israel), with 10 abstentions (Burundi, Cameroon, Canada, Guatemala, Marshall Islands, Federated States of Micronesia, Nauru, Palau, United States, Uruguay).

Next, it approved the draft resolution on “Palestine refugees’ properties and their revenues” (document A/C.4/77/L.11), by a recorded vote of 160 in favour to 7 against (Canada, Israel, Liberia, Marshall Islands, Federated States of Micronesia, Nauru, United States), with 7 abstentions (Brazil, Burundi, Cameroon, Guatemala, Rwanda, South Sudan, Togo).

The representative of Australia, speaking in explanation of position, said her delegation voted in favour of “L.9” in recognition of UNRWA’s vital work. Her country is doubling its contribution to the Agency to \$A20 million, she said, adding however that that does not represent an endorsement of the proposal to increase the regular budget allocation to UNRWA. Turning to “L.11”, she noted that her country supported the resolution because “no one should be arbitrarily deprived of their property”.

The Committee then took up draft resolutions relating to Israeli practices and settlement activities affecting the rights of the Palestinian people and other Arabs of the occupied territories. Those were titled “Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem” (document A/C.4/77/L.12/Rev.1), “The occupied Syrian Golan (document A/C.4/77/L.13) and “Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan” (document A/C.4/77/L.14).

The representative of Israel, making a general statement on all three drafts, said their only purpose is to demonize Israel and exempt the Palestinians of any responsibility of their current situation. Recalling that Israel signed four peace agreements with other States in the last two years, and that Israelis pray for peace three times a day, he said that involving the International Court of Justice will decimate any chances of reconciliation. Noting the “unilateral approach of the resolutions”, he urged delegates to vote against them.

The representative of the United States said there are no short cuts to the two-State solution and there is nothing in the package of draft resolutions before the Committee that will ensure this. Calling on all Member States to vote against this package of counterproductive resolutions, he said his country will support the UNRWA budget through voluntary contributions, and urged the Agency to uphold its commitment to neutrality, impartiality and humanity.

The Committee approved the draft resolution “Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem” (document A/C.4/77/L.12/Rev.1) by a recorded vote of 98 in favour to 17 against, with 52 abstentions.

It then approved the draft resolution “The occupied Syrian Golan” (document A/C.4/77/L.13) by a recorded vote of 148 in favour to 3 against (Liberia, Israel, United States), with 22 abstentions.

Next, it approved the draft resolution “Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan” (document A/C.4/77/L.14) by a recorded vote of 150 in favour to 8 against (Canada, Hungary, Israel, Liberia, Marshall Islands, Federated States of Micronesia, Nauru, United States), with 14 abstentions.

The representative of Uruguay, making a general statement after the vote, disassociated himself from operative paragraph 17bis of “L.12/Rev.1”, explaining that while advisory opinions from the International Court of Justice are valuable for the international community, in this instance it would be counterproductive and add an unnecessary element of tension.

The representative of France, speaking on behalf of a group of countries, stressed the need for language on Jerusalem’s holy sites to reflect their importance and historical significance for the three monotheistic religions. The future choice of language may affect future support for these texts. He added that proposals to request advisory opinions from the International Court of Justice should be thoroughly discussed and consulted on with the United Nations membership in a timely manner.

The representative of Australia said her delegation voted against “L.12” because it does not support a referral to the International Court of Justice. Doing so will not help bring the parties together for negotiations, she said, adding that advisory opinions should not be used to settle bilateral disputes. On “L.14”, she said Australia voted in favour as Israeli settlements remain an obstacle to peace.

The representative of Singapore, which voted in favour of “L.12/Rev.1”, expressed reservations on operative paragraph 18, saying it was not appropriate to involve the Court in this manner. Drawing attention to the lack of time to properly consider the matter, he added that references to Haram al Sharif should in fact read Temple Mount/Haram al Sharif to reflect the site’s shared and complex history.

The representative of Ecuador said his delegation abstained on “L.12/Rev.1” due to the recent inclusion of new language pertaining to an advisory opinion. That language was not subject to consultations, he said, spotlighting also the lack of time to analyse it.

The representative of Liechtenstein noted that the request for an advisory opinion was inserted into “L.12/Rev.1” with little notice and without consultation of Committee members as a whole, even though it has ramifications that go far beyond the conflict in the Middle East. The request would have been strengthened by the collective wisdom of a larger group of Member States, particularly already supportive of its aims, he said.

The representative of New Zealand echoed the concern regarding “L.12/Rev.1” and while reaffirming that Israeli settlements in Palestinian territory are a violation of international law, added that his delegation abstained as the text was not circulated in time for consideration.

The representative of Japan, which abstained on “L.12/Rev.1”, acknowledged the Palestinians’ desire to explore any possible avenue, given the dire situation on the ground. However, it is necessary to consider which approach is most appropriate to achieve peace in the Middle East.

The representative of Kenya said that while his delegation voted in favour of “L.12/Rev.1”, it dissociates itself from operating paragraph 18 as it is too prescriptive and pre-emptive of the proposed International Court of Justice process. Rather than increasing the chances for negotiations, it risks creating another barrier, he said.

The representative of Austria, underscoring the need for language to reflect the importance and historical significance of the holy sites of the three monotheistic religions, expressed regret about the manner in which the proposal for an advisory opinion was included in this resolution.

The representative of Iran, delivering a general statement, welcomed the widespread support among delegates for the inalienable rights of the Palestinian people and for holding the occupying regime accountable. Support for the Israeli regime by certain powers has prevented the international community from finding a just solution to the crisis, he added.

The Permanent Observer of the State of Palestine said the reaffirmation of the rights of Palestine refugee and support to UNRWA sends a crucial message of hope. Spotlighting the support for an advisory opinion from the International Court of Justice, he expressed regret that some States had wavered, adding that the broad majority of Member States remain committed to justice for the Palestinian people. “This overwhelming support is also the clearest answer to the false, libellous statements that have been made in this Committee by the Israeli representative”, he added.

The representative of China, whose delegation voted in favour of three resolutions, said that when considering an advisory opinion, the International Court of Justice must abide strictly by the United Nations Charter.

The representative of the United Kingdom, which abstained, said that his delegation does not believe that referral to the International Court of Justice will bring the parties back to the negotiating table. It also disagreed with the language that refers to the Haram al Sharif/Temple Mount site in purely Islamic terms.

The representative of Timor-Leste, which voted in favour of “L.12/Rev.1”, dissociated himself from the substantial update made to the resolution, especially operative paragraph 18. Urgently requesting an advisory opinion from the International Court of Justice might undermine the peace, especially efforts to achieve a two-State solution.

Finally, the Committee turned to its annual draft decision titled “Proposed programme of work and timetable of the Special Political and Decolonization Committee (Fourth Committee) for the seventy-eighth session of the General Assembly” (document A/C.4/77/L.15).

The representative of the United States, pointing to the efficiency of work methods adopted during the COVID-19 pandemic, said it is worth considering ways to optimize “the time we are all in this room together” by combining thematic debates and allocating all action on draft decisions and resolutions to one or two days.

The representative of Argentina expressed concern over attempts to change working methods without sufficient discussion. Adaptations made during the COVID-19 pandemic did not establish precedents for future sessions. He also underscored the importance of thematic debates and focusing specifically on decolonization.

The representative of Mexico said the draft decision under consideration reflects the experience of previous sessions and highlighted the value of a discussion among Member States to exchange points of view. What is needed is more dialogue and negotiation in the Committee, he said.

The representative of Cuba said the Committee’s methods of work reflect the experience developed over the years. Efforts to transform these methods and reduce the importance of the Committee are inappropriate, and any changes should be done only by consensus and through substantive debates.

The representative of Uruguay said that while the pandemic proved that the Committee’s methods of work can be perfected, revitalization cannot be undertaken at the expense of its work, which has very sensitive and specific modalities.

The representative of Algeria said that decolonization is the Committee’s core issue and that changes to its working methods adopted during the pandemic cannot be considered a precedent.

The representative of Nicaragua said it is important to dedicate sufficient time to consider each item carefully and not limit or dilute topics that are extremely important.

The representative of El Salvador highlighted the importance of dedicating sufficient time for discussing working methods, adding that the General Assembly and its main Committees can, where there is sufficient political will, adapt to complex situations and respond in a timely way.

The representative of the United Kingdom said that revitalization of the General Assembly’s work must be considered carefully instead of being “nodded through”. He encouraged Member States not to take preconceived ideas into discussions and to think instead about ways to improve the Committee’s work.

The representative of Egypt favoured preserving the current methods of work, saying that they take delegations with a limited number of personnel into account. He added that practices adopted during the pandemic were temporary and that there is no need to continue with them.

MOHAMED AL HASSAN (Oman), Committee Chair, taking note of the many divergent views, proposed revisiting this matter during the intersessional period in order to allow time for further consultations.

The Committee, acting without a vote, then approved the draft decision titled “Proposed programme of work and timetable of the Special Political and Decolonization Committee (Fourth Committee) for the seventy-eighth session of the General Assembly” (document A/C.4/77/L.15).

Concluding Remarks

MOHAMED AL HASSAN (Oman), Committee Chair, delivered concluding remarks, saying that during this main session, the Committee approved 34 draft resolutions and 3 draft decisions which will be referred to the General Assembly for adoption. It held 26 formal meetings, including one held jointly with the First Committee (Disarmament and International Security), on topics ranging from decolonization and the peaceful uses of outer space to peacekeeping operations and the United Nations’ global communications efforts. He added that the Committee will reconvene in 2023 to take up the report of the Special Committee on Peacekeeping Operations and to elect its Bureau for the Assembly’s seventy-eighth session.

! For information media. Not an official record.

ANNEX NO. 22



MEETINGS COVERAGE

United Nations

411TH MEETING (AM)

GA/PAL/1452

3 MAY 2023

Permanent Observer Briefs Palestinian Rights Committee on Situation in Occupied Territory Situation, Submissions Guidelines for Opinion Case to World Court

Vice-Chair, Rapporteur Elected by Acclamation

The Committee on the Exercise of the Inalienable Rights of the Palestinian People today elected its Vice-Chair and Rapporteur, as the Permanent Observer of the State of Palestine updated the Committee on the situation in the Occupied Palestinian Territory and gave a briefing on the guidelines for opinion case submissions to the International Court of Justice.

By acclamation, the Committee unanimously elected Ahmad Faisal Muhamad (Malaysia) as Vice-Chair and Rapporteur.

Mr. Muhamad (Malaysia), speaking after his election, stressed that the hardship and agony suffered by the Palestinian people has persisted for far too long. His Government will continue to stand in solidarity with them and remains convinced that the internationally recognized two-State solution with East Jerusalem as its capital and based on pre-1967 borders can be realized if the international community — especially the Security Council — exerts all efforts to ensure its full implementation. “You can count on Malaysia’s commitment and support towards the work of this Committee and the realization of the Palestinian people’s inalienable rights to self-determination, national independence and sovereignty,” he said.

Riyad H. Mansour, Permanent Observer for the State of Palestine, spotlighted the recent events in the Occupied Palestinian Territory; Israel’s latest acts of aggression; the desecration of holy sites, including Christian ones during Easter; the massive onslaught against Palestinian prisoners, some of whom have engaged in a hunger strike; and the aggression of extremist settler groups. While the international community is reacting appropriately, more must be done to implement relevant Security Council resolutions, end the Nakba and uphold the inalienable rights of the Palestinian people to self-determination, national independence, sovereignty and return.

Turning to opinion case submissions in relation to General Assembly resolution [A/77/247](#), which requested an advisory opinion from the International Court of Justice on Israel’s occupation of Palestinian territory, he noted that there

is a 20-page template and a bank of 27 lawyers willing to work on a pro-bono basis to assist countries on their submission. The aim is to have a tremendous amount of information for the Court so that the entire question of Palestine can be heard and receive a useful opinion, he underscored.

Several delegates then took the floor to share that they are working actively on their submissions.

