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

Summary record of the 391st meeting

Held at Headquarters, New York, on Tuesday, 4 September 2018, at 10 a.m.

Chair: Mr. Djani (Vice-Chair) (Indonesia)

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In the absence of Mr. Niang (Senegal), Mr. Djani (Indonesia), Vice-Chair, took the Chair.

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

Adoption of the agenda

1. *The agenda was adopted.*

Update on Committee activities and consideration of upcoming activities

2. **The Chair** said that at its fourth annual retreat held on 2 August 2018, the Bureau had reviewed the implementation of decisions taken at the 2017 retreat and during previous Bureau meetings and had assessed the Committee's activities in 2018. Bureau members had agreed that inviting high-level speakers to Committee meetings in New York was a useful practice and that the United Nations Forum on the Question of Palestine and the International Conference on the Question of Jerusalem should be convened on an annual basis, along with periodic consultations with civil society organizations. As Bureau members regarded delegation visits as a more flexible and cost-effective form of engagement with Member States, such visits would continue in 2019. Members had also discussed the strategy for General Assembly and Security Council action, which would consist of engagement with permanent representatives, regional groups and non-permanent members of the Security Council. The Bureau had decided to engage more closely with Committee members to enhance their participation in Committee activities.

3. Regarding upcoming outreach activities, many Bureau members had expressed the need for the Committee to counter one-sided narratives about the question of Palestine and the characterization of the Committee's mandate as anti-Israel. To that end, and given the current political climate, the Bureau had agreed to increase Committee activities in the United States of America and to reconvene the Bureau working group to craft common messaging for use by Committee members in their outreach activities.

4. Regarding the programme of work for 2019, the United Nations Forum on the Question of Palestine would be held in May or June, and locations were being considered for the International Conference on the Question of Jerusalem, in collaboration with the Organization of Islamic Cooperation.

5. At the Bureau's meeting with the Secretary-General on 15 August 2018, the Secretary-General and the Bureau had acknowledged shared objectives and had pledged to make every effort to guarantee sustained

financial support for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and to advance intra-Palestinian unity and the peace process based on the two-State solution. Other topics of discussion had included support for the commission of inquiry mandated by the Human Rights Council to investigate violations committed on the perimeter fence between Israel and the Gaza Strip during the 2018 protests and the report of the Secretary-General on the protection of Palestinian civilians.

6. Turning to the upcoming visit by a Committee delegation to Brussels and Berlin from 15 to 20 October 2018, he said that the objective of the visit would be to enhance the political and diplomatic support of the European Union, Belgium and Germany for the two-State solution, recognition of the State of Palestine and protection of Palestinian civilians; and to engage regional and local civil society organizations and Palestine solidarity movements active across Europe.

7. Lastly, Committee activities to commemorate the International Day of Solidarity with the Palestinian People would include a special meeting attended by the Secretary-General and the Presidents of the General Assembly and the Security Council, and the inauguration of an exhibit.

Consideration of the draft report of the Committee to the General Assembly (A/AC.183/2018/CRP.2)

8. **Mr. Inguanez** (Malta), Rapporteur, introducing the draft report of the Committee to the General Assembly (A/AC.183/2018/CRP.2), which had been distributed to the Committee members prior to the meeting, said that the Secretariat would continue to update the report, as necessary, in consultation with the Rapporteur, in order to reflect any new developments which might take place before the report was submitted to the General Assembly.

9. *The draft report was adopted.*

10. **The Chair** said that, in accordance with the established practice, the adopted report would be transmitted to the Secretary-General for submission to the General Assembly. Additionally, in accordance with paragraph 10 of General Assembly resolution 72/13, he would request the Secretary-General to circulate the report to all competent bodies of the United Nations and would urge him to take the necessary action, as appropriate.

11. **Ms. Rodríguez Camejo** (Cuba) welcomed the report and said that the decision of the United States Government to proclaim Jerusalem as the capital of the State of Israel and to move its Embassy to that city had

been the subject of numerous pronouncements by the international community, including the Committee. The Ministry of Foreign Affairs of Cuba had expressed its deepest concern and rejection of the unilateral declaration by the President of the United States regarding Jerusalem, characterizing it as a serious and flagrant violation of the Charter of the United Nations, international law and the relevant resolutions of the United Nations. The decision implied a change in the historic status of Jerusalem and violated the legitimate interests of the Palestinian people and the Arab and Islamic peoples, with grave consequences for regional security and stability. Cuba would continue to urge the Security Council to uphold its responsibility to maintain international peace and security and to take the necessary measures in respect of Israel.

12. Settlements continued to expand in the Occupied Palestinian Territory despite numerous Security Council resolutions that declared them illegal under international law. Demolitions and confiscations of Palestinian homes persisted throughout the occupied West Bank, including East Jerusalem. The situation of UNRWA was increasingly dire, as the Agency faced a \$248 million shortfall in the aftermath of the United States decision to discontinue its contribution, at a time when the number of Palestine refugees in the region was on the rise.

