



# General Assembly

Sixty-third session

**58**<sup>th</sup> plenary meeting

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New York

*Official Records*

*President:* Mr. D'Escoto Brockmann . . . . . (Nicaragua)

*In the absence of the President, Mr. Siles Alvarado (Bolivia), Vice-President, took the Chair.*

*The meeting was called to order at 10.15 a.m.*

## Agenda item 16 (continued)

### Question of Palestine

**Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/63/35)**

**Report of the Secretary-General (A/63/368)**

**Draft resolutions (A/63/L.32, A/63/L.33, A/63/L.34 and A/63/L.35)**

**Mr. Benmehidi** (Algeria) (*spoke in French*): Permit me at the outset to pay a special tribute to the members of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and to its Chairman, Ambassador Paul Badji, Permanent Representative of Senegal, for their tireless efforts to keep the international community fully informed with regard to the question of Palestine.

This year, the Palestinian people celebrate the twentieth anniversary of the Algiers Declaration, which, at a meeting of the Palestinian National Council in November 1988, proclaimed the creation of an independent Palestinian State. The Declaration has more than symbolic value; it is historic, in that it enabled the Palestinian people to make the twofold strategic choice for unity in their ranks and peace.

That strategic choice was made despite the historic injustice imposed on the Palestinian people after the General Assembly's adoption of resolution 181 (II), which led to their dispersal and denied them their right to self-determination. Algeria, which has made support for the Palestinian cause one of the bases of its international action in the service of peace, is honoured to have hosted that historic event, which reflected its commitment to a just and lasting peace in the Middle East.

Since then, and particularly since the Oslo Accords, the Palestinian people have never ceased to reach out towards peace. They were supported in that choice by all Arab countries at the 2002 Beirut summit, at which a collective and courageous offer of peace was made in exchange for an Israeli withdrawal from all Arab territories occupied in 1967. However, the Israeli side responded to the Arab Peace Initiative only by continuing its repression and intensifying its settlement activities.

The foundation on which the Palestinian Authority and, behind it, all Palestinian people, base their hope for the establishment of an independent and viable State has continued to be the object of systematic dismemberment through the cutting off of lands, the closure of crossing points, the construction of new settlements, the uprooting of Palestinians and the destruction of their houses, the continued and completely illegal construction of the wall of separation and the refusal to allow refugees to return.

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the 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 C-154A. Corrections will be issued after the end of the session in a consolidated corrigendum.



The policy of annexation and dismemberment of the Palestinian territory, carried out by successive Israeli Governments, jeopardized peace efforts, not only before the Annapolis conference of November 2007, but also, and even more disturbingly, after the conference, whose goal was to put the peace process back on track. Today, as a result, the prospects for a lasting peace seem even more remote.

This policy has created an atmosphere of violence that has plunged the occupied Palestinian territory into a tragic situation. In humanitarian terms, that situation can be described only as catastrophic, particularly in Gaza. The consequences of the occupation and of the Israeli practices are clearly revealed in the reports of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and other well-known bodies and non-governmental organizations, which denounce the systematic human rights violations, the restrictions imposed on the movement of persons and goods and the tragic deterioration in the living conditions of Palestinians in the West Bank, Jerusalem and the Gaza Strip, where unemployment and poverty rates have reached alarming levels.

Recent developments in the situation on the ground and the behaviour of Israeli leaders have led to fears that the breaking point will soon be reached. The international community must exert pressure on Israel to end its reprehensible practices, which violate international law, including international humanitarian law, and the relevant General Assembly and Security Council resolutions.

Algeria would like to draw attention to the extreme passivity of the Security Council, given the aggravation of the situation, and to the Council's lack of eagerness to hasten the completion of the peace process. At a time when we are seeing multiple United Nations initiatives to provide protection and assistance to civilian populations in distress, Israel's refusal to allow the Organization to carry out its duties is made possible owing largely to this passivity of the Council.

The parameters for a solution to the Israeli-Palestinian conflict and for the advent of a just and lasting peace have been defined in previous efforts. Those parameters are based on compliance with international law, international humanitarian law and international legality, in particular General Assembly resolution 194 (III) and Security Council resolutions 242 (1967) and 338 (1973). Algeria expects a resolute

commitment from the international community. That alone will make it possible to establish a viable, sovereign and independent State with Al-Quds Al-Sharif as its capital.

**Mr. Laher** (South Africa): Yesterday, the United Nations commemorated the International Day of Solidarity with the Palestinian People. It is a day that we recall the plight of a people that for more than 60 years have struggled for their inalienable rights for self-determination. On this day, we also recall the hardships experienced by Palestinians during their struggle, and we express our support for their efforts to create their independent State.

Twelve months ago, at a meeting hosted by the United States at Annapolis and attended by many countries from all over the world, including South Africa, Palestinian and Israeli leaders agreed on a joint declaration expressing their determination to end their conflict and to work towards a peaceful settlement based on the creation of two States, Israel and Palestine, living side by side in peace and security. They furthermore agreed to make every effort to conclude an agreement by the end of 2008.

As the end of 2008 approaches, it is timely for us to assess, in this Assembly, which has been engaged with the issue of Palestine since the creation of the United Nations, not only the commitment of the parties to the process, but also how we, as the international community who supported this process, have assisted in bringing the parties closer to their stated goal.

We have reached a critical stage of the negotiation process with the deadline set by the Annapolis process for a peace agreement by the end of the year drawing close. Despite assurances that negotiations are continuing, the situation on the ground has not improved significantly since the start of the process. In fact, in some areas, such as illegal settlement activity, it has further deteriorated. Parties to the negotiation process have an obligation to ensure that, by their actions, they indicate their commitment to the process. Any positive political progress has to be coupled with visible progress on the ground.

As an occupying Power, Israel has specific and clear obligations under its international law obligations. The unjustified and illegal acts by Israel, such as the siege on Gaza, as well as the continued incursions in the West Bank and recently in Gaza, the expansion of illegal settlements, military posts,

checkpoints and the separation wall, contribute to the continuing cycle of violence. We recognize the legitimate security concerns of Israel but do not condone the use of disproportionate force to achieve that security. Israel's right to self-defence does not entitle it to violate the rights of innocent civilians, particularly those civilians who have been living in inhumane conditions under its military occupation for more than 40 years.

My delegation joins the global condemnation of Israeli settlement activity in the occupied Palestinian territory. Settlement activity in the occupied territory is illegal; it changes the facts on the ground and is a key obstacle to the peace process. The Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 prohibits the occupying Power from transferring parts of its own civilian population to the territory it occupies. We urge Israel to immediately and completely freeze all settlement activity, including natural growth, and dismantle outposts erected since March 2001, in order not to change the facts on the ground and prejudice final status negotiations.

We continue to encourage both the Palestinians and the Israelis to persist in their negotiations to achieve the goal of the establishment of a viable Palestinian State. The parties and the international community cannot sit back and allow the situation on the ground to continue deteriorating, ending all hopes for a negotiated two-State solution. We reiterate that the primary responsibility for peace and security lies with the two sides. In this regard, it is crucial that their actions and pronouncements be calculated to advance the quest for peace.

As people of a nation that had previously also been beleaguered by conflict, South Africans understand the pain and suffering of other people experiencing conflict. It is our hope that a negotiated settlement could be forged in which Israelis and Palestinians each have their own State and live together in peace as neighbours. We know from our own experience with conflict that negotiation is the only way forward.

My delegation also calls on Palestinian leaders to work tirelessly to unite the Palestinian people, as a divided Palestine only serves the interests of those who do not want a peaceful and prosperous Palestine, living in peace with its neighbours inside internationally accepted borders, to happen.

Every year we meet in this Assembly to discuss the situation in Palestine, with the hope that the situation will change for the better. We will continue to raise this issue and ensure that the voices of the victims living under occupation are not totally silenced by acts of repression. The international community bears the responsibility of ensuring that any political progress in Palestine should be coupled with a change for the better in the lives of ordinary Palestinians. The United Nations cannot afford to ignore the suffering of the Palestinian people. Inaction on the part of this body will be misunderstood as condoning the suffering on the ground.

**Ms. Shalev (Israel):** Some may feel satisfaction in repeatedly passing General Assembly resolutions or holding conferences that condemn Israel's behaviour. But one should also ask whether such steps bring any tangible relief or benefit to the Palestinians.

There have been decades of resolutions. There has been a proliferation of special committees, sessions and Secretariat divisions and units. Has any of this had an effect on Israel's policies, other than to strengthen the belief in Israel, and among many of its supporters, that this great Organization is too one-sided to be allowed a significant role in the Middle East peace process?

Even worse, some of the rhetoric used in connection with the issue implies a refusal to concede the very legitimacy of Israel's existence, let alone the validity of its security concerns.

Although I identify and agree with what I have just stated, I must confess that these are not my own words. They belong to someone else. They belong to someone within this Organization, none other than Mr. Kofi Annan. As the former Secretary-General himself described it, we gather here for this annual debate on the question of Palestine and the situation in the Middle East to hear speeches that are similar to the ones we have heard for so many years. The General Assembly will then adopt numerous resolutions, many of which have remained unchanged for decades.

Yet, as we consider this repetitious exercise, I call on my colleagues and their Governments to engage in some soul-searching. Let us ask ourselves if we are addressing the situation in the Middle East and the question of the Palestinians in a fair manner. Does your work contribute to the cause of peace? Does it help anyone in our beleaguered region? I sadly believe that

the answer is self-evident. I stand here today to ask my colleagues: do you wish to continue holding one-sided debates and passing biased resolutions that reflect nothing more than the negative political dynamics of this Organization, dynamics that are hostage to an automatic majority? Will you, yet again, adopt the same resolutions on the Middle East that are irrelevant at best, and damaging at worst?

My answer to these questions is clear. While this Assembly will likely adopt the resolutions before us, their relevance, as well as their contribution, is of negative value.

If we wish to address the question of Palestine and the situation in the Middle East in an honest, substantive and genuine manner, if we truly wish to help promote the cause of Israeli-Palestinian peace, then I call on this body to reject the approach that has become a yearly ritual and to adopt a fresh outlook.

Let us acknowledge that many facts on the ground have changed, while so many of the resolutions we consider have not. Let us acknowledge that Israel is at peace with two of its neighbours, Egypt and Jordan. Let us acknowledge that Israel and the Palestinians are currently engaged in substantive peace negotiations.

Let us talk for a moment about the real situation in the Middle East.

The wave of extremism that is spreading across the Middle East remains deeply alarming and is endangering regional stability and threatening the many moderate forces in the region. Iranian President Ahmadinejad continues to call for Israel's destruction while offering openly anti-Semitic rhetoric from the podium of the United Nations. The Iranian Government is developing nuclear capabilities, supports and funds terrorist movements, including Hamas and Hizbullah, and denies the historical realities of the Holocaust.

At the same time, Syria continues to offer safe havens to terrorists and facilitates the transfer of weapons, men, and materiel to groups committed to violence and hostility. Hamas launches incessant rocket attacks against Israeli civilians, and Hizbullah is building up a massive arsenal of weapons that threatens Israel, Lebanon and the entire region.

Those are critical issues related to the question of Palestine and the situation in the Middle East that must be addressed. Yet this debate — like many others in this building — reflects a commitment to an old

narrative and to resolutions rooted in the past. This body must embrace a new paradigm. We can no longer accept the agenda of the automatic majority that obstructs progress in our region. We cannot let the least common denominator of bashing Israel continue to dictate these debates.

In this Hall, Israel has only one vote. Israel's ability to influence the agenda of the United Nations is limited, especially as compared to powerful political blocs. But on the ground we are an equal party committed to the peace process. There is no peace process without Israel.