In other business, Cheikh Niang (Senegal), Chair of the Committee, outlined its recent and upcoming activities which include a special meeting and a special commemorative event on 15 May in the General Assembly Hall of United Nations Headquarters. For the first time in history, the United Nations will commemorate the seventy-fifth anniversary of the Nakba, he noted.

At the outset, the Committee decided to defer the consideration of requests for the accreditation of civil society organizations to its next meeting.

The Committee will reconvene at a date and time to be announced.

Briefing

RIYAD MANSOUR, Permanent Observer for the State of Palestine, first provided the Committee with an update on the situation in the Occupied Palestinian Territory, including East Jerusalem. The Security Council held eight meetings over the last four months, given Israel's most extremist Government in its history – one which includes ministers who have been convicted in Israeli courts of supporting terrorism organizations. Although the international community is reacting, more must be done to implement the Council's resolutions, end the Nakba quickly; and implement the right to self-determination and Statehood while upholding the rights of the refugees.

Drawing attention to the Israeli Government's latest acts of aggression, he spotlighted Jericho being under siege for the last 10 days, incidents in Ramallah and the desecration of holy sites, including Christian ones during Easter. There has also been a massive onslaught against Palestinian prisoners whose health have been neglected, he pointed out, reporting that some have engaged in hunger strikes such as Khader Adnan who died on 2 May after an 86-day strike. In light of these events, the State of Palestine has detailed these latest crimes in its letter to the Secretary-General.

Also detailing the aggression of extremist settler groups against Palestinians near the town of Nablus, he reported that car and homes had been torched by Israeli settlers with Israeli armed forces watching and taking no action. There was also a "night of hell" in the Gaza strip from the Israeli army's aggression, he continued, voicing his gratitude to Egypt and the United Nations for facilitating a ceasefire.

On the upcoming 15 May commemoration of the Nakba at the United Nations, he stressed that the aim is to tell the Palestinian people's story and lift their hopes as they maintain their efforts to live a life of dignity. With performances by 35 to 40 artists, along with music, lighting, staging and testimonials by Palestinians and Israelis, the organizers hope to have at least 1,000 people from outside the United Nations attending this event. For their part, Member States should use this occasion in their own ways and in their own countries. "The Nakba is not something that should be acknowledged as a normal day," he stressed, underscoring: "It is something to be remembered in a sophisticated way."

Detailing the history behind the General Assembly's request for an advisory

opinion from the International Court of Justice on Israel's occupation of Palestinian territory, he informed the Committee on guidelines for the submission of materials. There is a 20-page template with condensed legal arguments and references that delegates and groups can use, he noted, adding that there are also 27 lawyers willing to help countries a pro-bono basis on their submissions by the 25 July deadline. Countries can then see each other's submissions and have until 25 October to make another submission.

The aim, he stressed, is to have a tremendous amount of information so that the entire question on Palestine can not only be heard by the highest Court, but also receive a useful opinion which helps achieve the inalienable rights of the Palestinians, the return of refugees and Statehood. Observing that the events in Ukraine have made it seem like the Organization is driven by one issue, he stressed: "The issue of Palestine cannot be ignored and is strong and alive on the agenda of United Nations."

The floor then opened up for comments and questions from Committee members and observers as they voiced their gratitude and support.

The representative of Indonesia underscored the need for the Committee to continue its efforts to "get the highest political attention in this house" and ensure as much publicity as possible on the Nakba. He then shared that Jakarta will be submitting an advisory opinion and reiterated its continued and steadfast support.

The representative of Lebanon, thanking the State of Palestine for its support, confirmed that his country is also preparing a submission to the Court.

The representative of Egypt asked if Member States will be allowed to make statements during 15 May meeting in the General Assembly.

The representative of South Africa delegate shared that his Government has already started working on its submission to the Court.

The representative of Namibia, similarly, noting that her Government is working on its submission, echoed the need for a strategy on publicity and mobilization ahead of 15 May commemorative event.

The observer for the League of Arab States, stressing that the symbolic event commemorating the Nakba will breathe new life into the Palestinian issue, said its Secretary-General will deliver an address. Through its legal department, the League of Arab States is preparing a request for an advisory opinion, she reported.

CHEIKH NIANG (Senegal), Chair of the Committee, responding to questions and comments, noted that he sent a letter detailing how commemorations will be organized. While there will be no statements at the Nakba commemorations, Member States can share their statements with the Secretariat to be posted on the United Nations Information System on the Question of Palestine website. He then underscored the moral duty of the Committee's members to participate by submitting for an advisory opinion from the Court.

"If we don't do it at our level, I wonder who else will do it," he said, emphasizing: "This is a very important milestone for the Palestinian cause." He also called for new and innovative ways to mobilize the international community, especially in light of its inertia in the face of unabated and horrendous crimes against the Palestinian people. "We need to do something — we need to have the kind of

stance when apartheid was being fought,” he stressed.

Mr. MANSOUR echoed the Chair’s call for submissions, emphasizing that they would not only send a strong message to the Court but also help in rendering an opinion. Once an advisory opinion is obtained, it can be studied and analysed so that further actions — including any requests made of the Assembly — can be decided.

ELIO TAMBURI, Director of the Division of Palestinian Rights of the Department of Political Affairs, added that the 15 May event is going to follow the format of the International Day of Solidarity with the Palestinian People, in which the Committee will acknowledge the States that have submitted statements.

Mr. NIANG then briefed the Committee, noting that it organized a closed-door legal seminar in Geneva, Switzerland on the illegality of the occupation of the Occupied Palestinian Territory on 7 to 9 February, which was attended by international legal experts, Palestinian diplomats, Government officials and Bureau representatives. He also led a Bureau delegation to the League of Arab States’ high-level Conference, “Jerusalem: Resilience and Development”, on 12 February. Later that month on 28 February, the Committee received an annual briefing from the Division for Palestinian Rights to familiarize new Member States’ delegates with the Committee’s mandate and programme of work, as well as a presentation by the Department of Global Communications’ special information programme on the question of Palestine.

He also reported that the Committee organized a virtual event on 15 March on the margins of the sixty-seventh session of the Commission on the Status of Work to discuss the enduring impact of the Nakba on the lives of millions of Palestinians as a result of their displacement and dispossession. On 16 and 17 March, the Bureau attended the forty-ninth session of the Council of Foreign Ministers of the Organisation of Islamic Cooperation (OIC) and participating in the meeting of the “Committee of Six on Palestine”.

As well, the Bureau held on 11 April its annual meeting with the President of the General Assembly to discuss the deteriorating situation in Gaza, the International Court of Justice advisory opinion, Israel’s occupation and relentless violations of the status quo at the Holy Sites in Jerusalem and the Council veto initiative, he continued. It also held on 24 April a meeting with the Minister for Foreign Affairs and Expatriates of the State of Palestine to exchange views before the Council’s quarterly open debate on the situation in the Middle East.

At the Council’s open debate on 25 April, he noted that he delivered a statement on the Committee’s behalf expressing dismay at the political dynamics and rising tensions in the Occupied Palestinian Territory, appealing to the Council to protect the Palestinian people in the face of constant human rights violations by the occupying Power. On 27 April, the Committee held closed consultations with civil society representatives from the State of Palestine, Israel and the United States entitled “The ongoing Nakba in Gaza: blockade, dispossession and denial of rights”. During these consultations, speakers reminded all about the “ongoing Nakba” which began in 1948, but has since become “normalized injustice”.

The Bureau also issued press statements condemning, on 24 February, the violence perpetrated by Israel forces in Nablus and, on 5 April, the intrusion and violence against Palestinian worshipping at a Holy Site in Jerusalem, he reported. Upcoming Committee activities include a special meeting and special commemorative event on 15 May. For the first time in history, the United Nations will commemorate the seventy-fifth anniversary of the Nakba as requested by General Assembly resolution 77/23. This event will bring to life the Palestinian

journey and will aim to create an immerse experience through live music, photos, videos and personal testimonies. The Bureau will also hold a follow-up meeting with the Council's 10 elected members on 9 May to continue exchanging ideas on supporting a resumption of peace negotiations between Israel and Palestine.

PALESTINIAN ISSUES MIDDLE EAST

! For information media. Not an official record.

ANNEX NO. 23



General Assembly

Seventy-seventh session

56th plenary meeting
Friday, 30 December 2022, 6 p.m.
New York

Official Records

President: Mr. Kőrösi (Hungary)

The meeting was suspended at 12.35 p.m. on Tuesday, 20 December 2022 and resumed on Friday, 30 December at 6 p.m.

The President: The General Assembly will first consider proposals on which action was postponed to allow time for the review of their programme budget implications by the Fifth Committee.

Members are reminded that when there are multiple proposals under an agenda item, statements in explanation of vote before the voting on any or all such proposals should be made in one intervention, followed by action on all of them one by one. Thereafter, there will also be an opportunity for statements in explanation of vote after the voting on any or all the proposals in one intervention.

Agenda item 16 (continued)

Macroeconomic policy questions

Report of the Second Committee (A/77/441)

Draft amendment A/77/L.39

Report of the Fifth Committee (A/77/666)

The President: The General Assembly will now take action on the draft amendment contained in document A/77/L.39. The report of the Fifth Committee on the programme budget implications of the draft resolution recommended by the Second Committee in document A/77/666. The text of the report, for the time being, is contained in document A/C.5/77/L.19, section F.

In accordance with rule 90 of the rules of procedure, the Assembly will first take a decision on the draft amendment proposed by the United States of America.

I now give the floor to the representative of the Secretariat.

Ms. De Miranda (Department for General Assembly and Conference Management):

I should like to announce that, since the submission of the draft amendment, and in addition to the delegations listed in the document, no additional countries have become sponsors of A/77/L.39.

The President: A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Ecuador, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, North Macedonia, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Vincent and the Grenadines, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. 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 AB-0601 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org>).

22-77150 (E)



Accessible document

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Against:

Algeria, Angola, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Burkina Faso, China, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Eritrea, Ghana, Grenada, Guatemala, Guinea, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mongolia, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Philippines, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Singapore, Somalia, South Africa, Sri Lanka, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zambia, Zimbabwe

Abstaining:

Argentina, Bhutan, Brazil, Burundi, Chile, Costa Rica, Côte d'Ivoire, Dominican Republic, Haiti, Lesotho, Malawi, Mexico, Norway, Panama, Peru, Samoa, Sierra Leone, Sudan, Türkiye, Uruguay, Yemen

Draft amendment A/77/L.39 was rejected by 73 votes to 50, with 21 abstentions.

The President: The Committee adopted the draft resolution entitled "Promotion of inclusive and effective international tax cooperation at the United Nations" as a whole without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 77/244).

The President: May I take it that it is the issue of the General Assembly to conclude its consideration of agenda item 16?

It was so decided.

Agenda item 18 (continued)**Sustainable development**

(b) Follow-up to and implementation of the SIDS Accelerated Modalities of Action (SAMOA) Pathway and the Mauritius Strategy for the Further Implementation of the Programme

of Action for the Sustainable Development of Small Island Developing States

Report of the Second Committee (A/77/443/Add.2)

Report of the Fifth Committee (A/77/668)

The President: The Assembly will take action on draft resolution II, entitled "Follow-up to and implementation of the SIDS Accelerated Modalities of Action (SAMOA) Pathway and the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States", recommended by the Second Committee in its report contained in document A/77/443/Add.2. The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/77/668. The text of the report, for the time being, is contained in document A/C.5/77/L.19, section H.

The Committee adopted the draft resolution without a vote. May I take that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 77/245).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (b) of agenda item 18?

It was so decided.

Agenda item 21 (continued)**Groups of countries in special situations**

(b) Follow-up to the second United Nations Conference on Landlocked Developing Countries

Report of the Second Committee (A/77/446/Add.2)

Report of the Fifth Committee (A/77/667)

The President: The Assembly will take action on the draft resolution recommended by the Second Committee in its report contained in document A/77/446/Add.2. The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/77/667. The text of the report, for the time being, is contained in document A/C.5/77/L.19, section G.

