

**Security Council**

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**Letter dated 8 July 2019 from the Permanent Representative of  
Indonesia to the United Nations addressed to the President of the  
Security Council**

I have the honour to submit herewith a summary of the Arria-formula meeting on Israeli settlements and settlers: the core of the occupation, protection crisis and obstruction of peace, held during Indonesia's presidency of the Security Council, and co-hosted by the State of Kuwait and by South Africa on Thursday, 9 May 2019.

I would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(Signed) Dian Triansyah **Djani**  
Ambassador



**Annex to the letter dated 8 July 2019 from the Permanent Representative of Indonesia to the United Nations addressed to the President of the Security Council**

**Informal summary of the Arria-formula meeting of the Security Council on the Israeli settlements and settlers, core of the occupation, protection crisis and obstruction of peace, held in the Economic and Social Council Chamber on 9 May 2019**

On 9 May 2019, the members of the Security Council gathered for an Arria-formula meeting on Israeli settlements and settlers, core of the occupation, protection crisis and obstruction of peace. The meeting had been co-organized by the Permanent Missions of Indonesia, Kuwait, and South Africa. It was presided over by Retno Marsudi, Minister for Foreign Affairs of Indonesia, and attended by Riyad al-Maliki, Minister for Foreign Affairs of the State of Palestine. The meeting involved not only members of the Security Council, but also expert briefers from civil society and academia. The briefers were Mohammad Khatib, Palestinian lawyer and board member of the Popular Struggle Coordination Committee (PSCC); John Quigley, Professor of Law at Moritz College, Ohio State University; Emily Schaeffer Omer-Man, Israeli Human Rights Attorney; and James Zogby, President of the Arab American Institute, Washington, D.C. Remarks were also made by Mr. Maliki.

During the meeting, the discussants explored various issues, with a specific focus on international responsibilities to uphold the law and internationally agreed norms and principles relating to the illegal Israeli settlements, international obligations with regard to the right of peoples to self-determination and the protection of civilians in situations of armed conflict, as well as measures for accountability in case of continued violations.

In particular, the briefers emphasized that illegal Israeli settlements continued not only to hinder and obstruct peace efforts, but are becoming an institutionalized discrimination against Palestinians, a practice that is increasingly vindicated by Jewish State law. Israel's judicature and legal system help to contribute to the normalization of settlements, abandoning the legal framework applicable to occupation and instead enforcing Israeli laws in the Occupied Palestinian Territories. The Israeli legal system and political arena offer no reasonable avenue for remedy against the creeping annexation of Occupied Palestinian Territories.

The meeting marked an opportune time to highlight that there is no justification under international law for the Israeli settlements. As an occupying Power, Israel is bound under international law not to transfer some of its own citizens to the occupied territory. It is obliged to maintain or restore the ordinary life of the territory that it has come to control and is prohibited from annexing the land under occupation. Israel has no legal basis to be in or even remain in the West Bank. Israel's persistent assertion of its sovereignty over the Occupied Palestinian Territory breaches not only the laws of war but the Charter of the United Nations.

The discussants also raised important points pertaining to civil resistance to land-grabbing by the Israeli authority, such as those acts performed by PSCC, which represent an exemplary and commendable model that has become a source of inspiration and model to be followed by other Palestinian communities in the Occupied Palestinian Territories. International law remains critical to any undertakings or resolution of the Israeli-Palestinian conflict. Innovation or any crafting of peace resolution should come from careful examination of and adherence to international law and is built upon a negotiated peace agreement, rather than

limited conditionality or terms of surrender. States have the duty to promote and respect international law by refraining from recognizing illegal Israeli settlements.

In closing, the discussants and most of the participants were convinced of the importance of continuous discussion on this matter and the meeting was seen as an important discourse and step in advancing the issue in the Security Council, and that relevant Council resolutions, including resolutions [605 \(1987\)](#), [904 \(1994\)](#), and [2334 \(2016\)](#), remain valid and serve as a basis for possible future Council action in finding legal, practical solutions to halt the expansion of illegal Israeli settlements in the Occupied Palestinian Territory.

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