We cannot accept 29 November as a day of solidarity with the Palestinian people without simultaneously acknowledging that on that date the United Nations proposed a two-State solution. Why is 29 November not celebrated as the day when the United Nations embraced the creation of an Israel and a Palestine, a solution that Israel accepted while the Arab countries rejected it and launched a war? How can it be that 29 November has become a day of mourning and grief, a day that in practice laments the very birth of the State of Israel and the international endorsement of a two-State solution? Such one-sided days of solidarity and other exhibitions, films and media campaigns do not promote a culture of peace.

While today's debate repeats old ideas that have remained static for years, Israel and the Palestinians are making advances towards the establishment of a Palestinian State living in peace and security alongside Israel. The peace process is definitely progressing. The meeting in Sharm el-Sheikh three weeks ago produced additional developments. After the Sharm el-Sheikh summit, Secretary-General Ban Ki-moon called the meeting substantial and promising, while Israeli Foreign Minister Tzipi Livni again confirmed Israel's commitment to the ongoing peace process and to the establishment of the Palestinian State. For us in Israel, the question is not whether to achieve a two-State solution, but how to do so.

Yet progress between us and the Palestinians is made through thoughtful and genuine consultation and through bilateral negotiation and agreement between Israel and the Palestinians. The international community has an important role to play, namely, to support such bilateral negotiations, primarily to strengthen the moderates in the region and those who want to bridge the gaps that exist.

So on this day the United Nations stands at a critical juncture in the Middle East. It can continue to repeatedly adopt the same narrative, or the General Assembly can support the parties in their quest for peace. We in Israel wish that the United Nations will choose to discard the politics of blame and engage in the politics of hope.

**Mr. Hassan** (Sudan) (*spoke in Arabic*): My country's delegation would like to join previous speakers in expressing once again our admiration for the President's wise conduct of the work of the General Assembly at this session. We would also like to commend him on his courageous statement in which he spoke about the helpless and called on the international community to support the weak. We would also like to associate ourselves with the statement delivered by the representative of Cuba on behalf of the Non-Aligned Movement.

As we debate agenda item 16, entitled "Question of Palestine", we would like first to welcome the fact that this meeting is taking place as we observe the International Day of Solidarity with the Palestinian People, which is the international community's expression of support and solidarity with that heroic people.

My country's delegation has read with great interest the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/63/35). In that regard, we would like to express our heartfelt gratitude to the Chairman of the Committee, Ambassador Paul Badji, and the members of the Committee for their efforts to prepare the report, which is comprehensive and includes information about what is taking place in the occupied Palestinian territories. We hope that they will continue their efforts until the international family fulfils its duty with regard to the dangerous situation on the ground, so as to enhance the efforts of the international community to ensure justice and fairness for the Palestinian people by establishing their own independent State, with Holy Jerusalem as its capital.

Our delegation has also read the report of the Secretary-General (A/63/368), whose contents are similar to those of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. In that connection, we would like to pay tribute to United Nations humanitarian personnel in the occupied territories, some of whom have sacrificed their lives in

order to relieve the suffering of the Palestinian people. We would especially like to pay tribute to the United Nations Relief and Works Agency for Palestine Refugees in the Near East and its staff.

My country has followed developments in the Palestinian territories, to which the reports of the Secretary-General and the Committee refer, with deep concern. We have also taken note of the horrific daily acts carried out by Israeli occupying forces that are reported by the media. The Israeli Government is continuing its occupation and its unabated — and perhaps even accelerated — expansion of settlements. It is doing so while ignoring United Nations resolutions, including Security Council resolutions 242 (1967), 338 (1973) and 1515 (2003), among many others.

In addition to expanding settlements at the expense of the land of Palestinian villagers, Israel has continued its military operations in the West Bank, resulting in hundreds of victims, including women and children, as well as the destruction of infrastructure. Israel has also prevented sick persons from reaching hospitals, as well as and humanitarian and relief personnel from reaching people in need.

Israel has continued to build its wall of separation, despite the adoption of a General Assembly resolution on the matter and the issuance of an International Court of Justice advisory opinion on the illegality of that barbaric act. It has done so at the expense of the Palestinians, seizing their villages and farmland. Added to that is the dire situation of thousands of Palestinians in Israel jails.

With regard to the Gaza Strip, Israel, the occupying Power, has kept crossing points closed and blocked the delivery of fuel and food supplies. Moreover, it has declared the Gaza Strip to be a hostile entity. Furthermore, the occupying forces have carried out military operations that have resulted in the deaths of hundreds of people and the displacement of thousands.

As we speak, the occupying Power is intensifying its siege of the Gaza Strip in an act of collective punishment. Living conditions there do not even meet minimal standards for survival. In that connection, the media have reported that the people of Gaza are using animal feed to provide bread for the hungry, including children and older persons.

The fact that Israel is imposing a blockade against the Palestinian people while withholding tax and customs revenues due to them has resulted in increased deficits for the Palestinian Government, making it difficult to pay the salaries of its staff and to provide the necessary services to the people.

All that is taking place while the international community looks on in silence. Those acts, which run counter to international law, have complicated the situation and exacerbated the suffering of the Palestinian people. They are also the direct cause of the increase in violence which, in turn, is the result of the ongoing occupation.

Given the clear deterioration in the situation, the international community continues to bear a historic responsibility. My delegation hopes that the international community will discharge its role, as it did in ending apartheid in South Africa, and compel Israel to respect international law and the resolutions adopted on the issue of Palestine, which conform to those adopted by the League of Arab States.

Among the most recent efforts by the international community is the Arab Peace Initiative, which was based on the principle of land for peace and the establishment of a Palestinian State with Holy Jerusalem as its capital. Any current initiative that fails to take those requirements into consideration will never succeed. Any effort that does not put an end to the occupation of the Syrian Golan and the Lebanese territories will be similarly doomed.

My delegation would like to reiterate its support for the efforts of the international community to find a just solution, achieve the establishment of a Palestinian State and ensure that the Palestinian people enjoy their full rights to live in freedom and dignity.

**Mr. Almansoor** (Bahrain) (*spoke in Arabic*): My delegation associates itself with the statement delivered yesterday by the representative of Cuba on behalf of the Non-Aligned Movement.

This year marks the sixtieth anniversary of the establishment of the Organization's first peacekeeping operations, the United Nations Truce Supervision Organization (UNTSO), which was mandated by Security Council resolution 50 (1948). UNTSO followed on the heels of the Nakba, which gave rise to the plight of Palestinian refugees, the greatest problem that we face today.

A supreme contradiction lies in the fact that the preparations for the commemoration of the sixtieth anniversary of the adoption of the Universal Declaration of Human Rights — which was adopted by the General Assembly in resolution 217 (III) of 10 December 1948 — are taking place just as reports have been published that refer to increased human rights violations by Israeli authorities in the occupied Palestinian territories that run counter to various United Nations resolutions and international instruments, first and foremost the Universal Declaration of Human Rights and the Charter of the United Nations.

In its report (A/63/35), the Committee on the Exercise of the Inalienable Rights of the Palestinian People has stated that, in the period under review, the Israeli army continued its military operations in Palestinian population centres. That resulted in many victims among Palestinian civilians, including injuries and loss of life. Israel's acts included extrajudicial killings, house demolitions, arrests, destruction of civilian infrastructure and the decimation of agricultural land. Those actions were vigorously condemned by the Committee in paragraph 24 of its report.

The Committee also expressed its grave concern over the situation on the ground and condemned Israel, the occupying Power, for its indiscriminate and disproportionate use of force against Palestinian civilians in the occupied territories, including East Jerusalem. Gaza, which has been under siege by Israel since 19 September 2007, as indicated in the report of the Secretary-General (A/63/368), has been declared a hostile entity by Israel, resulting in the ongoing blockade of the Gaza Strip and the closing of crossing points, which has produced an enormous impact on the population. The people of Gaza have experienced tremendous suffering as a result of the restriction of movement of goods and individuals, which is tantamount to collective punishment against Gaza's Palestinian civilians, in an attempt to stifle the economy of the territory and increase Gaza's dependence on humanitarian aid. Of course, this situation is also contrary to the economic and social rights of the Palestinians.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People has asserted that the restrictive measures imposed by Israel against Palestinians are the primary cause for the economic

recession in the territories. Government expenditure constitutes an increasing percentage of gross domestic product. Limited donor assistance and investment further limit production, which is crucial to economic growth and development.

Israel has continued to build its wall of separation in the occupied territories, including East Jerusalem, despite international condemnation that, as asserted by the advisory opinion of the International Court of Justice, is a violation of international law under article 49, paragraph 6, of the Fourth Geneva Convention (see A/ES-10/273). Moreover, Israel has continued its settlement activities in the West Bank, in particular East Jerusalem, in contravention of Security Council resolution 465 (1980), which declared those settlements illegal and called for them to be dismantled.

Israel's actions are therefore an obstacle to the establishment of a just, lasting and comprehensive peace in the Middle East. In addition, they violate Security Council resolution 478 (1980), which determined that all legislative and administrative measures taken by Israel to alter the character and status of Jerusalem were null and void, especially the "basic law" on the city.

The Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied since 1967 believes that the ongoing expansion of illegal Israeli settlements in the West Bank and Jerusalem are a violation by the occupying Power that illustrates a negative attitude. He has called on Israel to fulfil its commitment under various international legal instruments to freeze the settlements process. The Rapporteur has also stated that that process poses a threat to establishing peace between Palestinians and Israelis by virtue of its scope, the security measures entailed and the building of bypass roads, tunnels and bridges. He has also stated that it is a source of daily tension for a people under occupation.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People has stated that Israel is continuing its illegal construction of the wall of separation, which departs from the borderline agreed as part of the 1949 truce and runs counter to the advisory opinion of the International Court of Justice.

A report by the Economic and Social Council states that the path of the wall follows the borders of

Israeli settlements, dividing the West Bank into 10 isolated pockets and thereby damaging the economic and social life of a large part of the Palestinian population. Israel has already built 168 kilometres of the wall to separate East Jerusalem from the West Bank.

Israel's presence in the Occupied Syrian Golan is contrary to the provisions of the Charter and to an international convention forbidding one country's military occupying a region of another State through the use of force. In addition, its occupation contravenes Security Council resolution 497 (1981), which states that Israel's annexation of the Syrian Golan is null and void. It is also in violation of Human Rights Council resolution 7/30 of March 2008, which reiterated the illegality of Israel's determination to impose its laws and jurisdiction over occupied Syrian Golan.

However, settlement activities in the region continue to expand. There are now 45 settlements on the ruins of villages destroyed by the occupation, as documented in the report submitted by the Syrian Arab Republic to the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories. According to a report of the Economic and Social Council, contained in document A/63/74, information from the Syrian Arab Republic also indicated that Syrian inhabitants of the occupied Golan have very limited access to water. In fact, farmers have access to just a quarter of the water required to farm.

Lastly, we would like to thank the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its noble work. Along with the Committee, we reiterate that the United Nations has a permanent responsibility under international law vis-à-vis the Palestinian question until it is resolved in all its aspects. We also concur with the report of the Secretary-General, in which he reiterates that the Palestinian issue must be resolved peacefully, namely, by establishing an independent, democratic, viable and contiguous Palestinian State living side by side in peace with Israel. That must be done through a comprehensive regional agreement in line with United Nations resolutions, the Road Map, the Arab Peace Initiative and the principle of land for peace.

**Mr. Al-Jarman** (United Arab Emirates) (*spoke in Arabic*): On behalf of the United Arab Emirates, I have the honour to thank His Excellency Ambassador Paul

Badji, Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, for the statement he made yesterday. I would also like to associate myself with the statement also delivered on that day by the Permanent Representative of Cuba on behalf of the Non-Aligned Movement.