The Assembly will now take a decision on the draft resolution entitled “Follow-up to the second United Nations Conference on Landlocked Developing Countries”. The Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 77/246).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (b) of agenda item 21?

It was so decided.

Agenda item 47 (continued)

Israeli practices and settlement activities affecting the rights of the Palestinian people and other Arabs of the occupied territories

Report of the Special Political and Decolonization Committee (A/77/400)

The President: The General Assembly has before it draft resolution I, recommended by the Committee in its report. The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in A/77/664. The text of the report, for the time being, is contained in document A/C.5/77/L.19, section D.

I shall now give the floor to those representatives who wish to speak in explanation of vote before the voting.

Mr. Lopes da Graça (Portugal): Portugal’s long-standing position on the occupied Palestinian territory, is well known. We remain strongly attached to the principles laid out in the Charter of the United Nations. International disputes can be settled only through peaceful means and on the basis of respect for international law, including international human rights law and international humanitarian law. Dialogue and cooperation among nations are crucial in that respect.

Portugal is convinced that the two-State solution is the only viable solution to the Israeli-Palestinian question. Any solution must be based on the coexistence, side by side, of Israel and Palestine, in peace and security. Portugal remains firmly committed to contributing to the Middle East peace process in an open and constructive manner. We believe it is urgent to set a political horizon to pave the way for

the resumption of direct negotiations. We call on all parties to de-escalate the situation on the ground and to exercise maximum restraint, including with regard to political rhetoric.

Regarding the question of the holy sites, we recognize their special significance in both historical and religious terms. We reaffirm in that context the importance of interreligious and intercultural dialogue, conducted in the spirit of openness and cooperation.

Portugal voted in favour of this resolution in previous sessions of the General Assembly. Last month, in the Fourth Committee, we decided to continue to vote in favour of this year’s draft resolution because we believe that, as a whole, the resolution is right to stress the need to protect and respect the human rights of persons living in the occupied Palestinian territories, in accordance with international law and the relevant United Nations resolutions.

This year’s draft resolution includes a new operative paragraph seeking an advisory opinion of the International Court of Justice. There are reasonable procedural doubts about this option. It is arguable whether the terms of those requests were thoroughly discussed among the United Nations membership, and we believe that there should have been more in-depth consultations. Furthermore, there are questions about the technical formulation of the request, including whether the context of this draft resolution is the most appropriate place to include such a request. It is unclear how it can directly benefit the peace process.

We are also wary, as a matter of principle, of the possible risk of overjudicializing international relations. Nonetheless, Portugal recognizes the crucial role of the International Court of Justice as the principal judicial organ of the United Nations, which underpins the international rules-based order that we seek to preserve, and it is an organ that plays an integral role in the development of international law. In addition, as a matter of principle, Portugal supports efforts to ensure accountability for all violations of international human rights law and international humanitarian law wherever they occur. For the above reasons, Portugal will vote in favour of this resolution.

Mr. Staples (United Kingdom): The United Kingdom is committed to working with both Israel and the Palestinian Authority to advance a peaceful two-State solution, with Jerusalem as a shared capital. We are deeply concerned about instability in the West

Bank and call on all sides to work together to urgently de-escalate the situation.

The United Kingdom will vote against the draft resolution entitled “Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem”, because we do not feel that a referral to the International Court of Justice is helpful in bringing the parties back to dialogue.

It is also the position of the United Kingdom that it is inappropriate without the consent of both parties to ask the Court to give an advisory opinion on what is essentially a bilateral dispute. The proposal of requesting an advisory opinion from the International Court of Justice on the occupied Palestinian territories was a recommendation of a report of the Human Rights Council commission of inquiry on the situation in Israel, the West Bank and Gaza, established in May 2021. We reiterate our regret at the establishment of that commission, which furthered the Human Rights Council’s disproportionate focus on Israel and failed to include a time limit on the mandate.

The draft resolution submitted also refers to the Haram Al-Sharif/Temple Mount site in Jerusalem in purely Islamic terms. The United Kingdom has made clear for many years that we disagree with that approach. The United Kingdom recognizes that Jerusalem and the holy site at Haram Al-Sharif/Temple Mount hold particular significance for many groups around the globe, including the three Abrahamic faiths — Christianity, Islam and Judaism. We would like to see that significance adequately reflected in future draft resolutions. The United Kingdom is committed to preserving the religious status quo and truly values Jordan’s important role as custodian of the holy sites in Jerusalem.

The President: The Assembly will now take a decision on draft resolution I, entitled “Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem”.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Angola, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados,

Belgium, Belize, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Cambodia, Chile, China, Colombia, Cuba, Democratic People’s Republic of Korea, Djibouti, Egypt, El Salvador, Gabon, Grenada, Guinea, Guinea-Bissau, Guyana, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jamaica, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Lebanon, Lesotho, Libya, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nicaragua, Nigeria, Oman, Pakistan, Paraguay, Peru, Poland, Portugal, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovenia, Somalia, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Trinidad and Tobago, Tunisia, Türkiye, Turkmenistan, Uganda, United Arab Emirates, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Australia, Austria, Canada, Costa Rica, Croatia, Czechia, Democratic Republic of the Congo, Estonia, Germany, Guatemala, Hungary, Israel, Italy, Kenya, Liberia, Lithuania, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, Papua New Guinea, Romania, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Andorra, Belarus, Bosnia and Herzegovina, Brazil, Bulgaria, Burundi, Cameroon, Côte d’Ivoire, Cyprus, Denmark, Dominican Republic, Ecuador, Eritrea, Ethiopia, Fiji, Finland, France, Georgia, Ghana, Greece, Haiti, Honduras, Iceland, India, Japan, Kiribati, Latvia, Liechtenstein, Malawi, Monaco, Montenegro, Myanmar, Netherlands, New Zealand, Norway, Panama, Philippines, Republic of Korea, Republic of Moldova, Rwanda, Samoa, San Marino, Serbia, Slovakia, Solomon Islands, South Sudan, Spain, Sweden, Switzerland, Thailand, United Republic of Tanzania, Uruguay, Vanuatu

Draft resolution I was adopted by 87 votes to 26, with 53 abstentions (resolution 77/247).

The President: I shall now give the floor to those representatives who wish to speak in explanation of vote after adoption.

Mr. Vorshilov (Mongolia): I take the floor to explain the position of my delegation in relation to the resolution entitled “Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem”.

Mongolia voted in favour of the resolution, in line with its long-standing, consistent and principled position, which supports the negotiated two-State solution as the only just and lasting solution that envisions the coexistence of the civilian and independent State of Palestine and the State of Israel.

However, my delegation wishes to place on record its reservations on operative paragraph 18, which requests the International Court of Justice to render an advisory opinion on the questions set out in the in that paragraph. Indeed, it is our firm belief that both Israelis and Palestinians can achieve a durable just and comprehensive solution in line with international resolutions.

Mr. Bogaerts (Belgium): It is my honour to deliver this statement on behalf of the Kingdom of Belgium, and I will keep it brief.

Belgium recalls that its position in favour of this resolution does not imply a change of its stance on the terminology concerning the Temple Mount/Haram Al-Sharif. While we welcome the language in the resolution that reaffirms the special significance of the holy sites and the importance of the city of Jerusalem for the three monotheistic religions, Belgium stresses the need for language on the holy sites of Jerusalem to reflect the importance and historical significance of the holy sites for the three monotheistic religions and to respect religious and cultural sensitivities. The future choice of language may affect Belgium’s support for this resolution according to the established voting pattern.

Mr. Feruță (Romania): My delegation voted against resolution 77/247, as we are not convinced that the request for an advisory opinion from the International Court of Justice serves the overall aim of advancing a just, lasting and negotiated settlement of the conflict between the Israelis and Palestinians. I want to add that there should have been greater preparation in advance in order to ensure that all the implications were thoroughly assessed. We nonetheless fully acknowledge that the paragraphs dealing directly with and seeking an advisory opinion from the Court reflect Romania’s position on the relevance of international law, including international humanitarian law in this case, and our

long-standing opposition to the prolonged occupation of the Palestinian territory and settlements within it.

However, in Romania’s view, any action by the General Assembly should indicate a predictable path towards a negotiated settlement. In this case, that implies that the request for an advisory opinion by the International Court of Justice should include questions of clarification meant to assist the parties generally. Romania has always maintained a principled and balanced position regarding the Middle East peace process through its opposition to unilateral action. Our aim is to seek the best ways and means capable of realizing a two-State solution. That remains the only viable option for achieving a just and lasting peace in the Middle East, based on the relevant United Nations resolutions and the Madrid and Oslo terms of reference.

Furthermore, Romania is in favour of all actions that advance confidence-building measures and a positive agenda aimed at fostering a resumption of direct, substantive and productive talks designed to achieve an inclusive political process. In our view, a request for an advisory opinion by the International Court of Justice, as it is outlined and proposed in the resolution, would not only not serve that purpose but would set it back. However, Romania does believe that there is a need for revitalized international action and collective efforts to launch credible negotiations on all final status issues and for intensified efforts by the parties towards achieving a just and lasting peace in the Middle East.

Mr. De Bono Sant Cassia (Malta): Malta’s position on the Israeli-Palestinian conflict is well known and long-standing. We subscribe to the principle that all parties should have recourse to judicial organs, including in their advisory capacities, while at the same time we want to emphasize that the specific proposal contained in resolution 77/247 would have benefited from further discussion and consultations with the wider United Nations membership. Malta calls on the parties to continue working to build mutual trust, exercise the greatest possible restraint in undertaking any unilateral action that could further undermine the peace process and take concrete steps towards relaunching a political horizon aimed at realizing a two-State solution as soon as possible. Malta remains ready to provide its support to that end.

The President: I now give the floor to the Permanent Observer of the Observer State of Palestine.

Mr. Mansour (Palestine): We thank all the delegations that voted in favour of resolution 77/247. The General Assembly has now requested an advisory opinion on the violation of the right of the Palestinian people to self-determination, the annexation and prolonged occupation of our land, the building of settlements and the discriminatory legislation and measures instituted against our people, all of it undeterred by threats or pressure. This vote and request come one day after the formation of a new Israeli Government that has pledged to intensify its colonial and racist policies towards the Palestinian people. We trust that, regardless of how members have voted today, if they believe in international law and peace they will uphold the opinion of the International Court of Justice when it is delivered. And they will stand up to the Israeli Government right now because freedom, justice and peace should prevail. I want to wish everyone in this Hall a happy new year.

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 47.

Agenda item 72 (*continued*)

Oceans and the law of the sea

(a) Oceans and the law of the sea

Report of the Fifth Committee (A/77/669)

Draft resolution (A/77/L.36)

The President: The Assembly will now take action on the draft resolution contained in document A/77/L.36.

The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/77/669. The text of the report, for the time being, is contained in document A/C.5/77/L.19, section I.

The Assembly will now take a decision on draft resolution A/77/L.36, entitled "Oceans and the law of the sea".

I now give the floor to the representative of the Secretariat.

Ms. De Miranda (Department for General Assembly and Conference Management): I should like to announce that since the submission of the draft resolution, and in addition to the delegations listed

in the document, the following countries have also become sponsors of draft resolution A/77/L.36: Angola, Antigua and Barbuda, Bahrain, Belize, Botswana, Brazil, Chile, Cuba, the Dominican Republic, Djibouti, Equatorial Guinea, Georgia, Guyana, Kenya, Lebanon, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritius, Mexico, Montenegro, Morocco, Namibia, Nepal, Oman, Palau, Panama, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Seychelles, Sri Lanka, Tonga, Trinidad and Tobago, Tunisia, Tuvalu and Ukraine.