13. Hundreds of Palestinians participating in the Great March of Return since 30 March 2018 had been killed or injured by Israeli forces firing live ammunition, despite calls by the Secretary-General, the United Nations Office of the High Commissioner for Human Rights and others for an end to violence against Palestinian civilians. The Committee had issued a declaration demanding that the occupying Power abide by its obligation to protect civilians under its control, in accordance with international law, and end the illegal blockade on the Gaza Strip, which constituted a form of collective punishment.

14. After half a century of occupation and 70 years since the Nakbah, the only alternative left was to redouble efforts to achieve a sustainable peace, a goal that could only be attained by enabling the Palestinian people to exercise its right to self-determination in an independent State within pre-1967 borders, with East Jerusalem as its capital. To that end, the Committee must continue to fulfil its important mandate. Cuba would continue to work tirelessly in support of a just and lasting solution to the conflict on the basis of the two-State solution.

15. **Mr. Gertze** (Namibia), echoing the sentiments expressed by the representative of Cuba, said that the

Palestinian people's rights could not be denied indefinitely, and that time was running out for attempts to uphold those rights. He acknowledged the laudable work of the Secretariat in preparing the report and urged Committee members to persevere in finding a solution to the protracted conflict.

The situation in the Occupied Palestinian Territory, including East Jerusalem, and developments in the political process.

16. **Ms. Abdelhady-Nasser** (Observer for the State of Palestine), welcoming the Committee's annual report, said that it was more urgent than ever for the Committee to implement the recommendations contained therein in order to bring an end to Israeli occupation, enable the Palestinian people to exercise its inalienable rights and achieve a just and lasting peace, in accordance with the relevant United Nations resolutions, the Arab Peace Initiative and the internationally endorsed two-State solution, and reach a just solution for Palestine refugees, on the basis of General Assembly resolution 194 (III). In that regard, she expressed gratitude for the recent recognition by Colombia of the State of Palestine and hoped such expressions of solidarity would serve to galvanize the struggle.

17. As in previous years, her delegation urged the Committee to engage with Member States and regional groups to generate support for the recommendations, in the context of a multilateral push for peace. The Committee should also enjoin the Security Council to uphold its duties under the Charter of the United Nations, implement its resolutions, including resolution [2334 \(2016\)](#), which was widely agreed to constitute the most viable blueprint for a peaceful settlement, and support efforts to protect the Palestinian people.

18. The present juncture posed a serious threat to the international system represented by the United Nations and to the rule of law as enshrined in the Charter, international humanitarian and human rights law and United Nations resolutions. Those elements were central to bringing an end to the injustice endured by the Palestinian people for over seven decades and to the Israeli-Palestinian conflict. Nevertheless, impunity and blatant disregard for the law were on the rise. She hoped that the Committee would lead the urgent collective effort needed to confront those global challenges, in fulfilment of the Organization's permanent responsibility towards the question of Palestine until it was resolved.

19. In recent weeks, the situation of the Palestinian people had continued to deteriorate, with an occupying Israeli Government emboldened by the United States of

America intensifying its anti-Palestinian rhetoric and attempting to legalize such actions as the demolition of Palestinian homes and properties and the forcible transfer of Palestinian civilians. Those measures were accompanied by the violence and destruction perpetrated by the occupying forces and Israeli settlers on the ground. Arrests and imprisonment, collective punishment, restrictions on movement and military assaults were instances of the human rights violations inflicted upon Palestinians on a daily basis. Moreover, the continuation of illegal Israeli settlement activity and the decline of living conditions, particularly in Gaza, were deepening Palestinian despair, diminishing convictions that justice and peace were possible and raising questions about the efficacy of the international system that her people had long relied on, having chosen the path of diplomacy.

20. Other brutal assaults on Palestinian rights included the adoption by the Knesset of the so-called “nation-State” law, continued incitement at Al-Haram Al-Sharif and the virtual greenlighting of Israeli settlement activity by the United States. Most recently, that Government had taken a punitive decision to cut funding to UNRWA and had attempted to redefine who constituted a Palestine refugee, in a cynical ploy to remove the issue of refugees from the negotiation table before presenting its so-called peace deal. Such attempts ignored rights enshrined in international law regarding refugees and overlooked the fact that the plight of Palestine refugees had long been a final status issue critical to achieving a just and peaceful solution. In that regard, she stressed that refugee status was clearly defined under international law and that the rights of Palestine refugees had been reaffirmed annually by the General Assembly by a near consensus majority and, as such, could not be negated by a single country. Israel continued to evade accountability for creating the refugee problem and to undermine the provision of aid by UNRWA to the 5.4 million Palestine refugees registered with the Agency, as evidenced by the recent threat by the so-called mayor of Jerusalem to expel UNRWA from occupied East Jerusalem.