Despite the passage of more than 60 years since the General Assembly adopted resolution 181 (II) on the plan to partition Palestine into the States of Israel and Palestine, and more than 40 years since the adoption of Security Council resolution 242 (1967) on resolving the Arab-Israeli conflict, as well as the dozens of other international resolutions calling upon Israel to end its occupation of Arab and Palestinian territories, Israel regrettably, continues to refuse to abide by the will of the international community. To date, the Palestinian people continue to suffer under the yoke of Israeli aggression and occupation and to endure a worsening humanitarian catastrophe resulting from being deprived of their most basic human rights and fundamental freedoms.

My delegation has studied closely this year's valuable report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/63/35). We are concerned about the serious and deplorable information it contains as regards the ongoing actions of the Israeli occupation army, including its military incursions and operations in Palestinian population centres, which have resulted in many deaths and injuries, as well as its deliberate acts of extrajudicial killings and arbitrary detentions. Israel's actions also include the destruction of homes, public institutions and facilities, imposing a siege on the Gaza Strip and impeding the delivery of fuel, food and other humanitarian assistance — all of which threaten to cause a widespread humanitarian crisis.

In the period covered by the report, the Israeli occupation has also isolated Al-Quds and partitioned villages and cities of the West Bank through the use of barriers, military checkpoints and other obstacles. The occupation has also carried out a serious systematic campaign to confiscate Palestinian land and expand settlements and has continued to build the wall of separation deep into Palestinian territory. It is estimated that there is now Israeli infrastructure on 40 per cent of the West Bank, in blatant violation of the provisions of international law and contrary to the advisory opinion of the International Court of Justice calling for the immediate dismantling of the wall.

While strongly condemning those grave Israeli practices and considering them to be the main reason for the unprecedented deterioration in the socio-economic and humanitarian situation in the occupied Palestinian territory, the United Arab Emirates would like to emphasize that the continuing impotence and silence of the international community vis-à-vis those violations has served to encourage the Government of Israel to continue its policies of aggression in the region and its determination to hold on to occupied territory and impose a *fait accompli*, at the expense of the rights and future of the Palestinian people. That is contributing greatly to the stagnation in the current political process between the Palestinians and Israelis in the context of the Annapolis understandings. It is also fostering an environment of frustration and despair among Palestinians, in the region and throughout the world.

Bringing about a just, lasting and comprehensive settlement to the Palestinian question requires that the United Nations, the Quartet and all others involved abide by their responsibilities in implementing relevant resolutions of international legitimacy. We therefore call on the Security Council to once again assume the role entrusted to it and to make every necessary effort to compel Israel, the occupying Power, to cease its aggression, withdraw from all occupied Palestinian and Arab territories occupied since 1967 and enter into serious and time-bound negotiations to resolve the issue of refugees on the basis of resolution 194 (III) of 1948, as well as all other issues relating to settlements and final status issues, including the status of Al-Quds, borders, water and security. Those negotiations should also result in self-determination for the Palestinian people and allow them to achieve their legitimate aspirations, including the establishment of their independent State on their national territory, with Al-Quds Al-Sharif as its capital, in accordance with the Road Map and the Arab Peace Initiative.

My Government believes that lasting comprehensive peace in the Middle East is indivisible and requires a just resolution of other outstanding Arab issues. That requires Israel's full compliance with international legality, as well as demonstrating a serious desire for peace by resuming Israeli-Syrian negotiations to return the Golan to Syria and by respecting the sovereignty and stability of Lebanon by completely withdrawing from the Shab'a farmlands and the village of al-Ghajar.

In conclusion, the United Arab Emirates has always supported the Palestinian people and its just cause. It pledges to continue its humanitarian relief and economic assistance to help the Palestinians deal with the occupation of their homeland and to alleviate their daily suffering. My Government expresses its concern for the obstacles to the delivery of humanitarian assistance; it is also concerned about Israel's policy of erecting closure obstacles and blockades at Palestinian crossings, as they only lead to greater deterioration of the humanitarian situation and deprive the Palestinian people of basic services. In addition, such policies have caused increased stagnation in the political process between the Palestinians and Israelis and undermined the outcomes of the Annapolis peace conference, thus deepening the state of despair and frustration in Palestine and in the region.

The United Arab Emirates calls upon the international community to provide the necessary protection for the Palestinian people and their border-crossings, support their institutions and to redouble all types of humanitarian and development assistance that have been pledged to the Palestinian Authority to enable it to undertake its responsibilities in reforming and building its national institutions.

By the same token, we back all regional and international efforts to force Israel to adopt a series of confidence-building measures, including full respect for the right of all States in the region to live in peace within secure and internationally recognized boundaries.

**Mr. Al-Shafi** (Qatar) (*spoke in Arabic*): At the outset, my country's delegation wishes to pay tribute to the efforts of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, which for more than 30 years has worked to empower the Palestinian people to exercise their inalienable rights, including their right to self-determination and the establishment of an independent State on all Palestinian territory occupied since 1967, including East Jerusalem, as was recognized by the General Assembly in resolution 3236 (XXIX) of 22 November 1974.

My delegation has read with interest the report of the Committee (A/63/35) and the report of the Secretary-General (A/63/368). We wish to express our thanks to the Committee and to the Secretary-General for those reports.

Those who have followed the annual reports of the Committee since its implementation find, without a doubt, that, since issuing its first report, the annual reports have affirmed that achievement of a just, lasting and comprehensive settlement of the question of Palestine must be based on relevant United Nations resolutions and the essential principles: the withdrawal of Israel from the Palestinian territories occupied since 1967, including East Jerusalem, and from the other occupied Arab territories; respect for the right of all States in the region to live in peace within secure and internationally recognized boundaries; and the recognition and exercise of the inalienable rights of the Palestinian people.

However, we find that Israel continues to be intransigent and arrogant and to violate the rights of the Palestinians. It is not committed to, nor does it respect international law or United Nations resolutions and is not internationally responsible. As evidence, the Committee's report refers to the fact that Israel — the occupying Power — resorts to extreme and arbitrary force against the Palestinians.

The Israeli army continues to carry out military operations in population centres of the Palestinian territory, which have led to the death and injury of many Palestinian civilians. That in addition to extrajudicial killings, house demolitions, arrests and the continued blockade of the Gaza Strip, which has resulted in a humanitarian disaster. The United Nations Relief and Works Agency for Palestine Refugees in the Near East has issued many appeals for help for those in the Gaza Strip — its most recent one was issued last week — and those appeals have been addressed to the world's humanity at large.

It is not only the expansion of Israeli settlements, including in and around East Jerusalem, that must be addressed, but also the continued construction of the separation wall on Palestinian land, in contravention of the advisory opinion of the International Court of Justice (*see A/ES-10/273 and Corr.1*). Those actions have restricted the economic activities of the Palestinians and aggravated the hardships in their daily lives.

Negotiations, which take place from time to time and in one place or another, with the goal of achieving a comprehensive, just and lasting peaceful solution of the Palestine-Israel issue, will never succeed, unless there is clear and tangible improvement on the ground,

not on paper, because actions always speak louder than words.

2008 is the sixtieth anniversary of the expropriation of Palestinian land on the day of Nakba, when hundreds of thousands of Palestinians were forced to leave their homes and property in 1948. Most of those present today will agree with me that what is required is the will to achieve what we were unable to achieve throughout the years. What is necessary is the political will that could lead to a comprehensive, just and lasting peaceful solution of the question of Palestine, in accordance with international law and relevant United Nations resolutions. What is required today from the international community is concrete and productive work based less on words than on productive action on the ground.

My delegation believes that Israel, the occupying Power, should halt its blatant violations of international law, human rights laws, and international humanitarian law in particular, in the occupied Palestinian territory. It should continue genuine negotiations to achieve a comprehensive, just and lasting peaceful solution of the Palestinian question, which is long overdue, in accordance with international law and relevant United Nations resolutions.

In that context, we wish to emphasize that peace, security and stability in the Middle East can never be achieved without a time limit for the return of all Palestinian refugees to their homeland and for the establishment of a viable, sovereign, independent and democratic Palestinian State, living side by side with Israel in peace and security within the pre-1967 borders, with East Jerusalem as its capital.

**Mr. Normandin** (Canada): Canada remains firmly committed to the goal of a negotiated two-State solution and a comprehensive and lasting peace in the Middle East. Canada supports the right of Israel to live within secure borders and the establishment of a sovereign, independent and viable Palestinian State as part of a negotiated settlement.

Canada commends the determination of Israeli and Palestinian leaders to maintain momentum in the peace process resumed nearly one year ago at the Annapolis conference. Canada is encouraged by the parties' recent reaffirmation of their commitment to continuous, direct bilateral negotiations, as well as by their efforts to seek a comprehensive settlement of all issues.

This remains a crucial time for the Middle East peace process. Canada welcomes the strong and vital support that the international community has provided to the parties so far. Canada recognizes the important role of Arab States in supporting peace efforts, including through the Arab Peace Initiative. We must remain steadfast in our support for the peace process and for the parties, including through the implementation of donors' Paris commitments. On that note, permit me to stress that Canada has begun to implement its Paris commitment of \$300 million over five years in direct support of the reform and development efforts of the Palestinian Authority.

*(spoke in French)*

Despite the great progress made over the past year, Canada remains deeply concerned about the humanitarian situation facing Palestinians and the continuing violence in southern Israel and Gaza. We strongly condemn the recent resumption of attacks by Palestinian militants against Israeli civilians and call for an immediate end to those attacks. Canada recognizes Israel's right to defend itself against militant aggression but urges Israel to permit safe and unhindered humanitarian access to the population in need in the Gaza Strip.

In order to ensure the success of the peace process, it is imperative that the parties take the steps necessary to establish conditions conducive to peace. It is vital that they strive to fulfil all their obligations under the Road Map. The Palestinian Authority has certainly made tangible progress in the area of security, but it must do more. That is why Canada focuses its aid on the security and justice sectors in particular. Moreover, the Government of Israel must undertake additional measures to fulfil its obligations regarding settlements as well as access and movement.

Canada once again recognizes the important role played by the United Nations and Member States in supporting the peace process. United Nations agencies are at the forefront in providing assistance to populations in need in the region. Nevertheless, Canada remains concerned about the number of United Nations resolutions singling out Israel and about the General Assembly's disproportionate focus on the Middle East. We strongly believe that the efforts of the United Nations and Member States should supplement the efforts to achieve a comprehensive settlement.

In conclusion, Canada reaffirms its commitment to supporting the parties in their resolute progress towards peace and stands ready to provide its assistance if requested to do so. The parties must, with the support of the international community, maintain the momentum of the peace process and conclude an agreement that will ensure a just and lasting peace in the region.

**Mr. Salam** (Lebanon) (*spoke in Arabic*): It is our moral duty to celebrate the International Day of Solidarity with the Palestinian People, which marks the sixtieth anniversary of the Nakba, so that we do not forget what happened at that time. We must not allow the myth promulgated by Israel to spread within the United Nations, which should always be a citadel of justice. We recall the events that caused 800,000 Palestinians to leave their property, land and homes to become refugees, who together with their children and grandchildren number about 5 million today. According to the United Nations, they constitute the largest group of refugees in the world.

Indeed, the Zionist myth of a land without people and a people without land should have enabled the Palestinian people to live in their villages and cities. According to that myth, the Palestinians left their homeland with the arrival of the Zionists. As the official Israeli version has it, the Palestinians left in response to directives from Arab leaders that promised them that Arab armies would come to free them and return them to their homes. Two researchers, Walid Khalidi and the Irish writer Erskine Childers, on the basis of a study using research from the Arabic service of the BBC, say that there is no material basis whatsoever for that version. Indeed, it was part of Israel's campaign of disinformation and falsehood to divert attention from its responsibility for the refugee problem.