The President: A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cambodia, Cameroon, Canada, Central African Republic, Chad, Chile, China, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czechia, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, North Macedonia, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Tajikistan, Thailand,

Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Vanuatu, Yemen, Zambia, Zimbabwe

Against:

Türkiye

Abstaining:

Colombia, El Salvador, Syrian Arab Republic

The draft resolution was adopted by 159 to 1 with 3 abstentions (resolution 77/248).

The President: I shall now give the floor to those representatives who wish to speak in explanation of vote after the voting.

Mr. Segura Aragón (El Salvador) (*spoke in Spanish*): First of all, my delegation would like to express its sincere appreciation to the delegation of Singapore for its extraordinary and valuable coordination work on resolution 77/248 on oceans and the law of the sea. As my delegation expressed during the last meeting of the informal consultations, this subject deserves special attention in the light of the importance of revitalizing the work of the General Assembly and all the intergovernmental processes carried out within its competence.

However, my delegation decided today to abstain from the voting on the text of the resolution because of two substantive aspects in which the Salvadoran State maintains legal and policy opposition to it. First, with regard to the sixth preambular paragraph of the resolution, my delegation regrets that, owing to the lack of inclusivity in the delegations, it was not possible for resolution 77/248 to reflect the applicability of other relevant international legal principles and instruments which have been used to develop activities in the area of oceans and seas and which are of equal strategic importance as a basis for national activities and cooperation. The need to refer to the applicability of other relevant legal instruments stems from the necessary multidimensionality that the resolution before us must have. In that regard, it should be recalled that international law, particularly the international law of the sea, has adaptability as an attribute, by which the legal framework must adapt to demands from the international environment, corresponding to the progressive and transformative nature of the

international legal order, in order to fulfil purposes of common interest and ensure widespread cooperation, especially when it comes to one of the most vital of all elements, namely, the oceans.

The Republic of El Salvador recognizes the importance of the role played by the oceans in different aspects of the life cycle of the beings that inhabit this planet, as well as the role they play in the preservation of ecosystems and natural resources, it being increasingly necessary to redouble efforts to ensure the conservation and sustainable management of all coastal and marine resources for the common welfare of humankind, including food security for millions of people. It is because of this that we have repeatedly insisted on the importance of the language throughout the omnibus resolution on oceans and law of the sea not referring exclusively to the United Nations Convention on the Law of the Sea as the only framework applicable to ocean activities, since there are other principles and instruments of international law, including principles of international environmental law, which allow us to refer, in a multidimensional and progressive manner, to the different aspects that converge in the sustainable conservation of the oceans. El Salvador will continue to constructively promote rapprochement with interested delegations in order to seek consensus on this aspect.

The second aspect that triggered my delegation's abstention in the voting on resolution 77/248 was the chapter on maritime safety and security and flag State implementation. As the delegations present are aware, the delegations of Türkiye, Bangladesh and El Salvador jointly submitted proposed language emphasizing with great concern the loss of lives of migrants on land and at sea, introducing in this context the request for States to fulfil their responsibilities and take measures to protect the right to life of migrants regardless of their migration status and to, inter alia, uphold the prohibition of collective expulsions and refoulement, guarantee due process and improve reception and assistance capacities.

The sea has long offered passage to a wide range of people moving for a variety of reasons, including poverty, conflict, persecution, and the search for safety and opportunity and family reunification. The complex migration routes, the dangers faced by people on the move and the exploitation of migrants throughout the migration cycle are among the most urgent humanitarian challenges of our time, and States have had to integrate other important dimensions, such as the environment

and climate, into the migration policy debate. That is why my delegation, together with the other proponents, considers it of utmost importance to have the resolution contain language that reinforces the protection of the right to life of all migrants in all circumstances, particularly on land and at sea. For my delegation, it is vital that States strengthen their reception and assistance capacities with due process, and that the humanitarian assistance provided, including interventions by other relevant actors, should never be impeded on the basis of alleged illegality, since migration is a right, and since migration through irregular channels represents an administrative offence, and not a crime.

My delegation is extremely grateful for the valuable support expressed by the delegations in this Hall, as well as for the constructive spirit and flexibility demonstrated by other delegations for the proposal. We regret and view with concern that despite all these efforts and the high spirit of compromise shown, certain delegations did not accept any part of the proposed alternative language, some even stating that it should not be reflected in the resolution at all, which therefore prevented us from reaching consensus on this very important issue.

Finally, my delegation wishes to reiterate that it is firmly committed to continuing to promote dialogue on the two substantive aspects referred to in this explanation of vote, with a view to harmonizing positions in a constructive spirit of solidarity.

Mr. Çetin (Türkiye): Türkiye requested a vote and voted against resolution 77/248, entitled “Oceans and the law of the sea”, under sub-item (a) of agenda item 72.

As we have expressed before, Türkiye agrees in principle with the general content of the resolution. We particularly appreciate that the resolution recognizes the importance of the conservation and sustainable use of the oceans, seas and their resources in efforts to achieve the goals set forth in the 2030 Agenda for Sustainable Development.

However, owing to the nature of the references made to the United Nations Convention on the Law of the Sea (UNCLOS) in the resolution, Türkiye was obliged once again to call for a vote on the resolution. Türkiye is not a party to the UNCLOS and has consistently expressed that it does not agree with the view that the Convention has a universal and unified character. We also maintain that the UNCLOS is not the only legal framework that

regulates all activities on the oceans and seas. These concerns and objections have also been raised by a number of other States throughout the years.

Türkiye remains ready and willing to continue working with Member States towards the objective of ensuring that this resolution is adopted without a vote in future. We demonstrated this willingness once more during this year’s informal consultations, and we thank delegations for engaging in the discussions that took place. Until we can find an appropriate solution that will duly address the concerns of several States with regard to this resolution, the UNCLOS language of concern cannot be referred to as agreed language and cannot set a precedent for other United Nations resolutions.

We would also like to take this opportunity to note that the reasons that have prevented Türkiye from becoming a party to the UNCLOS remain valid. Türkiye supports international efforts to establish a regime of the seas that is based on the principle of equity and is acceptable to all States. However, in our opinion, the Convention does not provide sufficient safeguards in relation to particular geographical situations and, as a consequence, does not take into consideration conflicting interests and sensitivities stemming from special circumstances. Furthermore, the Convention does not allow States to make reservations to its articles.

Therefore, although we agree with the Convention in its general intent and with most of its provisions, we are unable to become a party to it, owing to the prominent shortcomings outlined heretofore. In that regard, Türkiye also wishes to draw attention to the risks posed by erroneous interpretations of international law and the invocation of UNCLOS to justify maximalist claims, especially as regards the limitation of maritime jurisdiction areas. Even though Türkiye is not a party to the Convention, we support the resolution of maritime disputes on the basis of equity and in accordance with international law, as applicable. We hope that all relevant actors will adopt a similar approach in order to promote regional and international peace and stability.

The scope of the current resolution has expanded significantly over the years to include a wide range of developments and issues relating to the oceans and seas. Several of those issues are also tackled in a holistic and concise manner in the related annual reports of the Secretary-General, the latest of which addresses topics such as the human dimension of migration by sea, the ocean-climate nexus and the protection

and preservation of the marine environment (see A/77/331). Taking all of this into consideration, Türkiye presented a number of proposals this year relating to the important decisions adopted at the twenty-second meeting of the contracting parties to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean, also known as the Barcelona Convention, which was held in Antalya, Türkiye, from 7 to 10 December 2021. We are pleased that the proposals, one of which was combined with the European Union's proposal on the same topic, were included in the resolution, illustrating the significant contributions made by regional seas conventions to the protection of the marine environment and the conservation and sustainable management of marine biodiversity and ecosystems.

Additionally, Bangladesh, El Salvador and Türkiye presented a joint proposal expressing concern about the increasing loss of migrants' lives at sea and on land and calling on States to fulfil their responsibility and take action to protect migrants' right to life while upholding the prohibition of collective expulsions and pushbacks, among other things. The increase in the deaths of migrants on perilous routes around the world has been highlighted as a major issue of concern by countless governmental and non-governmental organizations and bodies for a number of years. The International Organization for Migration, the United Nations High Commissioner for Refugees, the Special Rapporteur on the Human Rights of Migrants and mandate-holders under the aegis of regional organizations such as the Council of Europe have all issued various statements and reports on the topic.

The Secretary-General himself and his spokesperson have also expressed their concern about developments in various regions many times since the beginning of this year. The Secretary-General also rightly touched on the matter in his annual report on oceans and the law of the sea by referring to the Progress Declaration (resolution 76/266, annex) adopted during the first International Migration Review Forum, held earlier this year. As the Secretary-General states in his report, the Progress Declaration is aimed among other things at developing safe and predictable arrival procedures for all migrants, promoting the sharing of responsibilities in providing a place of safety, in accordance with international law, and developing search-and-rescue procedures with the primary objective of protecting the right to life.

It is regrettable that a cross-regional proposal on a humanitarian matter such as this could not be reflected in the text before us, despite multiple constructive efforts on the part of its presenters to accommodate the views and positions of other States. It was also disappointing and perhaps telling to see some States object even to quoting the fundamental elements and considerations that the Secretary-General highlighted in his report on this very agenda item. On the other hand, several other delegations, despite having nuanced views and positions on the topic, demonstrated a positive and constructive approach that we sincerely appreciate. In that regard, we would like to echo the delegations that pointed out during the discussions on its proposal the importance of avoiding double standards when it comes to the scope of an all-encompassing resolution and the extent to which it touches on various issues that are intrinsically and indisputably connected to the oceans and seas.

Finally, we would like to thank the coordinator of the informal consultations, Ms. Natalie Morris-Sharma, and the United Nations Division for Ocean Affairs and the Law of the Sea for all of their efforts and assistance in the process of updating the resolution.

Mr. Rodriguez de la Hoz (Colombia) (*spoke in Spanish*): At the outset, my delegation would like to express its heartfelt thanks to Ms. Natalie Morris-Sharma of Singapore for her efforts as coordinator of resolution 77/248, entitled "Oceans and the law of the sea", and for her leadership.

Colombia participated in the negotiations, as it does every year, in a constructive spirit and with serious interest in the continuing development of the law of the sea, a topic with which my country has extensive experience. However, my delegation would like to note that as on previous occasions, the resolution maintains wording that the Colombian Government does not subscribe to with regard to considering the 1982 United Nations Convention on the Law of the Sea (UNCLOS) as the sole legal framework that governs all activities on the oceans.

The International Court of Justice, the principal legal organ of the United Nations, has stated quite unambiguously that customary law does indeed apply to States such as Colombia that have not ratified UNCLOS. The Court, including in an ongoing proceeding to which my country is a party, has undertaken to examine as to whether or not certain articles of the

Convention are part of customary law. In that regard, the Court recognizes in its jurisprudence that it cannot be concluded that the entire Convention contains norms of a customary nature and that it must be established in each individual case whether a respective provision is in fact of a customary nature.

As a result, we find ourselves obliged to once again reiterate that the current resolution, along with any participation in the process resulting in its adoption, cannot be considered or interpreted in a way that implies the explicit or tacit acceptance by the Colombian State of the provisions contained in UNCLOS, apart from those that are of a customary nature and that my country has recognized as such.

For all of those reasons, Colombia expresses its reservation regarding any mention of the Convention within the resolution as the only legal framework within which all activities on the oceans and seas must be carried out. We reaffirm that we do not consider ourselves bound by the content of those declarations.

The constructive spirit that guides our country when it comes to issues related to the oceans and the law of the sea is grounded in the firm belief that all nations have a commitment and a responsibility to protect our seas, their resources and their great biodiversity and ecosystems. Moreover, all countries share pressing concerns about issues such as rising sea levels, marine plastic pollution and the acidification of oceans, because a sustainable future for our planet and the continued existence of our species on it depend to a large extent on our oceans and seas. Colombia therefore remains ready and willing to continue working alongside other nations to address the challenges facing our oceans and ensure that they are clean, healthy, resilient, productive, predictable, accessible and safe.

