



## General Assembly

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

#### Summary record of the 286th meeting

Held at Headquarters, New York, on Tuesday, 21 June 2005, at 10.30 a.m.

*Chairman:* Mr. Farhâdi (Vice-Chairman) . . . . . (Afghanistan)

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05-39247 (E)

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*In the absence of the Chairman, Mr. Farhâdi (Afghanistan), Vice-Chairman, took the Chair.*

*The meeting was called to order at 10.40 a.m.*

### **Adoption of the agenda**

1. *The agenda was adopted.*

### **Developments in the Middle East peace process and the situation in the Occupied Palestinian Territory, including East Jerusalem**

2. **Ms. Barghouti** (Observer for Palestine) said that on Sunday, 5 June 2005, 38 years had elapsed since the beginning of Israel's occupation of the Palestinian territory, including East Jerusalem. Since then, Israel, the occupying Power, had continuously pursued policies and practices which violated the rules and principles of international law and United Nations resolutions, aiming to acquire more territory by force and to annex, de facto, occupied land, causing suffering, humiliation and hardship.

3. Despite the international community's efforts to bring the parties closer to a solution to the Palestinian-Israeli conflict, the situation remained critical. The Palestinian Authority was doing its utmost to ensure calm and order, and to establish an environment which would encourage the revival of the peace process. The Israeli side, however, had continued unilateral action which worsened the political, social and economic conditions of the Palestinian people.

4. While her delegation had written to the Secretary-General and the Presidents of the Security Council and the General Assembly to describe the latest developments, it wished to highlight some issues which needed greater attention and consideration. In pursuing illegal settlement activities and the construction of the wall, Israel was violating international humanitarian law and disregarding the concerns and condemnation of the international community. Continued colonization of Palestinian land was the main obstacle to peace and to the establishment of a viable and contiguous Palestinian State.

5. On 17 May 2005, the Israeli Government had announced its intention to build the "Maale Adumim loop" extending the wall around Maale Adumim, the largest illegal settlement east of Jerusalem. If the plan was implemented, it would lead to the confiscation and de facto annexation of even more Palestinian land, and

would separate and isolate occupied East Jerusalem from the rest of the West Bank, hampering the free movement of Palestinian civilians to and from East Jerusalem. Israel then planned to begin building a further section of wall, connecting the illegal settlement of Gush Etzion to Jerusalem from the south, with a separate apartheid-like road for Palestinian access to the West Bank and a route to Jerusalem open only to Israeli motorists travelling from the Jordan Valley.

6. Ignoring the advisory opinion of the International Court of Justice on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Israel had continued to take action which contradicted it. According to recent reports, Israel was planning to turn the Qalandiya checkpoint, located in a heavily populated and heavily travelled part of the central West Bank, into something resembling an international border crossing. The plan would divide the northern and southern parts of the West Bank, separate Jerusalem and its surrounding towns and villages from the Ramallah area, further alter the demographic composition of Jerusalem and its environs and destroy the fabric of the lives of tens of thousands of Palestinians living on either side of the wall and the checkpoint.

7. The various parties affected by General Assembly resolution ES-10/15 on the advisory opinion of the Court had failed to implement that resolution, and — in particular — had taken no steps to establish the register of damage caused to all natural or legal persons concerned, in connection with paragraphs 152 and 153 of the advisory opinion. Her delegation urged the Secretary-General, the Committee and the international community to ensure that the register was established rapidly.

8. In connection with paragraph 7 of the resolution, Switzerland was conducting consultations regarding the Fourth Geneva Convention. Her delegation was confident that Switzerland's report to the General Assembly, expected by the end of June 2005, would reflect the occupying Power's violation of international law in relation to Palestinian civilians and their land; her delegation would decide on further action once it had examined the report.

9. Using delaying tactics, the Israeli Government had yet to present the Palestinians with a clear plan for the Gaza Strip withdrawal scheduled for mid-August

2005. Israeli cooperation was needed for withdrawal to be peaceful and to avoid added complications. The withdrawal itself must be complete, and give the Palestinian Authority full control.

10. During official visits to a number of countries, Palestinian Authority President Mahmoud Abbas and Foreign Minister Nasser Al-Kidwa had raised all those issues. An important and comprehensive statement by United States President George W. Bush during one such meeting, on 26 May 2005, had contained very important elements, including a call for any change in the 1949 armistice line to take place only through mutual agreement (in the view of the Palestinian side, the only possible basis for a two-State solution) and a call for Israel not to contravene road map obligations or prejudice final status negotiations with regard to Gaza, the West Bank and Jerusalem. That position was encouraging but must be followed by concrete and substantial measures.

11. The important agenda of the meeting in progress between Israeli Prime Minister Ariel Sharon and Mr. Abbas included the Israeli withdrawal from the Gaza Strip, the obligations of the road map and prisoner and refugee issues. She hoped for a fruitful outcome which would bring closer the realization of the Palestinians' inalienable rights and the establishment of an independent, sovereign and democratic Palestinian State. As Mr. Al-Kidwa had emphasized in a recent meeting with United States Secretary of State Condoleezza Rice, the Palestinian side would not accept a temporary State with temporary borders, as that was not in accordance with international understandings. Following complete withdrawal from the Gaza Strip, discussion should move directly to all final issues. The Palestinian side continued to insist that East Jerusalem should be the Palestinian capital, as no Palestinian would accept anything less.

12. **The Chairman** expressed his hope that the meeting between Mr. Sharon and Mr. Abbas would advance the rights of the Palestinian people, and that Mr. Abbas would be able to attend the high-level plenary meeting of the General Assembly in mid-September 2005.

### **United Nations International Conference of Civil Society in Support of Middle East Peace, 12 and 13 July 2005, Paris**

13. **The Chairman** drew the Committee's attention to working paper No. 3, which contained the provisional programme for the United Nations International Conference of Civil Society in Support of Middle East Peace to be held at the headquarters of the United Nations Educational, Scientific and Cultural Organization (UNESCO) in Paris on 12 and 13 July 2005. Although that civil society conference had been held at United Nations Headquarters in New York in the previous three years, the Committee Bureau had decided to follow the recommendation of the NGO Network to hold it in a European capital, so that more European and Middle Eastern organizations could be represented. He encouraged all Committee members and observers to take an active part in the event.

14. He took it that the Committee wished to approve the provisional programme for the Conference, as contained in working paper No. 3.

15. *It was so decided.*

16. **Mr. Mekdad** (Observer for the Syrian Arab Republic) said that he hoped that the action which the Committee had proposed, including the Conference in Paris, would increase international solidarity with the legitimate aspirations of the Palestinian people and promote a full and fair solution to the Israeli-Arab conflict, Palestinian independence and an Israeli withdrawal to 1967 borders.

17. He agreed with the observer for Palestine that the situation of the Palestinian people was critical; despite the efforts of the Palestinian Authority, Israel had continued construction of the wall and of settlements that the General Assembly and the International Court of Justice had condemned.

### **Other matters**

18. **The Chairman** said that, by letter dated 31 May 2005, the Permanent Representative of Romania had informed the elected Chairman of Romania's decision to withdraw from the Committee with effect from 1 June 2005. He would himself bring the matter to the attention of the President of the General Assembly.

*The meeting rose at 11.10 a.m.*