Accompanying that myth is the fact that the Zionist leaders knew that it was impossible to carry out their project unless they got rid of the Palestinians — hence the concept of transfer, the principal part of their strategy, which is described in the Zionist plan. That is the plan that has been pursued by the supreme Zionist leadership to exert control over the largest possible area of Palestinian land by methodically evicting Palestinians and destroying their villages in a process now known to the international community as ethnic cleansing. Coincidentally, the most thorough documentation of 1949 is the book by the historian Ilan Pappé, *The Ethnic*

*Cleansing of Palestine*. The decisive weapons used were terrorism and organized massacres and the most important massacre took place at Deir Yassin. That was only one among other massacres and pogroms that were carried out — including at Ayn al-Zaytun, al-Lajjun, Sa'Sa', Saffuriyya, Safsaf — in order to force the population out. The Nakba resulted in 100,000 refugees, the total destruction of more than 416 villages and Israel's seizure of 78 per cent of the historic land of Palestine after the United Nations partition resolution gave the Jewish State 55 per cent.

The tragedy of the Palestinian people did not end with the Nakba of 1948 or the 1967 extension of the occupation of all of historic Palestine, but also included the Sinai and the Syrian Golan. It is a tragedy that continues to this day, as Israel continues to carry out the settlement campaign in the West Bank — begun in 1967 with 480,000 settlers living in more than 200 settlements — in addition to the establishment of dozens of military bases and outposts.

Israel has not been deterred by provisions of international law, nor by resolutions of the Security Council or the General Assembly. Even after the Annapolis conference, thousands of residential units have been approved to be built in the West Bank, and in particular in East Jerusalem. Bidding for new housing units has increased by 550 per cent in the first half of this year. In addition, Israel has continued the illegal construction of the wall of separation, in contravention of the advisory opinion of 9 July 2004 of the International Court of Justice, and has placed more than 600 barriers and military checkpoints, while uprooting trees, razing farms and destroying homes and infrastructure.

The tragedy continues for the nearly 11,000 Palestinian prisoners, despite the fact that some have been released based upon what Israel calls its good intentions. Since 1967, Israel has arrested 20 per cent of the population of the occupied Palestinian territory — that is 700,000 people. All these events have been documented year in and year out in the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, and to its Chairmen and members we extend our thanks and appreciation.

The tragedy also continues in the Gaza Strip, which is still under a terrible siege that has taken a severe toll on its residents. The closure of border

crossings obstructs the delivery of goods and commodities and acts as collective punishment. The Israeli army continues its land incursions, intensive raids and air attacks on the pretext of responding to rockets launched from the Palestinian territory.

Secretary-General Ban Ki-moon has stated that Israel is using excessive and disproportionate force, which he condemned. Israel claims that it has terminated its occupation of the Gaza Strip. However, Mr. Richard Falk, Special Rapporteur and a law expert, addressing the situation of the Palestinian territories occupied since 1967, noted that the Gaza Strip, from the angle of international law, is undoubtedly still under occupation. Any land that is deemed occupied is therefore under the effective control of a foreign State. That applies to the situation in the Gaza Strip, according to Mr. Falk.

Israel continues, despite the pull-out of its troops from the Gaza Strip, to impose continuous and strict surveillance of the Palestinian border, border crossings, national waters and air space, and to subject the Palestinian population to blockades, ever since the time that Hamas won the elections. The tragedy continues and a resolution of the problem is long overdue: a lasting and peaceful settlement based on international law, the Madrid terms of reference, the elements of the Arab Peace Initiative and essential principles, including the withdrawal of Israel from all Arab territories occupied since 1967, the exercise of the inalienable rights of the Palestinian people and recognition of their right to self-determination and the establishment of an independent State, with Al-Quds Al-Sharif as its capital.

Is there any need, on the sixtieth anniversary of the Nakba and after all that has just been mentioned, to assert that, just as the Palestinian question is the crux of the Arab-Israeli conflict, the problem of the refugees is the essence of the question of Palestine. The solution is also well known in this forum and should be based on General Assembly resolution 194 (III) of 1948.

In that connection, permit me to reiterate Lebanon's refusal to allow the Palestinian refugees to remain on its land. President Sleiman emphasized that from this rostrum in September 2007, for the following reasons: First, letting Palestinian refugees stay in Lebanon runs counter to their legal and humanitarian rights to return to their homeland, a right emphasized in the Universal Declaration of Human Rights and

United Nations resolutions. Secondly, it is difficult for a small country like Lebanon, with limited resources and a population of no more than 4 million citizens, to provide decent living conditions for 400,000 Palestinians, at a time when many Lebanese are emigrating because of the poor quality of living conditions. Thirdly, rejection of the resettlement of the Palestinians in Lebanon, as stipulated in the Lebanese Constitution, in the Al-Taif Agreement, as well as by the United Nations, is one of the main elements of Lebanese consensus and reconciliation.

In other words, resettling the Palestinians in Lebanon is rejected because it threatens the Lebanese entity as it threatens the Palestinian identity. The Palestinian tragedy continues.

Upon the sixtieth anniversary of the Palestinian Nakba, we have heard high-level speeches. The Australian Parliament and the Canadian Government have apologized to their native populations for the derogation of their rights over the years. We have listened to calls from the indigenous populations as well. When will the Palestinian refugees and the Palestinian people have their rights returned and receive apologies for the suffering caused by the Nakba?

**Mr. Kariyawasam (Sri Lanka):** My delegation would like to thank and extend our gratitude to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, Ambassador Paul Badji of Senegal, and the members of the Committee for their report (A/63/35) and for their efforts toward promoting and achieving the full realization of the inalienable rights of the Palestinian people.

Sri Lanka has consistently supported the efforts of the Palestinian people to realize their legitimate aspirations. Here I wish to quote the message from the President of Sri Lanka, His Excellency Mahinda Rajapaksa, on the occasion of the International Day of Solidarity with the Palestinian People.

“This year's observance of the International Day of Solidarity with the Palestine People is of special significance as the year 2008 marks 60 years of Palestine dispossession.

“My association with the cause of the Palestinian people dates back to over 30 years. I am deeply concerned at the continued suffering

of the Palestinian people and the deteriorating situation in the occupied territories over the last four decades.

“On behalf of the people and the Government of Sri Lanka, I wish to reaffirm our unequivocal support to the people and the Government of Palestine to achieve their inalienable rights, including the right to statehood, and to convey our sincere good wishes for their well-being. The recent visit of His Excellency Mahmoud Abbas, President of the Palestine Authority, to Sri Lanka provided us with an opportunity to further strengthen our solidarity with the Palestinian people.

“I hope that the ongoing efforts of the international community will enable the continuation of the political dialogue between the parties leading to the achievement of a two-State solution, Palestine and Israel living side by side within internationally recognized borders.”

The Annapolis conference, held with the participation of major stakeholders, gave us hope of progress in negotiations between Israel and Palestine in the form of a two-State solution by the end of 2008. Regrettably, that has not materialized and the Palestinian people continue to endure increasing hardships. The continuation of the expansion of settlement activities in the West Bank and the construction of the separation wall are seen as incompatible with negotiations on a permanent solution. Further, the hardships caused by extensive restrictions and other measures of collective punishment have frustrated the Palestinian people, as well as the political process, leading to the deterioration of socio-economic conditions in the occupied territories.

The agreement reached on a ceasefire in Gaza was a welcome development. We hope that the parties will abide by their commitments and refrain from any action that could undermine the prospects for peace in the region and efforts to bring about a two-State solution. In that context, it is also important for both parties to implement their obligations under the Quartet Road Map.

Ending the occupation, withdrawal by Israel from the Palestinian territory, respect for the right of all States in the region to live in peace and security and recognition of the inalienable rights of the Palestinian

people are among the essential principles underlying a final agreement. The Quartet Road Map remains the most viable means of achieving the goal of a comprehensive settlement of the conflict in accordance with relevant Security Council resolutions and other United Nations resolutions.

We believe that the unity of the Palestinian people is of utmost importance in achieving a lasting solution. It is our hope that all segments of the Palestinian polity work to resolve their differences by peaceful means and unite in pursuance of the aspirations and support of President Abbas and his Government.

Sri Lanka wishes to reiterate its support for the Palestinian people and their leadership in their efforts to achieve a comprehensive and lasting settlement to the question of Palestine.

Sri Lanka desires to see amity and unity among Palestinians and Israelis on the basis of the two States of Israel and Palestine living side by side in peace and harmony within secure borders. We consider it timely for practical measures to be taken by the international community to bring about an early resolution of the problems faced by the Palestinian people. At this critical juncture in the Palestinian quest for their legitimate human and national rights, the Government and people of Sri Lanka would like to reassure them of our continued support and solidarity.

**Mr. Ahmad** (Pakistan): On behalf of Ambassador Haroon and the Pakistan delegation, I wish to thank Ambassador Paul Badji, Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, and his country Senegal for their leadership and outstanding contribution to the cause of Palestine.

Two weeks ago, this Hall witnessed the high-level event on interfaith dialogue, which manifested itself as an exchange among brothers of the same family, the descendants of Abraham. Today we awake to reality. This debate, coinciding with the observance of the International Day of Solidarity with the Palestinian People is a stark reminder of the protracted suffering, desolation and dispossession of the Palestinian people and their continuing ordeal and oppression under occupation. The goal of achieving a just, lasting and peaceful settlement of the question of Palestine remains one of the major challenges for the international community today. Numerous promises

and peace processes have yet to achieve the cherished objective of an independent and viable State of Palestine.

As we approach the end of 2008, the prospects of a peace treaty as envisaged by the Annapolis conference have disappeared. That is regrettable. But more regrettable and of grave concern is the serious deterioration of the conditions in the occupied Territories. While the international community had expected that the post-Annapolis period would be used to undertake immediate and credible confidence-building measures aimed at improving the overall environment and would be conducive to the success of the negotiations process, the opposite has happened.

Defying the calls of the international community, Israel continues with impunity its illegal practices, policies and military campaigns, with disastrous consequences both for the populations under occupation and for the peace process. Repeated Israeli military attacks and incursions in the occupied Palestinian territory, particularly in the occupied Gaza Strip, have resulted in considerable loss of innocent life and injuries including among women and children. Killing of civilians is unacceptable. We reiterate our call on all sides to shun violence and respect their respective obligations under international human rights law and international humanitarian law, in particular the Fourth Geneva Convention.

Confidence cannot be built in the face of incessant actions involving the use of force, human rights violations, discrimination, checkpoints and permits and blockades of entire populations, resulting in social and economic strangulation and the collective punishment of the Palestinian people.

How can trust be restored when the construction of the illegal separation wall continues in defiance of the Advisory Opinion by the International Court of Justice, and when Israeli settlement activity has been intensified in contravention of the Road Map and the commitments made at Annapolis? How can peace be secured when the occupying Power continues to forcibly establish facts on the ground, dividing Palestinian society, changing its demographic structure and fragmenting the occupied Palestinian territory?

Israel has to seriously reconsider its policies and actions, which are imperilling the lives of the besieged Palestinian people and also the peace process and which, in turn, do not serve Israel's own security

concerns. Israel has to honour its commitments and obligations in order to demonstrate its credibility and desire for peace. It must shun the use of force, immediately halt the construction of the separation wall, stop its colonization campaign of settlements and demolish outposts, as promised at Annapolis. It also needs to remove the blockade of the Gaza Strip.

The international community, especially the Quartet and the United Nations, must ensure that urgent steps are taken by all sides to remove all these impediments to peace. We may have missed a timeline at Annapolis for a peace treaty, but we must not let the hope for peace die. Failure is not an option. We cannot afford to let down our guard at this critical juncture.