Mr. Bayley Angeleri (Bolivarian Republic of Venezuela) (*spoke in Spanish*): We thank Ms. Natalie Morris-Sharma of Singapore and Mr. Vladimir Jares, Director of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs.

The Bolivarian Republic of Venezuela is taking the floor to explain its vote on resolution 77/248, which the Assembly has just adopted, in order to once again underscore that Venezuela is not a State party to the United Nations Convention on the Law of the Sea (UNCLOS) and that the norms it contains are not applicable to the Venezuelan State under either conventional or customary international law, with

the exception of provisions that have been expressly recognized or may be recognized in future through their incorporation into our national legislation. My delegation is of the opinion that UNCLOS is not universal in nature and has reiterated on multiple occasions that it does not consider UNCLOS to be the only legal framework within which all activities on the oceans and seas must be carried out, since there exist other international instruments that my country has ratified and that together with the Convention form the legal *acquis* of the so-called law of the sea.

Despite the inclusion of some positive aspects, we should point out that the resolution contains elements that compel Venezuela to express reservations with regard to the outcome document on “The future we want” of the United Nations Conference on Sustainable Development (resolution 66/288, annex), held in Rio de Janeiro, Brazil, as well as Goal 14 of the Sustainable Development Goals.

The President: The General Assembly has thus concluded this stage of its consideration of sub-item (a) of agenda item 72.

Agenda item 78 (continued)

Crimes against humanity

Report of the Sixth Committee (A/77/416)

Report of the Fifth Committee (A/77/665)

The President: The General Assembly will now take action on the draft resolution recommended by the Committee in its report. The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/77/665. The text of the report, for the time being, is contained in document A/C.5/77/L.19, section E.

The Assembly will now take a decision on the draft resolution, entitled “Crimes against humanity”. The Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 77/249).

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 78.

Agenda item 97 (continued)**Prevention of an arms race in outer space****(c) Further practical measures for the prevention of an arms race in outer space****Report of the First Committee (A/77/383)****Report of the Fifth Committee (A/77/662)**

The President: The General Assembly will now take action on draft resolution IV, recommended by the Committee in its report, under sub-item (c). The report of the Fifth Committee on the programme budget implications of draft resolution IV is contained in document A/77/662. The text of the report, for the time being, is contained in document A/C.5/77/L.19, section B.

The Assembly will now take a decision on draft resolution IV, entitled "Further practical measures for the prevention of an arms race in outer space".

Separate recorded votes have been requested on the fifth preambular paragraph and on operative paragraphs 8 to 12 of the draft resolution.

I shall first put to the vote the fifth preambular paragraph.

A recorded vote was taken.

In favour:

Algeria, Angola, Argentina, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Central African Republic, Chad, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, South Africa, South

Sudan, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Viet Nam, Yemen, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, India, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Chile, Gabon, Georgia, Switzerland, Togo

The fifth preambular paragraph was retained by 103 votes to 48, with 5 abstentions.

The President: I shall now put to the vote operative paragraph 8 of draft resolution IV.

A recorded vote was taken.

In favour:

Algeria, Angola, Argentina, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia (Plurinational State of), Brunei Darussalam, Burundi, Cambodia, Central African Republic, Chad, China, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Qatar, Russian Federation, Saint Kitts and Nevis, Saudi Arabia, Senegal, Singapore, South Africa, South Sudan, Sri Lanka, Sudan, Syrian Arab Republic,

Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, Uruguay, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Bhutan, Brazil, Chile, Colombia, Dominican Republic, Ecuador, Georgia, Guatemala, Honduras, Jamaica, Mexico, Philippines, Sierra Leone, Switzerland, Togo

Operative paragraph 8 was retained by 92 votes to 47, with 15 abstentions.

The President: I shall now put to the vote operative paragraph 9 of draft resolution IV.

A recorded vote was taken.

In favour:

Algeria, Angola, Argentina, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Burundi, Cambodia, Central African Republic, Chad, China, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, El Salvador, Eritrea, Ethiopia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Qatar, Russian Federation, Saudi Arabia, Senegal, Singapore, South Africa, South Sudan, Sri Lanka, Sudan, Syrian Arab Republic,

Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, Uruguay, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Bhutan, Brazil, Chile, Colombia, Dominican Republic, Ecuador, Fiji, Georgia, Guatemala, Honduras, Jamaica, Malawi, Mexico, Philippines, Saint Kitts and Nevis, Sierra Leone, Switzerland, Togo

Operative paragraph 9 was retained by 90 votes to 47, with 18 abstentions.

The President: I now put to the vote operative paragraph 10 of draft resolution IV.

A recorded vote was taken.

In favour:

Algeria, Angola, Argentina, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Burundi, Cambodia, Chad, China, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, El Salvador, Eritrea, Ethiopia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Qatar, Russian Federation, Saudi Arabia, Senegal, Sierra Leone, Singapore, South

Africa, South Sudan, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, Uruguay, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Bhutan, Brazil, Chile, Colombia, Dominican Republic, Ecuador, Fiji, Georgia, Guatemala, Honduras, Jamaica, Malawi, Mexico, Philippines, Switzerland, Togo

Operative paragraph 10 was retained by 90 votes to 47, with 16 abstentions.

The President: I shall now put to the vote operative paragraph 11 of draft resolution IV.

A recorded vote was taken.

In favour:

Algeria, Angola, Argentina, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Burundi, Cambodia, Central African Republic, Chad, China, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, El Salvador, Eritrea, Ethiopia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Qatar, Russian Federation, Saint Kitts and Nevis, Saudi Arabia, Senegal, Sierra

Leone, Singapore, South Africa, South Sudan, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, Uruguay, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Bhutan, Brazil, Chile, Colombia, Dominican Republic, Ecuador, Fiji, Georgia, Guatemala, Honduras, Jamaica, Malawi, Mexico, Philippines, Switzerland, Togo

Operative paragraph 11 was retained by 92 votes to 47, with 16 abstentions.

The President: I shall now put to the vote operative paragraph 12 of draft resolution IV.

A recorded vote was taken.

In favour:

Algeria, Angola, Argentina, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Burundi, Cambodia, Central African Republic, Chad, China, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, El Salvador, Eritrea, Ethiopia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar,

Russian Federation, Saint Kitts and Nevis, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, South Sudan, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, Uruguay, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Bhutan, Brazil, Chile, Colombia, Dominican Republic, Ecuador, Fiji, Georgia, Guatemala, Honduras, Jamaica, Malawi, Mexico, Switzerland, Togo

Operative paragraph 12 was retained by 93 votes to 47, with 15 abstentions.

The President: I shall now put to the vote draft resolution IV as a whole. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Angola, Argentina, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Central African Republic, Chad, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya,

Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Solomon Islands, South Africa, South Sudan, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Monaco, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Brazil, Chile, Georgia, Guatemala, Honduras, Papua New Guinea, Switzerland

Draft resolution IV as a whole was adopted by 115 votes to 47, with 7 abstentions (resolution 77/250).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 97 and its sub-item (c)?

It was so decided.

Agenda item 99 (continued)**General and complete disarmament****(bb) Problems arising from the accumulation of conventional ammunition stockpiles in surplus****(cc) Transparency and confidence-building measures in outer space activities****Report of the First Committee (A/77/385)****Reports of the Fifth Committee (A/77/663 and A/77/661)**

The President: The General Assembly has resumed consideration of the report of the First Committee on sub-items (bb) and (cc) of agenda item 99, issued as document A/77/385, in order to take action on draft resolution XXXVII and draft decision III, as recommended by the Committee in its report. The report of the Fifth Committee on the programme budget implications of draft resolution XXXVII is contained in document A/77/663. The text of the draft resolution, for the time being, is contained in document A/C.5/77/L.19, section C. The report of the Fifth Committee on the programme budget implications of draft decision III is contained in document A/77/661. The text of the draft decision, for the time being, is contained in document A/C.5/77/L.19, section A. The Assembly will now take a decision on draft resolution XXXVII and draft decision III, one by one.

We turn first to draft resolution XXXVII, entitled “Transparency and confidence-building measures in outer space activities”. The Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution XXXVII was adopted (resolution 77/251).

The President: The Assembly will now take a decision on draft decision III, entitled “Problems arising from the accumulation of conventional ammunition stockpiles in surplus”. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Bhutan, Bolivia (Plurinational State of), Bosnia

and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Chad, Chile, China, Colombia, Costa Rica, Côte d’Ivoire, Croatia, Cyprus, Czechia, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, North Macedonia, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, South Sudan, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Türkiye, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

None

Abstaining:

Cameroon, Cuba, Iran (Islamic Republic of), Nicaragua, Russian Federation, Syrian Arab Republic

Draft decision III was adopted by 162 votes to none, with 6 abstentions (decision 77/547).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-items (bb) and (cc) of agenda item 99?

It was so decided.

The President: The General Assembly has thus concluded the stage of its consideration of agenda item 99.

Agenda item 130 (*continued*)

Investigation into the conditions and circumstances resulting in the tragic death of Dag Hammarskjöld and of the members of the party accompanying him

Draft resolution (A/77/L.31)

Report of the Fifth Committee (A/77/670)

The President: The Assembly will now take action on draft resolution A/77/L.31, entitled “Investigation into the conditions and circumstances resulting in the tragic death of Dag Hammarskjöld and of the members of the party accompanying him. The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/77/670. The text of the draft resolution, for the time being, is contained in document A/C.1/77/L.19, section J.

I give the floor to the representative of the Secretariat.

Ms. De Miranda (Department for General Assembly and Conference Management): I should like to announce that since the submission of the draft resolution, and in addition to the delegations listed in document A/77/L.31, the following countries have also become sponsors of the draft resolution: Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Australia, Bangladesh, Barbados, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Burundi, Cabo Verde, Chad, Colombia, Cuba, Czechia, the Democratic People’s Republic of Korea, Djibouti, the Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Fiji, Gabon, the Gambia, Guinea, Honduras, Indonesia, Iraq, Kazakhstan, Kenya, Kyrgyzstan, the Lao People’s Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Malawi, Malaysia, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Montenegro, Mozambique, Namibia, Nauru, Nepal, Nicaragua, the Niger, Palau, Panama, Papua New Guinea, Paraguay, the Philippines, Rwanda, Saint Lucia, San Marino, Senegal, Sierra Leone, Singapore, Solomon Islands, Sri Lanka, the Sudan, Suriname, Switzerland, Tajikistan, Thailand, Togo, Uganda, Ukraine, the United Republic of Tanzania, Uruguay, Uzbekistan and Viet Nam.

The President: May I take it that the Assembly wishes to adopt draft resolution A/77/L.31?

Draft resolution A/77/L.31 was adopted (resolution 77/252).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 130?

It was so decided.

Reports of the Fifth Committee

The President: The General Assembly will now consider the reports of the Fifth Committee on agenda items 135, 136, 138, 139, 141, 145, 146, 148, 149, and 150.

I now request the Rapporteur of the Fifth Committee, Mr. Marinko Avramović of Bosnia and Herzegovina, to introduce in one intervention the reports of the Committee before the Assembly.

Mr. Avramović (Bosnia and Herzegovina), Rapporteur of the Fifth Committee: I have the honour to present the reports of the Fifth Committee.

During the main part of the seventy-seventh session, the Fifth Committee met from 3 October to 30 December 2022, holding 25 plenary meetings and numerous informal consultations held in person and remotely.

The Committee’s report on several items were already considered by the General Assembly at its 15th, 21st, 23rd, 34th and 39th plenary meetings on 7, 27 and 31 October and on 15 and 21 November 2022. Those comprise agenda item 142, “Scale of assessments for the apportionment of the expenses of the United Nations”, specifically on Article 19, agenda item 137, “Programme budget for 2022”, and agenda item 118, “Appointments to fill vacancies in subsidiary organs and other appointments”.

I shall now present the additional reports of the Fifth Committee containing recommendations on issues that require action during the main part of the seventy-seventh session of the General Assembly.