While the parties have committed to continue direct negotiations, it is the obligation of the international community to maintain its attention and support this process by creating an enabling environment of mutual trust. Along with security and political issues, the humanitarian and socio-economic development and capacity-building aspects also need to be addressed in parallel to improving the daily lives of the Palestinian people. The international community must also support the efforts to achieve Palestinian reconciliation, as this is an essential element for comprehensive peace. In this regard, we appreciate the efforts undertaken by Egypt.

The issue of Palestine is the core of the Arab-Israeli conflict and its just and final settlement is key to comprehensive and lasting peace in the Middle East. This cauldron of conflicts is rooted in the Israeli occupation of the Arab territories. The solution therefore requires nothing less than Israel's complete withdrawal from the occupied Palestinian territory, including East Jerusalem, and all other occupied Arab territories, including the Syrian Golan.

Pakistan calls for a just, comprehensive and lasting peace based on international law and full implementation of relevant United Nations resolutions, including Security Council resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003) as well as the Madrid terms of reference, the Road Map, the Arab Peace Initiative and the understandings reached in Annapolis.

We remain steadfast in extending our full support for the Palestinian people's inalienable rights to exercise self-determination and sovereignty in an independent and viable State of Palestine on the basis

of the pre-1967 borders, with Al-Quds Al-Sharif as its capital. We also support a just resolution of the Palestinian refugee issue, in accordance with General Assembly resolution 194 (III) of 11 December 1948.

Let me also underline the crucial importance of addressing the Syria-Israel and Lebanon-Israel conflicts in order to achieve comprehensive peace in the Middle East. Pakistan hopes to see parallel progress on these tracks. Israel must withdraw completely from Lebanese land and the occupied Syrian Golan and comply fully with Security Council resolution 497 (1981).

Pakistan supports all draft resolutions submitted under the agenda items on the question of Palestine and the situation in the Middle East. The solution lies not in stifling this debate, but in implementing these resolutions.

Peace, justice and freedom have eluded the people of Palestine for far too long. The reverberations of this tragedy have impacted regional and international peace and security for generations. It is time to turn a page. It is time to make a strong collective push for peace and stability in this region. We owe it to our present and future generations.

**Mrs. Rubiales de Chamorro** (Nicaragua) (*spoke in Spanish*): As Israel celebrates the sixtieth anniversary of its creation, the Palestinian nation continues to be excluded from the community of nations because it has not achieved a genuine free and sovereign State on its territory.

Many ask how it is possible that while Israel, with a population imported chiefly from Europe, can celebrate its State's anniversary, the people of Palestine, original dwellers of Canaan, and having lived for more than 4,000 years on its land, have not been able to enjoy this fundamental right and remain excluded from this community of nations of the world.

General Assembly resolution 181 (II), adopted in 1947, divided Palestine in half: a Jewish State and an Arab State. Despite the fact that in this resolution the Israeli State was allocated the most fertile areas of Palestine as well as the whole of the Sea of Galilee, which is the great reserve of drinking water in the area, the Israelis were not satisfied with this and used their military force and occupied territories allocated to the Palestinian people in order to destroy the Palestinian State.

More than 800,000 Palestinians were uprooted and driven into exile: villages, towns, temples, mosques, churches and monuments dating from antiquity, were destroyed. Thousands of years of human settlements, ways of life, customs and a whole culture were expelled from ancestral lands.

Israel persisted in its projects and, in 1967, it launched a large-scale settlement movement in the remaining part of Palestine, confiscating property and annexing the Arab section of Jerusalem while complete condemnation and rejection of the international community was voiced through the United Nations. Fresh waves of refugees from more recent generations of Palestinians have further added to the total number of refugees to those of 1948 and their descendants. Currently, there are more than 4.6 million Palestinian refugees.

The occupation continues and has worsened in Palestine, with the building of a wall that dismembers the entire territory, isolating communities, separating East Jerusalem from the remainder of the occupied Palestinian territories and causing a serious physical, economic, cultural and social disaster.

In its Advisory Opinion of 9 July 2004, the International Court of Justice stated that the wall that is being built by Israel, the occupying Power, in the occupied Palestinian territories, including East Jerusalem and its surroundings, is contrary to international law. It also stated that Israel is obliged to put an end to its failure to comply with international law, to immediately stop construction of the wall and immediately dismantle the structures already established there.

Finally, the Court considers that Israel is under an obligation to make reparation for all damage caused by the construction of the wall in the occupied Palestinian territory, including in and around East Jerusalem. The Court also supports the Palestinians' right to self-determination and calls for a resumption of the peace process with implementation of the Road Map, as recommended in Security Council resolution 1515 (2003).

In its opinion, the Court points out that all States are under an obligation not to recognize the illegal situation resulting from the construction of the wall and not to render aid or assistance in maintaining the situation created by such construction, and that all States parties to the Fourth Geneva Convention relative

to the Protection of Civilian Persons in Time of War of 12 August 1949 have, in addition, the obligation to ensure compliance by Israel with international humanitarian law.

That is why my delegation supports the statement of the President of the General Assembly and reminds the Israelis that, even if they continue the construction of the wall and are protected and supported by a permanent member of the Security Council, which shields it from having to fulfil its international obligations towards the Palestinian people, they cannot change General Assembly resolution 181 (II), adopted 61 years ago, which provides for the establishment of two States. That is why we must continue to fight until it has been fully implemented.

The Palestinians and their authorities accept the resolutions of the United Nations and are extending their hands in order to achieve peace. We ask the other party to do likewise.

In his report (A/63/368), the Secretary-General makes it clear that Israel has not put an end to the illegal measures of collective punishment, reprisals and military operations against the Palestinian civilian population, a defenceless population that has the right to protection under international humanitarian law. In recent months, the Israeli occupying forces have killed or wounded 100 more Palestinian civilians, including children, in military incursions and attacks against the occupied Palestinian territory, in particular the Gaza Strip. They have resorted to the excessive and indiscriminate use of force and to extrajudicial executions. The forces of occupation have also continued their arbitrary destruction of Palestinian property, including homes, agricultural lands, orchards and civilian infrastructure, thus causing additional displacement of civilians, destruction of means of subsistence and environmental damage.

*Mr. Salgueiro (Portugal), Vice-President, took the Chair.*

Israel has also continued to carry out daily arrests in the occupied territory. Thousands of Palestinians, including more than 400 children and more than 100 women, remain in Israeli prisons and detention centres, most of them being subjected to inhuman conditions, maltreatment, physical and psychological abuse and, in many cases, torture. At the same time, Israel is aggressively pursuing its campaign of illegal settlements in the occupied Palestinian territory,

including East Jerusalem, by illegally confiscating lands, building and expanding settlements, transferring hundreds of thousands of Israeli settlers and building the infamous wall, which is directly linked to the settlements and is intended to protect them and to facilitate their expansion and consolidation, in addition to carrying out many other illegal measures.

The settlement campaign constitutes a grave violation of international humanitarian law — in particular the Fourth Geneva Convention, which strictly prohibits the transfer by the occupying Power of its civilian population to the territory that it is occupying — and represents the main obstacle to the peace process. It is a campaign whose undeniable objective is to create facts on the ground by changing the demographic composition, status and character of the occupied Palestinian territory, thus facilitating the effective annexation of large tracts of land. That represents a blatant case of acquiring territory by force, which is strictly prohibited by international law.

As Commander Daniel Ortega Saavedra, President of Nicaragua, stated in his message on the occasion of the International Day of Solidarity with the Palestinian People, we believe it is important to immediately adopt confidence-building measures in order to promote effective negotiation among the parties. That will enable us to make progress towards the ultimate achievement of a just peace based on the recognition and existence of two free and sovereign States.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People has played a very important role in the international community's recognition of the establishment of an independent, free and sovereign Palestinian State. Nicaragua was recently elected a full member of the Committee and commits itself to work to attain those objectives. We wish to thank Ambassador Paul Badji for all his efforts on behalf of the Palestinian people.

My Government advocates a politically just settlement of the Palestinian problem based on various resolutions adopted by the United Nations, including the resolution providing for the right of return of Palestinian refugees and those calling for Israel's withdrawal from the Arab territories occupied in 1967 — all of which are in keeping with the principle of land for peace, established at the Madrid Conference, and the Arab Peace Initiative, which

would permit the establishment of an independent Palestinian State with East Jerusalem as its capital.

The Government of Reconciliation and National Unity and the people of Nicaragua support the just cause of the Palestinian people as a matter of principle and, together with the rest of the international community, believe that it is essential to step up international efforts to find a peaceful solution leading to the establishment of a Palestinian State based on the borders prior to 4 June 1967, with East Jerusalem as its capital. That is the only way to achieve a comprehensive, just and lasting peace for all the peoples of the Middle East.

**Mr. Khazaee** (Islamic Republic of Iran): I wish to begin by taking this opportunity, on the occasion of the International Day of Solidarity with the Palestinian People, to reaffirm the solidarity of the Government and the people of the Islamic Republic of Iran with the Palestinian people in their courageous and unwavering struggle to defend and realize their inalienable rights, particularly their right to self-determination. I also wish to take this opportunity to extend our thanks to the Secretary-General for his informative report on the question of Palestine (A/63/368), and to the Chairman, Vice-Chairmen and members of the Committee on the Exercise of the Inalienable Rights of the Palestinian People for their tireless efforts to address the pains and difficult circumstances of the people of Palestine.

Sixty long years have passed since the Palestinian territories were first occupied, and over those years innocent Palestinians have been driven out of their homeland, their lives and livelihoods have been torn apart and vicious Zionist policies and practices have brought about continuous misery, death and suffering to defenceless Palestinian men, women and children. Many Palestinians have been born under occupation, grown up under occupation, and died under occupation.

Throughout all these years Palestinians have been subjected to various kinds of Israeli crimes and atrocities, including, *inter alia*, massacres, collective punishments and deprivations, simply because of their wish to exercise their legitimate and inalienable rights, especially the right to live in their own homeland, free from occupation, humiliation and torment.

As a result of the occupation of Palestine, at least 7 million Palestinians are now refugees, which, as indicated in the report of the Committee, constitute the world's oldest and largest refugee population. More

than 11,000 Palestinians, including hundreds of minors and women, are being kept in appalling conditions in Israeli prisons or detention camps. It is common knowledge now that nearly all the detainees, in particular children, have been subjected to torture, humiliation, abuse and beating by Israelis during detention.

In the past 40 years, as mentioned in the report of the Committee, 700,000 Palestinians — who constitute one fifth of the entire Palestinian population of the occupied Palestinian territories — have been detained and imprisoned. Moreover, at least 5,500 Palestinians have been killed and more than 32,600 wounded by Israeli forces since the start of the second intifada in 2000.

Here, I would like to invite the whole of the international community to carefully study the report before us today, which is clear proof of historical crimes committed by the Zionist regime against humanity.

As the report at hand well illustrates, the period under review shows no improvement, and the situation in the occupied Palestinian territories has deteriorated. The Zionist regime has continued and even increased its violations of the most basic rights of the Palestinian people. As a result, Palestinians are enduring an unprecedented and intolerable level of suffering.

In the period under review, the Israeli army has continued to conduct military operations in Palestinian population centres, causing the deaths of and injury to many Palestinian civilians. For instance, on 1 March 2008, 59 Palestinians were killed in one day, including 39 civilians, among them women and children. Extrajudicial and targeted killings, house demolitions and arrests have continued unabated and — according to the report before us — there has even been a marked increase in Israeli demolition of Palestinian homes in 2008.

The report also stresses that owing to the inhumane blockade imposed on the Gaza Strip and because of the collective punishment carried out against the entire Palestinian population there, more than 1.5 million Palestinians living in the Strip continue to face a humanitarian crisis, with the women and, in particular, children — who account for more than 56 per cent of the population — experiencing the most dramatic impacts of this brutal Israeli crime.

Moreover, in violation of international law and numerous United Nations resolutions and in pursuance of its policy of creating a fait accompli on the ground, the said regime has continued to expand Israeli settlements and the construction of the illegal apartheid wall, in blatant contravention of the advisory opinion of the International Court of Justice.

As we are discussing the question of Palestine here today with heavy hearts, more and more innocent Palestinians are dying. People are in dire need for their basic food and health-care necessities. Babies are born in cities where hospitals are closed down because of the blockade, or in houses where there is no electricity, no basic services and not even drinking water.

Mothers give birth to children under constant fear of attacks by the enemy and with no hopes to be able to raise their children. They, legitimately, expect this Organization, this Assembly and the Security Council to be more attentive to their suffering and more effective in addressing it. They are asking the important question, namely, where are those who have proclaimed themselves human rights champions? Ironically and sadly, the so-called human rights advocates not only are not concerned about the sufferings of the oppressed, but even support the abhorrent crimes of the oppressor.

While the General Assembly has reaffirmed time and again that the United Nations has an abiding responsibility towards the question of Palestine until it is resolved in all its aspects, effective measures to end the Israeli occupation of Palestinian territories are yet to be taken by the international community.

As the President of the General Assembly rightly mentioned yesterday, failing to address this question in a fair and effective manner is the single greatest failure in the history of the United Nations. This failure has undoubtedly emboldened the Israeli regime in its continuation of the occupation of Palestinian territory as well as other Arab lands, namely, the occupied Syrian Golan Heights and Lebanese territories.

The report clearly displays the fact that, as in the past, the reporting period has been characterized by the dichotomy between the Israeli regime's deceitful and hypocritical peace gestures, on the one hand, and a deteriorating situation on the ground resulting from increased Israeli atrocities, on the other.

We believe that the Palestinian question lies at the heart of the Middle East crisis. Undoubtedly, a durable peace in Palestine and the Middle East will only be possible through justice, full restoration of the rights of the Palestinian people, including the return of all Palestinian refugees to their homeland, the end of discrimination, the end of occupation of Palestinian, Syrian and Lebanese territories and, finally, through a democratic mechanism through which all inhabitants of Palestine, as well as Palestinians driven out of their homeland, would be able to determine their future in a democratic and peaceful fashion.

Before concluding, I wish to place on record my delegation's rejection of the baseless allegations and distortions raised against my country by a representative of a regime in the Assembly today. It is ridiculous that the representative of a regime that poses hundreds of nuclear warheads and is not a party to the Nuclear Non-Proliferation Treaty or other international instruments relating to weapons of mass destruction raises such groundless allegations against the Islamic Republic of Iran, whose nuclear programme is absolutely peaceful. The International Atomic Energy Agency has attested, including in its latest report, to the peacefulness of its programme.

Those allegations are preposterous and are made in order to distract the international community's attention from the abhorrent Israeli crimes in Palestinian territories and from the obvious fact that that regime poses the most serious and immediate threat to regional and international peace and security.

**Mr. Mbuende (Namibia):** My delegation aligns itself with the statement delivered at the 57th meeting by the representative of Cuba on behalf of the Non-Aligned Movement.

At the outset, Namibia reaffirms its unequivocal and unwavering support for and solidarity with the people of Palestine in their legitimate struggle for freedom, independence and statehood. More than 60 years have passed since the United Nations General Assembly adopted resolution 181 (II) and several subsequent resolutions on the question of Palestine. The Security Council has also adopted over 60 resolutions aimed at resolving the question of Palestine.

Regrettably, the question of Palestine remains unresolved. Namibia is profoundly concerned that the people of Palestine remain stateless, deprived of their

inalienable right to self-determination. In fact, Israel continues to disregard the demand of the people of Palestine and has systematically failed to comply with the resolutions of the General Assembly and the Security Council.

The international community as a whole and the United Nations in particular have a responsibility to ensure that the people of Palestine realize their inalienable right to self-determination and statehood. Namibia therefore urges the United Nations to act decisively by implementing its own resolutions in order to bring a lasting and comprehensive resolution to the question of Palestine. The people of Palestine have suffered and waited too long for justice and freedom.

Namibia also calls upon the international community to continue providing moral and political assistance, as well as the necessary economic and financial assistance, to the people of Palestine in order to alleviate the suffering and hardships that they continue to face today.

Namibia reiterates its deep concern about the deterioration of the social, economic and humanitarian situation in the occupied Palestinian territory. We are also concerned that Israel continues to pursue policies and measures inconsistent with its obligations under international law by committing systematic human rights violations to suppress the people of Palestine, including its continuing settlement activities, the construction and expansion of the annexation Wall and the restriction of the movement of persons and humanitarian goods, food, medicine, fuel, electricity, water and other humanitarian supplies. The blockade of the Gaza Strip and sustained Israeli targeted killings of Palestinians are further examples of Israel's violation of international humanitarian law. Namibia reiterates its call on Israel to halt such punitive measures and to scrupulously abide by international humanitarian law.

Namibia believes that a just, peace settlement to the question of Palestine, including the refugee issue, would bring an end to the conflict and bring peace and security to the Middle East. But unless the two sides join the peace process with genuine political will, little progress will be achieved in the process, which was re-launched following the Annapolis conference in 2007 and the resumption of direct bilateral talks between the Israeli and Palestinian sides.

Namibia therefore calls upon all the concerned parties, including the Quartet, to work assiduously towards finding a just, lasting and comprehensive solution to the question of Palestine and durable peace in the Middle East.

**Mr. Escalona Ojeda** (Bolivarian Republic of Venezuela) (*spoke in Spanish*): On the International Day of Solidarity with the Palestinian People, the Bolivarian Republic of Venezuela reaffirms its support for the Palestinian cause and its desire to contribute to the achievement of a comprehensive, just and lasting solution to one of the gravest problems besetting the world. At the same time, we support the noble work of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, and we praise the activities carried out under its programme of work in 2008.

We are fully convinced that strict compliance with the United Nations Charter, the principles of international law, in particular respect for the sovereignty of States, the self-determination of peoples, non-intervention and non-interference in the internal affairs of States and the prohibition of the use of force against the territorial integrity or political independence of any State are fundamental pillars in the maintenance of international peace and security.

It is unacceptable that, year after year, in this Hall we remember the more than 60 years of suffering of the fraternal and heroic people of Palestine. The history of a people compelled by force and brutality to leave behind their homes, their belongings and their crops, taking with them only the dream of return and the keys to the houses that they dream of coming back to someday. It is unjust that after so many decades this Organization has not managed to restore peace and well-being to the people of Palestine, thus undermining the fundamental principles that govern the United Nations.

Sovereignty resides exclusively with peoples, and the destiny of the great Palestinian people must be determined solely by Palestinians themselves. It is vital that Palestinians be granted complete control over their territory. There can be no peace, security or stability as long as foreign occupation continues. This is violence, which engenders violence in a never-ending cycle. The only constant in that cycle is death, which generates rejection, hatred and affliction. This cannot be the raw material with which to build peace or a new life for

future generations of Palestinians and Israelis. In a climate of State terrorism, there can be no tolerance or reconciliation.

The Palestinian people have been subjected to destruction, hunger, bombardment, torture and a wide range of abuses. They have not been destroyed. There will always be resistance. Obviously, the Israeli people have also been affected. They also need peace; there are many hearts and minds in Israel that understand this and that strive for reconciliation. The State of Israel cannot continue to ignore such a clamour for justice.

For the sake of a future of peace for both peoples, Israelis and Palestinians, we call once more on the State of Israel to withdraw from the occupied Palestinian territory and put an end to the construction of the separation wall because, inter alia, it is in contravention of the advisory opinion of the International Court of Justice. It must stop the continuous closures of the Gaza Strip, Israeli incursions into Palestinian population centres and the system of checkpoints throughout the West Bank, all of which have had dramatic and tragic effects on the lives of the Palestinian people and represent flagrant violations of human rights. Many people are suffering and dying, especially children and young people. Humankind must put a stop to this.

The Bolivarian Republic of Venezuela supports the formula of two States, Israel and Palestine, living side by side within secure and internationally recognized borders. We support all international initiatives to promote an agreement on a comprehensive, just and genuine solution to the Palestinian question, which is at the heart of the Arab-Israeli conflict.

The Bolivarian Republic of Venezuela is of the view that only negotiations can lead to a comprehensive, just and lasting settlement of the Palestinian question. That settlement must be based on the relevant resolutions of the United Nations and guarantee, in particular, effective self-determination for the Palestinian people and the right of Palestinians to return to their homes and the property from which they have been displaced and uprooted.

**Mr. Chabar** (Morocco) (*spoke in Arabic*): Allow me to begin by thanking the President of the General Assembly, on behalf of my country's delegation, for the efforts he has undertaken as he presides over this

session of the General Assembly. We are confident that the work of this session will be successful and fruitful.

It is my honour, on behalf of the delegation of the Kingdom of Morocco, to thank Ambassador Paul Badji, Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, and the members of the Committee. We express our appreciation to them for their good offices and their efforts to support the just cause of the Palestinian people.

The debate on this agenda item is of particular importance this year as we commemorate the sixtieth anniversary of the Nakba, and given the disturbing developments that have taken place with respect to the question of Palestine, the humanitarian and security situation in the Gaza Strip and the sensitive political situation, which is key to the peace process in the region.

The Kingdom of Morocco reiterates its solidarity with the Palestinian people and its ongoing support at all levels for the creation of a Palestinian State, with Jerusalem as its capital. We do not need to remind everyone that the question of Palestine is one of the more important questions, and is a major priority, for the Kingdom of Morocco, given its importance in the collective conscience and psyche of the people of the region, in particular among the Muslim and Arab peoples, and given the suffering of the Palestinian people, who are subject to oppression and injustice under Israel, which has pursued policies of intimidation, starvation, violence and collective punishment against them.

In this context, the Kingdom of Morocco firmly condemns the practices pursued by Israel and calls upon the international community to shoulder its responsibilities with regard to these difficult conditions in order to reinvigorate the peace process and prevail upon Israel to meet its obligations in that regard. We want the international community to undertake serious efforts to achieve progress, as negotiations are the most appropriate path to achieving peace in the region and to putting an end to the cycle of violence and counter-violence.

The Kingdom of Morocco reaffirms that the choice of peace is the only solution that will enable the peoples of the region, in particular the Palestinian people, to put an end to this conflict, which has gone on for far too long. We reiterate the importance of

dialogue, return to the negotiation table within the framework of international legality, respect for the agreements signed between the parties and for constructive initiatives and positive efforts, including the Arab Peace Initiative, all of which seek a just, lasting and comprehensive settlement to the Middle East question.

As a member of the monitoring committee on the Arab Peace Initiative, the Kingdom of Morocco affirms the importance of maintaining efforts aimed at keeping the peace process going between Israelis and Palestinians. This process was reinvigorated last year by the Annapolis conference and it is important that it not be hampered in any way.

In this context, the Kingdom of Morocco expresses its hopes for Palestinian national reconciliation. We commend the good efforts that have been undertaken by Egypt to narrow the differences between the various Palestinian factions in order to bridge the gap and address the various causes that separate them. Those differences are an obstacle to achieving the overall goal of establishing an independent Palestinian State, with Jerusalem as its capital.

On the subject of Jerusalem, the Kingdom of Morocco is extremely concerned about the provocative measures taken by Israel. They undermine the cultural and geographic elements of that spiritual site. King Mohammed VI of Morocco, Chairman of the Al Quds Committee, has made every effort to urge stakeholders at the international level to preserve the special character of Jerusalem, its identity and its sacred nature.