Regarding agenda item 135, “Financial reports and audited financial statements, and reports of the Board of Auditors”, in paragraph 6 of its report contained in document A/77/658, the Committee recommends to the General Assembly the adoption of a draft resolution adopted by the Committee without a vote.

Regarding agenda item 139, “Program planning”, the Committee considered two draft resolutions. The

Committee first took action on a draft resolution submitted by Belarus, China, Cuba, the Democratic People's Republic of Korea, Equatorial Guinea, Eritrea, the Islamic Republic of Iran, Kazakhstan, Nicaragua, the Russian Federation, the Syrian Arab Republic, the Bolivarian Republic of Venezuela and Zimbabwe (A/C.5/77/L.7), which was not adopted by a recorded vote.

The Committee then proceeded to act to take action on draft resolution A/C.5/77/L.13. The representative of Qatar introduced an oral amendment to draft resolution A/C.5/77/L.13. A recorded vote on the amendment was requested, in which the Committee voted to adopt the oral amendment. In its report contained in document A/77/655, the Committee subsequently adopted the draft resolution as a whole, as orally amended, without a vote.

Regarding agenda item 141, "Pattern of conferences", in paragraph 6 of its report contained in document A/77/659, the Committee recommends to the General Assembly the adoption of a draft resolution adopted by the Committee without a vote.

Regarding agenda item 145, "United Nations common system", in paragraph 10 of its report contained in document A/77/671, the Committee recommends to the General Assembly the adoption of the following two draft resolutions — draft resolution I, entitled "United Nations common system", and draft resolution II, entitled "Review of the jurisdictional set-up of the United Nations common system".

Regarding agenda item 136, "Review of the efficiency of the administrative and financial functioning of the United Nations" and agenda item 148, "Report on the activities of the Office of Internal Oversight Services", in paragraph 6 of its report contained in document A/77/657, the Committee recommends to the General Assembly the adoption of a draft resolution adopted by the Committee without a vote.

Regarding agenda item 149, "Administration of justice at the United Nations", in paragraph 6 of its report contained in document A/77/654, the Committee recommends to the General Assembly the adoption of a draft resolution adopted by the Committee without a vote.

Regarding agenda item 150, "Financing of the International Residual Mechanism for Criminal

Tribunals", in paragraph 6 of its report contained in document A/77/660, the Committee recommends to the General Assembly the adoption of a draft resolution adopted by the Committee without a vote.

Regarding agenda item 138, "Proposed programme budget for 2023", the Committee considered the following proposals. The Committee recommended the adoption of 10 draft decisions on 10 statements with programme budget implications. The reports of the Fifth Committee on those statements are issued in documents A/77/661 through A/77/670. Under questions related to the proposed programme budget for 2023, the Committee considered the following draft resolutions, as submitted by various delegations.

The Committee first took action on draft resolution A/C.5/77/L.8, submitted and co-sponsored by Belarus, China, Cuba, the Democratic People's Republic of Korea, Equatorial Guinea, Eritrea, the Islamic Republic of Iran, Kazakhstan, Nicaragua, the Russian Federation, the Syrian Arab Republic, the Bolivarian Republic of Venezuela and Zimbabwe, which was rejected by a recorded vote.

The Committee next took action on draft resolution A/C.5/77/L.6, submitted by Ethiopia, which was rejected by a recorded vote.

The Committee then took action on draft resolution A/C.5/77/L.20, submitted and co-sponsored by Belarus, China, the Democratic People's Republic of Korea, Eritrea, the Islamic Republic of Iran, Nicaragua, the Russian Federation, the Syrian Arab Republic and the Bolivarian Republic of Venezuela, which was rejected by a recorded vote.

The Committee then proceeded to consider five draft resolutions, as contained in document A/77/672. The Committee first took action on draft resolution I, entitled "Questions relating to the proposed programme budget for 2023". The representative of Czechia, on behalf of the European Union member States, introduced an oral amendment to draft resolution I. A recorded vote on the amendment was requested, in which the Committee voted for the inclusion of the oral amendment. Thereafter, the Committee adopted draft resolution I, as orally amended, without a vote.

With regard to draft resolution II, entitled "Special subjects relating to the proposed programme budget for 2023", oral amendments were introduced as follows. On section V of the draft resolution, the representative

of Cuba introduced an oral amendment. A recorded vote on the amendment was requested, in which the Committee voted not to include the oral amendment. On section XIV, an oral amendment was introduced by the representative of Czechia, on behalf of the European Union member State, followed by a recorded vote on the amendment, in which the Committee voted to include the proposed amendment. The Committee then adopted section XIV, as orally amended, by a recorded vote. Thereafter, the Committee adopted draft resolution II as a whole, as orally amended, without a vote.

With regard to draft resolution III, entitled “Proposed programme budget for 2023”, the Committee adopted the draft resolution, as technically updated, containing the following sections — (a) budget appropriations for the year 2023, (b) income estimates for the year 2023 and (c) financing of the appropriations for the year 2023 — without a vote.

The Committee adopted draft resolution IV, entitled “Unforeseen and extraordinary expenses for 2023”, and draft resolution V, entitled “Working capital fund for 2023”, without a vote.

Finally, under agenda item 136, “Review of the efficiency of the administrative and financial functioning of the United Nations”, in paragraph 8 of its report contained in document A/77/673, the Committee recommends to the General Assembly the adoption of a draft decision entitled “Shifting the management paradigm in the United Nations: review of changes to the budgetary cycle”, which was adopted by the Committee without a vote, and in paragraph 9 of the same report, the adoption of the draft decision entitled “Questions deferred for future consideration”, as orally amended, which was also adopted by the Committee without a vote.

I thank delegations for their cooperation and assure them that changes made during the 25th resumed formal meeting of the Fifth Committee will be reflected in the draft resolutions, decisions and reports, which will be issued in all official languages.

Before I conclude, allow me, on a personal note, to thank the Chair of the Fifth Committee, Ambassador Philippe Kridelka, and his team — Ms. Lina Hadboun and Mr. Basiel Bogaerts — for the dedicated way in which they guided us through our difficult work, as well as my colleagues in the Bureau — Mr. Abdulla Ali Abdulrahman Mohamed Ahmed, Mr. Masotsha Mongezi

Mnguni and Mr. Carlos Videche Guevara. Working with them is always a truly gratifying experience.

The President: I thank the Rapporteur of the Fifth Committee for his report.

Before proceeding further, I would like to emphasize that, since the Fifth Committee finished its work just a little while ago, its reports are available in English only. It is my understanding that they will be issued in all official languages as soon as possible. I thank the members of the General Assembly for their understanding.

The positions of delegations regarding the recommendations of the Fifth Committee have been made clear in the Committee and are reflected in the relevant official records.

If there is no proposal under rule 66 of the rules of procedure, I shall therefore take it that the General Assembly decides not to discuss the reports of the Fifth Committee before the Assembly today.

It was so decided.

The President: Statements will therefore be limited to explanations of vote or position. May I remind members that, in accordance with decision 34/401, a delegation should, as far as possible, explain its vote only once, that is, either in the Committee or in plenary meeting, unless that delegation’s vote in plenary meeting is different from its vote in the Committee, and that explanations are limited to 10 minutes and should be made by delegations from their seats.

When there are multiple proposals under one agenda item, statements in explanation on any or all of them should be made in one intervention, followed by action on all of them, one by one. Thereafter, there will be an opportunity for statements in explanation after taking action on any or all of them in one intervention.

Before we begin to take action on the recommendations contained in the reports of the Fifth Committee, I should like to advise representatives that we will proceed to take decisions in the same manner as was done in the Fifth Committee, unless the Secretariat is notified otherwise in advance. That means that, where separate or recorded votes were taken, we will do the same. I therefore hope that we will proceed to adopt without a vote those recommendations that were adopted without a vote in the Fifth Committee. The

results of the votes will be uploaded on the e-DeleGATE portal, under plenary announcements.

I should also like to remind members that any corrections to the voting intention of delegations after the voting on a proposal has concluded should be addressed directly to the Secretariat after the meeting. I count on members' cooperation in avoiding any interruptions to proceedings in that regard.

Agenda item 135

Financial reports and audited financial statements, and reports of the Board of Auditors

Report of the Fifth Committee (A/77/658)

The President: The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 6 of its report. The text of the draft resolution, for the time being, is contained in document A/C.5/77/L.16.

We will now take action on the draft resolution. The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 77/253).

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 135.

Agenda item 139

Programme planning

Report of the Fifth Committee (A/77/655)

The President: The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 17 of its report. The text of the draft resolution, for the time being, is contained in document A/C.5/77/L.13, as orally amended in the Committee.

I now give the floor to the representative of the Russian Federation to introduce an oral amendment.

Mr. Chumakov (Russian Federation) (*spoke in Russian*): I would like to submit an oral amendment.

The oral amendment reads as follows:

(*spoke in English*)

To delete the paragraph that reads:

“Further approves the programme plan for programme 6, Legal affairs, of the proposed programme budget for 2023, as contained in the report of the Secretary-General A/77/6, Section 8”.

(*spoke in Russian*)

I will explain. That paragraph relates to the financing and inclusion in the programme plan of programme 6, which includes the financing of the International, Impartial and Independent Mechanism for Syria.

The President: The representative of the Russian Federation has submitted an oral amendment to the draft resolution. In accordance with rule 90 of the rules of procedure, the Assembly will first take a decision on the oral amendment submitted by the representative of the Russian Federation.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Belarus, Bolivia (Plurinational State of), China, Cuba, Democratic People's Republic of Korea, Eritrea, Ethiopia, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Lao People's Democratic Republic, Mali, Nicaragua, Russian Federation, Sri Lanka, Syrian Arab Republic, Tajikistan, Zimbabwe

Against:

Albania, Andorra, Argentina, Australia, Austria, Barbados, Belgium, Botswana, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kuwait, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Sierra Leone, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, Timor-Leste, Trinidad and Tobago, Türkiye, Ukraine, United Kingdom of Great Britain and

Northern Ireland, United States of America, Uruguay, Yemen

Abstaining:

Algeria, Angola, Armenia, Bahrain, Bangladesh, Bhutan, Bosnia and Herzegovina, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Côte d'Ivoire, Djibouti, Egypt, Gabon, Ghana, Grenada, Guinea, Haiti, India, Indonesia, Iraq, Jordan, Kenya, Lesotho, Libya, Madagascar, Mauritius, Mongolia, Namibia, Nepal, Nigeria, Oman, Pakistan, Philippines, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Serbia, Singapore, South Africa, Sudan, Togo, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zambia

The oral amendment was rejected by 84 votes to 18 votes, with 53 abstentions.

The President: We will now take a decision on the draft resolution, entitled "Programme planning", as orally amended in the Fifth Committee. The Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 77/254).

The President: I shall now give the floor to those representatives who wish to speak in explanation of vote after the voting.

Mr. Chumakov (Russian Federation) (*spoke in Russian*): We are very impressed by the rapid pace at which you are conducting today's meeting, Mr. President, and I too will therefore be pragmatic and brief.

Russia dissociates itself from the consensus on the provisions of resolution 77/254 related to the financing of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

Mr. Cheng Lie (China) (*spoke in Chinese*): China dissociates itself from the consensus on the section of resolution 77/254 related to the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible

for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, which we do not support.

Mr. Alshahin (Syrian Arab Republic) (*spoke in Arabic*): My delegation fully dissociates itself from the inclusion of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic in programme planning for 2023. In that context, I would like to remind the delegations of the Member States that the Mechanism means nothing to Syria and that it concerns only those countries that sponsor the Mechanism and want to get rid of the burden of financing it by placing that burden on the rest of the Member States of the United Nations.

Mrs. Llano (Nicaragua) (*spoke in Spanish*): We would like to put it on record that Nicaragua dissociates itself from all references in resolution 77/254 to the illegal International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, which works against our brother people of Syria.

Mr. Kim Nam Hyok (Democratic People's Republic of Korea): The Democratic People's Republic of Korea is opposed to the funding of the operations of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011. We dissociate ourselves from the paragraphs in resolution 77/254 related to that illegal Mechanism.

Mr. Tur de la Concepción (Cuba) (*spoke in Spanish*): The delegation of Cuba wishes to dissociate itself from all references in resolution 77/254 to the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

Mr. Momeni (Islamic Republic of Iran): Iran joins other colleagues in dissociating itself from all paragraphs in resolution 77/254 related to the financing of the International, Impartial and Independent Mechanism to Assist in the Investigation and

Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

Mr. Pilipenko (Belarus) (*spoke in Russian*): The Republic of Belarus voted in favour of the oral amendments to resolution 77/254 proposed by the Russian Federation. We regret that they were not adopted. In that regard, we must disassociate ourselves from the resolution's references to the financing of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

Ms. Muñoz Ponce (Plurinational State of Bolivia) (*spoke in Spanish*): Bolivia dissociates itself from all provisions in resolution 77/254 referring to the so-called International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

Mr. Hadgu (Eritrea): Eritrea wishes to dissociate itself from all references in resolution 77/254 to the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

Mr. Bayley Angeleri (Bolivarian Republic of Venezuela) (*spoke in Spanish*): Venezuela dissociates itself from the references in resolution 77/254 to the financing of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

The President: The Assembly has thus concluded this stage of its consideration of agenda item 139.

Agenda item 141

Pattern of conferences

Report of the Fifth Committee (A/77/659)

The President: The Assembly has before it a draft resolution recommended by the Committee in its report.

The text of the draft resolution, for the time being, is contained in document A/C.5/77/L.17.

We will now take a decision on the draft resolution, entitled "Pattern of conferences". The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 77/255).

The President: The Assembly has thus concluded this stage of its consideration of agenda item 141.

Agenda item 145

United Nations common system

Report of the Fifth Committee (A/77/671)

The President: The Assembly has before it two draft resolutions recommended by the Committee in its report. The texts of the draft resolutions, for the time being, are contained in documents A/C.5/77/L.21 and A/C.5/77/L.22.

We will now take a decision on draft resolutions I and II, one by one. The Fifth Committee adopted draft resolution I, entitled "United Nations common system", without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution I was adopted (resolution 77/256).

The President: The Fifth Committee adopted draft resolution II, entitled "Review of the jurisdictional set-up of the United Nations common system", without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 77/257).

The President: The Assembly has thus concluded this stage of its consideration of agenda item 145.

Agenda item 146

United Nations pension system

Report of the Fifth Committee (A/77/656)

The President: The Assembly has before it a draft resolution recommended by the Committee in its report. The text of the draft resolution, for the time being, is contained in document A/C.5/77/L.14.

We will now take a decision on the draft resolution, entitled "United Nations pension system". The Fifth

Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 77/258).

The President: The Assembly has thus concluded this stage of its consideration of agenda item 146.

Agenda items 136 and 148

Review of the efficiency of the administrative and financial functioning of the United Nations

Report on the activities of the Office of Internal Oversight Services

Report of the Fifth Committee (A/77/657)

The President: The Assembly has before it a draft resolution recommended by the Fifth Committee in its report. The text of the draft resolution, for the time being, is contained in document A/C.5/77/L.15.

We will now take action on the draft resolution, entitled “Report on the activities of the Office of Internal Oversight Services”. The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 77/259).

The President: The Assembly has thus concluded this stage of its consideration of agenda items 136 and 148.

Agenda item 149

Administration of justice at the United Nations

Report of the Fifth Committee (A/77/654)

The President: The Assembly has before it a draft resolution recommended by the Fifth Committee in its report. The text of the draft resolution, for the time being, is contained in document A/C.5/77/L.11.

We will now take a decision on the draft resolution, entitled “Administration of justice at the United Nations”. The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 77/260).

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 149.

Agenda item 150

Financing of the International Residual Mechanism for Criminal Tribunals

Report of the Fifth Committee (A/77/660)

The President: The Assembly has before it a draft resolution recommended by the Fifth Committee in its report. The text of the draft resolution, for the time being, is contained in document A/C.5/77/L.18.

We will now take a decision on the draft resolution, entitled “Financing of the International Residual Mechanism for Criminal Tribunals”. The Fifth Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 77/261).

The President: The Assembly has thus concluded this stage of its consideration of agenda item 150.

Agenda item 138

Proposed programme budget for 2023

Report of the Fifth Committee (A/77/672)

The President: The Assembly has before it five draft resolutions recommended by the Fifth Committee in its report. The report of the Fifth Committee, for the time being, is contained in document A/C.5/77/L.26, as technically updated in the Committee.

I now give the floor to representatives who wish to speak in explanation of vote or position on draft resolutions I to V.

Ms. Minale (Ethiopia): Ethiopia would like to submit an oral amendment to part IV of draft resolution II, on revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its forty-ninth, fiftieth and fifty-first regular sessions, and at its thirty-fourth and thirty-fifth special sessions, in 2022, with regard to Human Rights Council resolution 51/27. Our amendments are to replace the preambular paragraph with “[t]akes note of paragraph 56 of the report of the Advisory Committee (A/77/7/Add.27)”, and to add the following operative paragraph: “[d]ecides

not to approve any resources for the implementation of Human Rights Council resolution 51/27”.

As we reiterated at a formal meeting of the Fifth Committee, the General Assembly has the responsibility and authority to judiciously allocate the scarce resources of the United Nations. Human rights mandates created and used to undermine the sovereignty of States are unlawful. Using human rights as a pretext to perpetuate subjugation and policies of oppression, interference and geopolitical hegemony is a flagrant violation of the principles of the Charter of the United Nations and international law. The International Commission of Human Rights Experts on Ethiopia was created at the initiative of proponents of advancing their geostrategic goal of ramping up pressure on my country. The Commission, which is currently on its third chairperson in the year that has passed since it was established, has demonstrated its political position. Accordingly, we ask Member States to stop this abuse of the multilateral human rights system. While conveying our deepest gratitude and appreciation to the Member States that voted in favour of Ethiopia’s draft resolution (A/C.5/77/L.6) at the formal meeting of the Fifth Committee, we ask all Member States to vote in favour of Ethiopia’s draft oral amendment in this plenary meeting.

Mr. Chumakov (Russian Federation) (*spoke in Russian*): We would like to submit an oral amendment to draft resolution I, entitled “Questions relating to the proposed programme budget for 2023”. The oral amendment reads as follows:

“Delete paragraphs 40 — ‘[t]akes note of paragraphs III. 64, 65, 66 and 67 of the report of the Advisory Committee’ — and 41 — ‘[d]ecides that regular budget resources for the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 under section 8, Legal affairs, for 2023 amount to \$17,129,200 before recosting”.

Mr. Tur de la Concepción (Cuba) (*spoke in Spanish*): My delegation would like to refer to agenda item 138, in particular the draft resolution on special subjects relating to the proposed programme budget for 2023, which is contained in document A/77/672, specifically the section entitled “Estimates in respect

of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council”. With regard to this specific section, my delegation would like to introduce the following oral amendments, which I will read out in English.

(*spoke in English*)

The proposed first preambular paragraph reads,

“Recalling that the General Assembly has not decided on the concept of the responsibility to protect, its scope, implications and possible ways of implementation”.

The proposed second preambular paragraph reads,

“Noting that the estimates of thematic cluster I comprise narratives, functions, strategy and external factors, results, performance measures, deliverables and other information related to the Special Adviser to the Secretary-General on the Responsibility to Protect”.

The proposed operative paragraph 1 reads,

“Decides to eliminate the narratives, functions, strategy and external factors, results, performance measures, deliverables and other information related to the Special Adviser of the Secretary-General on the Responsibility to Protect, as contained in the strategic framework and related narratives of the Office of the Special Adviser of the Secretary-General on the Prevention of Genocide, contained in document A/77/6 (Sect. 3/Add.2).”

And, finally, the proposed operative paragraph 2 reads,

“Requests the Secretary-General to issue a corrigendum to his report A/77/6 (Sect. 3/Add.2).”

(*spoke in Spanish*)

We would like to ask delegations to consider the amendments we have just proposed and vote in favour of them.

Mr. Alshahin (Syrian Arab Republic) (*spoke in Arabic*): My delegation supports the proposed amendment submitted by the representative of the Russian Federation and reaffirms the position of the Syrian Arab Republic, which rejects the so-called International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of

Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (IIIM). We reject the IIIM for several reasons, most notably because the General Assembly resolution that established it (resolution 71/248) contained many legal shortcomings, particularly that the competencies assigned by the resolution to the United Nations bodies were supported by concepts that were not consensual.

The Government of the Syrian Arab Republic had not requested any technical assistance whatsoever from the United Nations when the Mechanism was established. The Mechanism is illegitimate because it was created without consultation or coordination with the Government of the Syrian Arab Republic, the country concerned, and without obtaining its approval.

Despite the terrorist war against my country, Syria, we are proud that we have well-established legal and judicial institutions and bodies. We also have actual capabilities and will power to achieve justice, accountability, reparation and reconciliation. We do not need a Geneva-based entity to collect so-called evidence with complete disregard for any international legal and procedural criteria or any international and national criminal criteria.

We therefore urge Member States to vote in favour of the Russian Federation's amendment and to stop the United Nations from being dragged by those who created that illegal entity into financing it.

The President: We will now take a decision on draft resolutions I to V, one by one.

We first turn to draft resolution I, entitled "Questions relating to the proposed programme budget for 2023", the text of which, for the time being, is contained in the document A/C.5/77/L.23, as orally amended in the Committee.

The representative of the Russian Federation has submitted an oral amendment to the draft resolution. In accordance with rule 90 of the rules of procedure, the Assembly will first take a decision on the oral amendment submitted by the representative of the Russian Federation.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Belarus, Bolivia (Plurinational State of), China, Cuba, Democratic People's Republic of Korea, Eritrea, Ethiopia, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Lao People's Democratic Republic, Mali, Nicaragua, Russian Federation, Sri Lanka, Syrian Arab Republic, Tajikistan, Zimbabwe

Against:

Albania, Andorra, Argentina, Australia, Austria, Barbados, Belgium, Botswana, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kuwait, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, Timor-Leste, Trinidad and Tobago, Türkiye, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Yemen

Abstaining:

Algeria, Angola, Armenia, Bahrain, Bangladesh, Bhutan, Bosnia and Herzegovina, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Côte d'Ivoire, Djibouti, Egypt, Gabon, Ghana, Grenada, Guinea, Haiti, India, Indonesia, Iraq, Jordan, Kenya, Lesotho, Libya, Madagascar, Mauritius, Mongolia, Namibia, Nepal, Nigeria, Oman, Pakistan, Paraguay, Philippines, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Solomon Islands, South Africa, South Sudan, Sudan, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zambia

The oral amendment to the draft resolution was rejected by 18 votes to 82, with 56 abstentions.

The President: We shall now take a decision on draft resolution I, entitled "Questions relating to the

proposed programme budget for 2023". The Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 77/262).

The President: Draft resolution II is entitled "Special subjects relating to the proposed programme budget for 2023", the text of which, for the time being, is contained in document A/C.5/77/L.24, as orally amended in the Committee.