We call upon the international community to reinvigorate the peace process in the Middle East in application of international law, respect for the agreements signed between the parties, the return of occupied Arab territories, and the creation of an independent Palestinian State that would guarantee the well-being and dignity of its people.

The Palestinian economy has suffered major deterioration under the occupation of Palestinian lands and the obstacles imposed by Israel against the free movement of persons and goods. That is in addition to the destruction of the Palestinian infrastructure and economy and a policy of blockade against the Palestinian territories through the establishment of more than 600 checkpoints. This has a negative impact

on the freedom of movement and the living conditions of the Palestinian people. The deteriorating economic situation has caused even more suffering for the more than one third of Palestinians who are poor and another third who live below the poverty threshold. The policy of settlements and the building of the separation wall are ongoing. In addition, we note the precarious nature of the financial situation facing the Palestinian Authority because Israel has failed to pay the Authority the earnings from customs, duties and taxes that the Hebrew State is collecting for the Authority, in accordance with the Paris Agreement. There is, therefore, a deteriorating economic situation in Palestine which has a negative effect on the daily lives of Palestinians and on their food security.

I will take this opportunity to issue a call to the international community to support the Palestinian people and to help preserve their hope and confidence in international legality in order to maintain their peaceful struggle and reinvigorate their national institutions in order to meet the challenges mentioned so that the Palestinians can create an independent, sovereign State, in accordance with General Assembly and Security Council resolutions.

Today, more than in the past, we need to pool our efforts to give new momentum to the talks between the parties so they can reach a comprehensive, just and lasting settlement to the Israeli-Palestinian conflict, as well as to the Israeli-Arab conflict.

**Mrs. Asmady** (Indonesia): First, my delegation would like to express its appreciation to the Secretary-General for his report contained in document (A/63/368) entitled "Peaceful settlement of the question of Palestine". This is a very significant report because it contains the input of the Security Council and the concerned parties.

I would also like to welcome the 2008 report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and commend the members of the Committee for an excellent job, and for the dedication that they have demonstrated from year to year.

Before going forward with these remarks, my delegation would like to align itself with the statement made yesterday by the delegation of Cuba on behalf of the Non-Aligned Movement.

Each of these reports reminds us that the humanitarian situation in the occupied Palestinian territories, including East Jerusalem, remains a challenge to the peace process and to the international community. Following the historic Annapolis Conference of November 2007, we had hoped that the prospects of peace and of the end of a long journey would yield improvement in the situation in the area.

Regrettably, the activity of the Israeli Defence Forces in the occupied Palestinian territories and of Hamas militants in Gaza, as well as the continued division among Palestinian factions, have resulted in limited progress in the past year. They are all also factors in the terrible humanitarian realities in the area today. At the same time, no State that participated in Annapolis could have expected that the road to peace would be smooth. Many speakers admitted as much at that time.

My delegation would have wished that none of the violent Israeli activity in the occupied West Bank in the past year had occurred. We would have preferred a situation where the economic blockage in the Gaza Strip had not taken place. We would have preferred that, following Annapolis, Israel had terminated all settlement construction and eliminated illegal settlement outposts.

But it is reality that we must work with, not wishes. The critical wish for us to focus on is our final objective of a just, lasting and comprehensive settlement. While it is clear that we will not achieve that objective this year, we must not diminish what has been achieved. Not only have bilateral negotiations between teams from both parties continued, but there have also been talks between Prime Minister Olmert, before he left office, and Prime Minister Abbas.

Similarly, at the international level, the Paris Donors Conference in December 2007 received incredible pledges, showing that the international community was fully committed to supporting the peace process. We believe this to be a firm foundation of which the parties can justifiably be proud.

Among other developments, the success of the donors gathering has been followed around the world by equally important developments. In May 2008, hundreds of foreign representatives arrived in Bethlehem to attend the Palestine investment conference. Prime Minister Fayyad, who convened the conference, subsequently announced that investors had

pledged \$1.4 billion to support Palestinian business projects.

As the report of the Secretary-General also reminds us, in May 2008, Mr. Tony Blair, in his capacity as the Quartet Representative, announced a package of measures to stimulate economic development, ease movement and access restrictions, develop the 60 per cent of the West Bank in Area C, and build Palestinian security capability.

And in June, Israel and Hamas reached agreement on a ceasefire brokered by the Government of Egypt. This has provided the basis for further efforts on the part of Egypt that are still continuing.

Similarly, the following month, Indonesia and South Africa organized the New Asia-Africa Strategic Partnership Ministerial Conference on Capacity-Building for Palestine. It was attended by representatives of over 60 countries from Asia, Africa and Latin America, whose commitment again demonstrated the great support for the process. Next month, under the auspices of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, Chile will host the Latin American and Caribbean meeting of the Public Forum in Support of Israeli-Palestinian peace.

We believe that these events and meetings demonstrate the readiness and steadiness of the international community in support of the journey to resolution in the Middle East. Indonesia urges the international community to continue to demonstrate this commitment and dedication until the final prize is won.

We urge Israel to recognize and acknowledge this historic opportunity by respecting and honouring its obligations to comply with relevant resolutions of the United Nations, withdraw its forces from all of the Occupied Palestinian Territory and the Syrian Golan, change its aggressive and violent policies and refrain from compromising the status of Jerusalem.

It is also of great importance that Israel respects the advisory opinion of the International Court of Justice to dismantle the existing wall and comply with the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War.

My delegation also calls on Hamas to continue to maintain the ceasefire in order to give the process the utmost support. Furthermore, we call on all Palestinian

factions to commit to a common front, because it is only through the unity of all Palestinians that the objective of peace and independence can be realized.

Indonesia reiterates its unwavering support for the vision of two States, Israel and Palestine, living side by side in peace and security. To this end, we will continue to support the process that began in Annapolis, as well as the Arab Peace Initiative. It is our firm belief that, with the unity of the international community and the commitment of the parties to it, this is an achievable task.

**Mr. Ali** (Malaysia): It has been 60 years that the question of Palestine has been before the United Nations. We should remind ourselves of the history behind this question of Palestine to keep the issue before us in perspective. The question on Palestine has been with the United Nations since 1947, when Great Britain, faced with escalating violence in the Palestinian territory, brought this question before the United Nations. Prior to that date, Palestine had been placed under the administration of Great Britain under the mandates system adopted by the League of Nations pursuant to Article 22 of the League's Covenant. For Palestine, however, instead of being limited to "the rendering of administrative advice and assistance", the Mandate had as its primary objective the implementation of the Balfour Declaration issued by the British Government in 1917 expressing support for "the establishment in Palestine of a national home for the Jewish people". During the years of the British Mandate of Palestine from 1922 to 1947, large-scale Jewish immigration from abroad took place. Palestinian demand for independence and resistance to this immigration led to a rebellion in 1937.

In 1947 the United Nations adopted resolution 181 (II), which proposed the partitioning of Palestine into two independent States, one Jewish and one Arab. In 1948, Israel proclaimed independence and, in the war of the same year, expanded to occupy 77 per cent of the territory of Palestine and a large part of Jerusalem. Over half a million people of the indigenous Palestinian population either fled or were expelled from their land. In the 1967 war, Israel occupied the remaining Palestinian territory, including the remaining part of Jerusalem, which it subsequently annexed. That war brought about a second exodus of Palestinians.

Security Council resolution 242 (1967) called on Israel to withdraw from territories it occupied in the

1967 conflict and laid down principles for a peaceful settlement in the Middle East. Security Council resolution 338 (1973) reaffirmed the principles of resolution 242 (1967) and called for negotiations aimed at "a just and durable peace in the Middle East".

Unfortunately, today more than 60 years have passed since the question of Palestine came before the United Nations, yet we are still nowhere near to resolving the question, i.e., attaining a just and durable peace in the Middle East, achieving a two-State solution or realizing the inalienable rights of the Palestinian people: the right to self-determination; the right to national independence and sovereignty; and the right to return to their homes and property from which they have been displaced and uprooted.

The situation in the occupied territories has, in fact, in no way improved; rather, it has deteriorated further. The occupying Power continues to distort the life of the Palestinians in the occupied Palestinian territory, including East Jerusalem, through the expansion of illegal settlements and related infrastructure, including the separation wall, and the fragmentation of the occupied Palestinian territory by using checkpoints and other obstacles. Illegal construction and expansion of settlements in the occupied territories goes on unimpeded, in contravention of commitments made at Annapolis. Settlement construction continues across the West Bank, including in East Jerusalem. More worrying is that these settlements have become the locus from which violence and attacks are being launched by illegal settlers on Palestinian civilians in the absence of the enforcement of the rule of law by Israeli authorities.

Contrary to the advisory opinion issued by the International Court of Justice, the construction of the separation wall continues in the occupied Palestinian territory. The majority, 87 per cent, of that wall runs inside the West Bank and East Jerusalem, rather than along the 1949 Armistice Line. It is quite evident that the wall is not meant for security reasons as claimed but is meant to perpetuate and expand the illegal settlements.

The humanitarian situation in Gaza, which is virtually an open prison, remains dire. Except for a brief recent respite, there has been no improvement in the movement of goods and people in and out of Gaza. People are not allowed to leave Gaza for medical

treatment and medical supplies for those in need are very low. It was also reported that even Israeli medical volunteers who had been issued permits were denied entry into Gaza, apparently for security reasons. Meanwhile, students were denied permission to leave Gaza for places of study abroad. Construction projects valued at \$240 million, including \$149 million-worth of United Nations construction projects, remain on hold as a result of the absence of construction materials owing to restrictions on imported materials and goods into Gaza by the Israeli authorities.

My delegation is particularly concerned by Israeli practices of human rights violations that affect young people and children, the most vulnerable group in the occupied territories. Between the beginning of the second intifada in 2000 and June 2008, at least 994 Palestinian children under the age of 18 have died as a result of violence. The harsh facts of life for children living under occupation will have a negative effect not only on them but also for the prospect of peace in the Middle East when they enter adulthood since they represent the future.

Calls by the international community, including by the United Nations, to stop such atrocities and human rights violations have gone unheeded. As late as last week, the Secretary-General's call to the Israeli authorities to urgently permit the delivery of humanitarian assistance to the civilian population in Gaza was not answered. In the meantime, the Security Council has been rendered silent and void of any real action to address the Palestinian issue. Its failure to resolve security issues and alleviate the suffering of the Palestinians under the yoke of Israeli occupation has diminished its standing as the body responsible for the maintenance of peace and security.

After 60 years, questions still remain as to what needs to be done to resolve this issue. How long do the Palestinians need to suffer? How many more deaths? How much more destruction before there is a solution?

We are supportive of efforts to find a just, durable and comprehensive solution to the Palestinian question, including the Quartet Road Map and the Arab Peace Initiative. We recognized the roles played by various bodies and entities, including the important role played by the Committee on the Exercise of the Inalienable Rights of the Palestinian People, chaired by Ambassador Paul Badji, which has organized various activities to support a climate conducive to the

advancement of permanent status negotiations between Israelis and Palestinians.

We have noted the recent Quartet meeting in Sharm el-Sheikh and the meeting between the Israelis and Palestinians. We have also noted that both sides had reached a number of mutual understandings on the principles governing their negotiations, including the need for continuous, uninterrupted, direct, bilateral negotiations and the need to reach a comprehensive agreement addressing all issues, as agreed in Annapolis. We are hopeful that the negotiations will bring tangible results, leading to a just, durable and comprehensive solution to the Palestinian question.