The representative of Ethiopia has submitted an oral amendment to section XIV of the draft resolution. In accordance with rule 90 of the rules of procedure, the Assembly will first take a decision on the oral amendment submitted by the representative of Ethiopia.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Angola, Belarus, Burkina Faso, Cameroon, Chad, China, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Eritrea, Ethiopia, Gabon, Iran (Islamic Republic of), Kenya, Lesotho, Madagascar, Mali, Mauritius, Morocco, Nicaragua, Philippines, Russian Federation, Senegal, Somalia, South Sudan, Sri Lanka, Sudan, Syrian Arab Republic, Uganda, United Arab Emirates, Zimbabwe

Against:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, Timor-Leste, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay

Abstaining:

Bahrain, Bangladesh, Barbados, Bhutan, Bolivia (Plurinational State of), Brunei Darussalam, Burundi, Egypt, Fiji, Ghana, Grenada, Guinea, Haiti, India, Indonesia, Iraq, Jordan, Kazakhstan, Kuwait, Lebanon, Libya, Malawi, Malaysia, Maldives, Mauritania, Mongolia, Namibia, Nepal, Nigeria, Oman, Pakistan, Papua New Guinea, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Sierra Leone, Singapore, Solomon Islands, South Africa, Thailand, Togo, Trinidad and Tobago, Tunisia, Tuvalu, United Republic of Tanzania, Yemen, Zambia

The oral amendment to the draft resolution was rejected by 33 votes to 71, with 51 abstentions.

The President: The representative of Cuba has submitted an oral amendment to section V of draft resolution II, entitled "Special subjects relating to the proposed programme budget for 2023". In accordance with rule 90 of the rules of procedure, the Assembly will first take a decision on the oral amendment submitted by the representative of Cuba.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Belarus, Bolivia (Plurinational State of), Cambodia, Cameroon, China, Congo, Cuba, Democratic People's Republic of Korea, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Iran (Islamic Republic of), Mali, Nicaragua, Russian Federation, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Sudan, Syrian Arab Republic, Zimbabwe

Against:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Botswana, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kuwait, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Myanmar, Netherlands,

New Zealand, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, San Marino, Senegal, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Timor-Leste, Türkiye, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay

Abstaining:

Algeria, Angola, Bahrain, Bangladesh, Barbados, Bhutan, Bosnia and Herzegovina, Brunei Darussalam, Burkina Faso, Burundi, Côte d'Ivoire, Djibouti, Dominican Republic, Fiji, Guinea, Guyana, Haiti, India, Indonesia, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malaysia, Maldives, Mauritius, Morocco, Namibia, Nepal, Nigeria, Oman, Pakistan, Paraguay, Philippines, Saint Lucia, Samoa, Saudi Arabia, Serbia, Sierra Leone, Singapore, South Sudan, Sri Lanka, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Yemen, Zambia

The oral amendment to section V of draft resolution II was rejected by 78 votes to 22, with 57 abstentions.

The President: A separate recorded vote has been requested on section XIV.

A recorded vote was taken.

In favour:

Albania, Andorra, Argentina, Australia, Austria, Barbados, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czechia, Denmark, Dominican Republic, Egypt, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kuwait, Latvia, Lebanon, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Morocco, Netherlands, New Zealand, North Macedonia, Norway, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of

Moldova, Romania, Samoa, San Marino, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sudan, Sweden, Switzerland, Thailand, Timor-Leste, Tunisia, Türkiye, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Yemen

Against:

Belarus, China, Democratic People's Republic of Korea, Eritrea, Ethiopia, Ghana, Iran (Islamic Republic of), Mali, Nicaragua, Russian Federation, Somalia, Sri Lanka, Syrian Arab Republic, Zimbabwe

Abstaining:

Algeria, Angola, Armenia, Bahrain, Bangladesh, Bhutan, Burkina Faso, Burundi, Cameroon, Djibouti, India, Kenya, Lesotho, Mongolia, Namibia, Nepal, Nigeria, Oman, Pakistan, Paraguay, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, South Sudan, Togo, Trinidad and Tobago, Uganda, United Republic of Tanzania, Zambia

Section XIV was retained by 102 votes to 14, with 30 abstentions.

The President: The Fifth Committee adopted draft resolution II, as a whole, without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 77/263).

The President: We turn now to draft resolution III, entitled "Programme budget for 2023", the text of which, for the time being, is contained in document A/C.5/77/L.25, as technically updated in the Committee.

The Fifth Committee adopted draft resolution III without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution III was adopted (resolution 77/264).

The President: Draft resolution IV is entitled "Unforeseen and extraordinary expenses for 2023", the text of which, for the time being, is contained in document A/C.5/77/L.9.

The Fifth Committee adopted draft resolution IV without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution IV was adopted (resolution 77/265).

The President: Draft resolution V is entitled “Working Capital Fund for 2023”, the text of which, for the time being, is contained in document A/C.5/77/L.10.

The Fifth Committee adopted draft resolution V without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution V was adopted (resolution 77/266).

The President: I shall now give the floor to those representatives who wish to speak in explanation of vote or position after the vote.

Mr. Chumakov (Russian Federation) (*spoke in Russian*): I would like to dissociate my delegation from the consensus on the provisions of the regular budget pertaining to the financing of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, as well as in relation to the financing of resolutions of the Human Rights Council, which do not enjoy consensus.

Mr. Cheng Lie (China) (*spoke in Chinese*): China voted in favour of all of the oral amendments proposed by the Russian Federation, Ethiopia and Cuba.

China voted against the revised estimates for the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011. China also dissociates itself from the consensus on the resolutions of the Human Rights Council.

Mr. Gunaratna (Sri Lanka): I wish to put it on record that Sri Lanka has categorically rejected Human Rights Council resolution 51/1 and accordingly wishes to dissociate itself from all budgetary provisions relating to that resolution.

Ms. Minale (Ethiopia): Noting that there is no consensus on the adoption of the financing of the decisions of the Human Rights Council, Ethiopia dissociates itself from resolution 77/263, on the programme budget, with regard to the revised estimates

for financing the implementation of Human Rights Council decisions.

Mr. Momeni (Islamic Republic of Iran): Iran also wishes to dissociate itself from the revised estimates regarding the resolutions of the Human Rights Council. Along with several other countries, we proposed an amendment to resolution 77/263 in that regard. Iran also specifically dissociates itself from the Independent International Fact-Finding Mission in my country.

Mr. Alshahin (Syrian Arab Republic) (*spoke in Arabic*): Regarding the lack of consensus on the proposed programme budget for 2023 in relation to the financing from the regular budget of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, my country will comply with all of its financial obligations towards the Organization in 2023. On that basis, we reiterate our rejection of the relevant Human Rights Council decisions, including Human Rights Council resolution 49/27, entitled “Situation of human rights in the Syrian Arab Republic”, and its financing. We express our reservation with regard to the allocation of resources to mechanisms relating to Syria, as included in the programme budget.

Ms. Muñoz Ponce (Plurinational State of Bolivia) (*spoke in Spanish*): The Bolivian delegation dissociates itself from all provisions referring to the allocation of resources from the regular budget to the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011. We would also like to reiterate our support for the oral amendment put forward by the delegation of Cuba on the Special Adviser on the Responsibility to Protect, which unfortunately was not adopted.

Mrs. Llano (Nicaragua) (*spoke in Spanish*): Nicaragua dissociates itself from the consensus on the financing of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, and from everything related to financing for Human Rights Council resolutions that were not agreed by consensus, including resolution 49/3, against Nicaragua.

We also support Cuba's oral amendment on the financing of the Special Adviser on the Responsibility to Protect.

Mr. Tur de la Concepción (Cuba) (*spoke in Spanish*): We wish to dissociate ourselves from the provisions in resolution 77/262, on the proposed programme budget for 2023, pertaining to the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, because we think they are damaging to that country's sovereignty and territorial integrity.

Mr. Pilipenko (Belarus) (*spoke in Russian*): Belarus voted in favour of the oral amendments submitted by the Russian Federation, Ethiopia and Cuba, and we regret that they were not adopted. In that regard, we are obliged to dissociate ourselves from the provisions related to the country mechanisms of the Human Rights Council and to the elements of the programme budget that relate to the responsibility to protect.

Mr. Kim Nam Hyok (Democratic People's Republic of Korea): The Democratic People's Republic of Korea fully supported all the oral amendments proposed by Cuba, Ethiopia and the Russian Federation, and dissociates itself from the programme budget related to the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, as well as from those provisions related to Human Rights Council resolutions.

Mr. Bayley Angeleri (Bolivarian Republic of Venezuela) (*spoke in Spanish*): I would just like to inform the Assembly that Venezuela dissociates itself from the budgetary allocations with regard to the Human Rights Council, in particular Human Rights Council resolution 51/29, pertaining to Venezuela.

Mr. Hadgu (Eritrea): Eritrea dissociates itself from the allocation of resources arising from Human Rights Council resolutions and country-specific mandates, in particular resolution 50/2, and also from the allocation of resources to the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

The President: The Assembly has thus concluded this stage of its consideration of agenda item 138.

Agenda item 136

Review of the efficiency of the administrative and financial functioning of the United Nations

Report of the Fifth Committee (A/77/673)

The President: The Assembly has before it a draft resolution and a draft decision recommended by the Committee in its report. We will take a decision on the draft resolution and the draft decision, one by one.

We first turn to the draft resolution, entitled "Shifting the management paradigm in the United Nations: review of changes to the budgetary cycle", the text of which, for the time being, is contained in document A/C.5/77/L.12. The Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 77/267).

The President: We will now take a decision on the draft decision, entitled "Questions deferred for future consideration", the text on which, for the time being, is contained in document A/C.5/77/L.27, as orally amended in the Committee. The Committee adopted the draft decision without a vote. May I take it that the Assembly wishes to do likewise?

The draft decision was adopted (decision 77/548).

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 136.

The General Assembly has thus concluded its consideration of all the reports of the Fifth Committee before it.

I thank Ambassador Philippe Kridelka, Permanent Representative of Belgium and Chair of the Fifth Committee, for his leadership in ensuring that the Committee completed its work in an amicable manner. Many thanks also go to the Bureau members, the Secretariat and to all the members of the Fifth Committee, for their active participation, flexibility and collective decision ensuring that our Organization is adequately funded to respond to the many interlocking crises that the world is facing. I thank them for averting the looming prospect of a possible shutdown of the

United Nations. Our 8 billion stakeholders expect solutions from us. They might have found it difficult to understand any other direction of events when the world needs multilateral solutions more than ever. And I would like to congratulate all Member States on the following.

First, I congratulate them on their collective effort and determination to prioritize the needs of the United Nations and to ensure that its budgetary matters and operations are implemented in accordance with all the procedures and mandates required of the Organization.

Secondly, I congratulate them on their tenacity in successfully setting aside differences and their humility in working amicably despite the challenging issues at hand.

Thirdly, I would especially like to congratulate all on their resolve in joining hands to address the issue of funding to combat global food insecurity — an exemplary and tangible work that is much needed in the United Nations.

I would like to conclude with some inspiring words from Martin Luther King, Jr, who believed that our very survival depends on our ability to stay awake, to adjust to new ideas, to remain vigilant and to face the challenge of change. I encourage delegations to keep their openness, faith and strong willingness to cooperate in the resumed session ahead. Our ability to accept inputs and new ideas, and to work together to

achieve our common goal, will determine our capacity to overcome our challenges. I thank everyone and wish all of you and your families all the best for the new year.

Programme of work

The President: With regard to the programme of work of the General Assembly, apart from the organizational matters and items that may have to be considered under the operation of the rules of procedure of the Assembly, and bearing in mind that the Assembly has already considered and taken action on a majority of items thus far, I should like to inform Members that the following items remain open for consideration or have not yet been considered by the Assembly at its seventy-seventh session: agenda items 9, 10, 12 to 14, 18, 18 (a), (c) and (j), 20, 21, 21 (a), 22, 27 to 33, 35, 37 to 43, 47, 55, 58 to 62, 62 (a) and (b), 66, 68, 69, 69 (a) to (d), 70, 72, 72 (a), 78, 87, 88, 90, 90 (a) and (b), 99, 109, 113 to 116, 116 (a) and (b), 117, 117 (d), 118, 118 (d), (e), (f) and (i), 119 to 127, 127 (a), (c) and (f) to (j), (l) to (p), (s), (x) and (z), 128, 131 and 167.

May I take it that the General Assembly wishes to take note of those items that remain open for consideration or have not yet been considered during the seventy-seventh session of the Assembly?

It was so decided.

The meeting rose at 8:25 p.m.