At the same time, the parties concerned have to show commitment and sincerity in this effort. The persistent pattern of wilful violations of international law and human rights abuses is definitely not consonant with the intentions and actions of a Government that is supposedly sincere and committed to achieving peace with its neighbours. Israel must be made to stop its illegal actions and must be held accountable for the violations it has perpetrated. It must be made to abide by relevant international law and conventions, including the Fourth Geneva Convention, and relevant Security Council resolutions including, inter alia, 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003). Israel must improve the situation on the ground, inter alia by lifting its siege on Gaza, facilitating the movement of people and goods in and out of the occupied Palestinian territories, addressing humanitarian needs, fostering economic activities and improving the atmosphere for negotiations. Otherwise we fear there will never be an end to the question of Palestine.

Yesterday we marked the International Day of Solidarity with the Palestinian People. I wish to take this opportunity to pay tribute to all Palestinians who have suffered in their just struggle to live in freedom and in dignity in a State they can call their own. Reaffirming our solidarity with the Palestinian people is indeed most appropriate, as we also celebrate the 60th anniversary of the Universal Declaration of Human Rights this year. As members of the international community, we must work towards the restoration of the human rights and dignity of the Palestinian people. The Palestinian people can count on Malaysia's strong support in their efforts to create an independent and sovereign State of Palestine with East Jerusalem as its capital.

**Mr. Almaabri** (Yemen) (*spoke in Arabic*): The oppressed defenceless Palestinian people are suffering under blockade, famine and isolation, as well as the enforced annexation of their land, the razing of their agricultural farms and the destruction of their houses in a calculated and continual manner. All of those measures represent inhuman and immoral practices and are carried out in defiance of international law, norms and principles. Those practices represent a denial of humanitarian law and a rejection of the human rights of the Arab populations in all of the occupied Arab lands. They are in contravention of international law and United Nations resolutions adopted by this lofty body, in particular the two Security Council resolutions 338 (1973) and 242 (1967) and General Assembly resolution 194 (III) of 1948. All the measures of the occupying Power are a dangerous indication of a path towards the destruction of peace and the undermining of regional and international efforts towards implementing peace agreements and understandings reached at various stages of difficult negotiations, including the Road Map and the Annapolis conference.

The Republic of Yemen is convinced that the international community, States, organizations and entities are duty-bound to shoulder their responsibility and obligations to put an end to the injustice committed against this steadfast people, so as to enable it to enjoy its freedom and its right to self-determination, like other peoples of the world. All of us love freedom. We, the peoples and countries of the world, have always endeavoured to attain such freedom. Freedom is a fundamental right linked to the very beginnings of humankind, a right reaffirmed by divine religions, international conventions and the values and principles of human rights.

The conditions experienced by the Arab inhabitants of the occupied Syrian Golan and in the Lebanese territories that are still under Israeli occupation are no better than the situation of the Palestinians and are no more acceptable. Those populations are the victims of flagrant human rights violations and suffer from the unjust and intransigent attitude of Israeli occupying forces. On the question of the Syrian Arab Golan, the Government of Yemen believes that it is essential to take the following measures: first, negotiations must be restarted from the point where they were left off, without going back to square one.

Secondly, we need to support the good offices of the Turkish Government to bring about a peaceful solution between Syria and Israel on the basis of the principle of land for peace and the total withdrawal of Israel from the occupied Syrian Golan to the borders of 4 June 1967. We are confident that Syria does wish to have peace and stability and that it will take a positive attitude, once the other party has proved its readiness to work towards a real and just peace for all.

The Government of Yemen hopes that the upcoming Middle East peace conference will be a new turning point that will advance efforts towards a comprehensive and just peace for the region and that the United States, the main sponsor of the peace process, as well as the United Nations and other parties will all play an effective and positive role and bring pressure to bear on the Israeli Government to meet its obligations and implement all international resolutions and the conventions it has signed, in keeping with a clear-cut timetable, without delay or procrastination. The Government of Yemen believes that peace is inevitable and calls on the United Nations and the international community, and above all the influential international partners in the Security Council, to play their historic role and responsibility in order to put an end to the intransigence of the Israeli Government and oblige it to respect international resolutions and the agreements and understandings reached between the parties to the peace process so that a comprehensive and just peace can be achieved in the Middle East.

Israel's respect for international law and relevant United Nations resolutions would definitely put an end to a conflict that has been protracted for too long, and will enable the peoples of the region to enjoy security and prosperity and thus put behind them war, pain and suffering.

*Mr. Cujba (Republic of Moldova), Vice-President, took the Chair.*

**The Acting President:** We have heard the last speaker in the debate on agenda item 16. Several representatives have requested to exercise the right of reply. May I remind delegations that statements in the exercise of the right of reply are limited to 10 minutes for the first intervention and to five minutes for the second intervention and should be made by delegations from their seats.

I call on the representative of the Syrian Arab Republic.

**Mr. Ja'afari** (Syrian Arab Republic) (*spoke in Arabic*): The representative of Israel did not like the fact that the General Assembly has allocated today's meeting to the celebration of the International Day of Solidarity with the Palestinian People under agenda item 16, entitled "Question of Palestine".

The Israeli representative considers the General Assembly's interest in the question of Palestine to be a prejudiced position against Israel and its aggressive policies, including its policy of occupation. She also considers that all positions of Member States supporting the right of the Palestinian people to self-determination, the establishment of their national State on their national soil, as well as all international meetings, statements and resolutions — and there have been hundreds since the Nakba — futile, worthless and useless efforts. Israel continues to disregard all these efforts because they do not support Israeli aggression and occupation or protect crimes against humanity perpetrated for decades by Israel against the Palestinian people.

Thus, the representative of Israel is of the view that the voices of justice and peace echoed by representatives of the international community over decades in their support for the justice of the Palestine cause in this Hall and other relevant international rostrums are mere incitements to radicalism and terrorism, as well as an impediment to what she called progress in the region.

It seems as if Israel's isolation in this serious discussion has left its representative with no option but to confuse issues and to fabricate mendacious allegations, as well as to expand the rhetoric beyond the boundaries of the question of Palestine. Her aim is to divert attention from the crux of the matter — the occupation by Israel of Palestinian territory and the oppression of the Palestinian people day in and day out in untold ways. She found it appropriate to extricate herself from her predicament by accusing my country of protecting those whom she called terrorists. More than others, she is well aware that those innocent persons whom she called terrorists are only a part of the millions of Palestinian refugees who are victims of Israeli State terrorism. My country and other neighbouring States have been playing host to them since the beginning of the Nakba, more than 60 years ago, while they have been waiting to exercise their right to return to their homes under the terms of 1948 General Assembly resolution 194 (III).

Justice, in the eyes of the representative of Israel, requires virtually turning the entire Palestinian people into refugees, as long as their pain, suffering and deprivation of basic rights are necessary matters to implement the illusion of Israel's ideology, which is the eviction of the Palestinian people from their homeland, judaizing their land and building settlements. She acknowledged that the international community stands against the occupation and its repressive policies. She committed a grave error when she recognized that there was a majority, which she described as an automatic majority in the General Assembly, which rejects the policies pursued by Israel. It appears that Israel does not distinguish between the majority of those who advocate justice and the minority of those who promote injustice and what is wrong. Israel wants to tailor the international community to the measurements that suit it. When the international community rejects these Israeli measurements, the majority then encourages radicalism, terrorism and undermines the Israeli concept of peace.

The fact is that Israel possesses the darkest record on terrorism. Encyclopaedias, museums and archives are required to shed light on the crimes of genocide, war and ethnic cleansing perpetrated by Israel throughout its bloody history against the Palestinians, Syrians, Lebanese, Egyptians, Jordanians and others. It was Israel that introduced official terrorism into the region. It is well known to everyone that terrorist bands, such as the Stern Gang, Ergun, Haganah and Palmach killed tens of thousands of Palestinians, displaced millions from their territory and assassinated the United Nations peace mediator Count Bernadotte. We recall that Israel committed the first act of air piracy in history when it hijacked a Syrian civil aircraft in 1954. It also carried out political assassinations in Beirut in 1968 against defenceless civilian Palestinian intellectuals. It blew up vehicles in order to assassinate heads of Palestinian municipalities in the 1980s. It attacked an American intelligence ship, the *USS Liberty*, in the War of 1967 because it was certain that the ship had detected orders to kill Egyptian prisoners of war in Sinai. Israel downed a Libyan civilian aircraft in 1971. It targeted the headquarters of the United Nations Interim Force in Lebanon at Qana and killed 106 civilians who had sought shelter in the United Nations building.

I conclude at this point in the hope that the conscience of the representative of Israel will awaken, as would those of the peace-lovers in Israel.

**Ms. Abdelhady-Nasser** (Palestine): The representative of Israel today questioned the efficacy of — or questioned if there are any tangible benefits to — General Assembly resolutions. I wish to answer concisely, yes.

The intention and purpose of these resolutions is to bring tangible relief and immediate benefit to the Palestinian people, but that would be possible only if, in fact, Israel, the occupying Power, complied with these resolutions and its obligations under international law.

This is the key; this is the missing link; this is why we are here, year after year, compelled repeatedly to address the same critical, depressing issues that have been disastrously exacerbated with the passage of each year.

And we come here to reiterate the demands and appeals for Israel to cease its violations against the Palestinian people, to end its more than four decades-long military occupation and to become a law-abiding, respectful member of the community of nations, rather than one that continues to disrespect the Charter, to breach all human rights standards and to totally disparage the efforts of the international community, including here at the General Assembly, to address and rectify the continued imposition of injustice and suffering on the Palestinian people. The only side being taken by this Assembly is the side of international law and justice congruent with the noble purposes and principles of the United Nations Charter.

Israel's arguments about the repetitiveness of the Assembly's debates and resolutions and their lack of meaning or purpose are empty arguments with no resonance among the great majority of the Member States that have expressed their serious concern at the continuation of this illegitimate situation. These Member States continue to demand its end and to exert efforts, collectively and individually, to support the peace process towards achievement of a just and lasting peace settlement on the basis of international law and United Nations resolutions.

Instead of asking the Assembly the arrogant question, "Does your work contribute to the cause of peace?", the answer to which we believe is "yes", Israel should be asking if what it is doing contributes

to peace. The answer to that question is a resounding "no". Nothing that Israel is doing in the occupied Palestinian territories is contributing to peace — neither the continuation and entrenchment of its colonial settlements and wall, nor its continued dissection and fragmentation of the territory, nor its continued imprisonment of thousands of Palestinian civilians, and certainly not its devastating, destructive and deliberate blockade, imprisonment and starvation of more than 1.5 million Palestinians, including children, women, the elderly, and ill and disabled persons in the Gaza Strip.

All of these violations, many tantamount to war crimes, are undermining the peace process, worsening and further destabilizing the dire situation on the ground and taking us further and further away from peace. This is the problem, not the General Assembly's efforts to address the problem.

Lastly, it must be stated clearly that no security pretext whatsoever can justify Israel's continuing occupation and brutalization of the Palestinian people. There is no place in the world where security can be achieved by the oppression, collective punishment and dismemberment of an entire people.

We are all cognizant of this. This explains our efforts to resolve this bitter and prolonged conflict through diplomacy, international law and the peace process. There is no military solution for what is a political conflict and Israel should read the writing on the wall and acknowledge the international consensus that this situation is neither acceptable nor tenable and that it must actually commit itself to the peace process — not just in word, but in deed.

This is the key for allowing the process to succeed and to achieve the goal of the two-State solution of Palestine and Israel living side by side in peace and security on the basis of the 1967 borders. We are committed to this. This is what will truly benefit the Palestinian people, the Israeli people and all the peoples of our long-troubled and suffering region.

**The Acting President:** The General Assembly has thus concluded the present stage of its consideration of agenda item 16.

I would like to inform members that action on draft resolutions A/63/L.32 to A/63/L.35 will be taken after the debate on agenda item 15, "The situation in the Middle East", which begins at our next meeting.

*The meeting rose at 1.25 p.m.*