21. Her Government firmly rejected such actions and insisted that international law must be applied to every aspect of the conflict, including the core final status issues, namely, Jerusalem, refugees, settlements, borders, water, security and prisoners. Furthermore, it condemned the shameful “nation-State” law, which effectively enshrined discrimination in legislation by relegating Palestinians to second-class status at best and apartheid at worst. The main objective of that law was to privilege the Jewish people in all aspects, including

the right to land, the right to self-determination and the right to return.

22. Growing tensions in Palestine refugee communities notwithstanding, the international community’s many expressions of support for and generous contributions to the Agency and Palestine refugee rights were heartening. With UNRWA facing a severe deficit that compromised its ability to sustain vital assistance across all fields, continued political and financial support from Member States and international organizations was urgent. She hoped that the high-level week of the General Assembly’s forthcoming session would serve as an opportunity to mobilize additional support and raise awareness of the situation. In that connection, she called on Committee members to assist with that effort and with the follow-up to the Secretary-General’s report on the protection of Palestinian civilians.

23. While the challenges faced by her people were serious and many, the State of Palestine, convinced of the integrity of the international system as the guarantor of justice and peace, remained committed to pursuing a peaceful solution based on the law and the relevant United Nations resolutions. To that end, efforts to uphold the Palestinian people’s inalienable rights, which were in grave peril, must be redoubled.

Briefing by the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) Representative Office, New York, on recent developments

24. **Mr. Mulrean** (Director, United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) Representative Office, New York) expressing the Agency’s deep regret and disappointment at the decision by the United States of America to provide no additional funding for UNRWA, said that the decision signalled a radical departure from that country’s participation in one of the most robust and rewarding partnerships in the humanitarian and development fields. While it was the sovereign right of any Member State to allocate its voluntary funding as it wished, the freezing of United States contributions to the Agency had been unexpected and was inconsistent with the cooperation agreement concluded in December 2017. At that time, the United States had recognized the robustness and integrity of the management of UNRWA and of the Agency’s handling of its multiple operational, security and financial challenges. He therefore rejected the criticism in the United States announcement characterizing the Agency’s schools, health centres and emergency assistance programmes as irredeemably flawed. Those very programmes had yielded one of the

most successful human development processes in the Middle East. The international community, UNRWA donors and host countries had consistently praised the Agency's achievements and standards, and the World Bank had described its activities as a global public good and had commended it for running one of the most effective school systems in the region.

25. Since the unexpected decision of the United States to freeze \$300 million in funding, UNRWA had taken extraordinary and innovative measures to address its financial shortfall and had achieved remarkable results in terms of diversification and the expansion of partnerships. Exceptional internal management measures had increased efficiencies and controlled costs.

26. He expressed immense gratitude to the more than 25 countries that had advanced their expected annual contributions to earlier in the year to help UNRWA sustain operations and to the 30 donors that had provided additional contributions of over \$238 million to the Agency's core and emergency activities and that had signed new multi-year agreements with UNRWA. In that connection, he highlighted the generous donations made by Qatar, Saudi Arabia, the United Arab Emirates and Kuwait. The continued support of host countries Jordan and the State of Palestine was equally instrumental. Egypt and Turkey had also played key roles as the former and current Chairs of the UNRWA Advisory Commission. In addition, the Secretary-General's continuous engagement had been essential in mobilizing support for UNRWA. After reiterating his confidence in the Agency, the Secretary-General had called on Member States to contribute additional funding, given that UNRWA was still in critical need of more than \$200 million for the remainder of the year and would run out of funding for much of its programming by the end of September 2018.

27. The Agency's assistance was crucial to the well-being of millions of refugees who relied on it not only for their education, primary health care and food, but also ultimately for their dignity and hope for the future. It was therefore vital for the Agency to maintain its services. Member States should set the opening of the next General Assembly session as the target date for producing a collective response to the Agency's challenges.

28. It was regrettable that the United States decision regarding funding for UNRWA, a humanitarian organization, appeared to be linked to political considerations. Humanitarian principles called for assistance to be based on need and not linked to a political agenda. It was not the Agency's responsibility

to find a political solution, and UNRWA should not become a bargaining chip in political negotiations. Otherwise the foundations of the international multilateral and humanitarian systems would be undermined.

29. The General Assembly had given UNRWA its mandate to provide assistance to Palestine refugees until a just and lasting solution to their plight was found. The Agency had reported transparently on its activities since its inception in 1950, and the General Assembly had approved those reports and had consistently renewed the mandate of UNRWA on the basis of its previous work. Only the General Assembly could change the Agency's mandate and, until it did, UNRWA would continue to do everything it could to address the very real needs of Palestine refugees.

Updates from Member States on their activities related to the question of Palestine

30. **Mr. Saikal** (Afghanistan) said that his country had hosted the Palestinian national football team at its independence day celebrations on 19 August 2018. Following a friendly match between the Palestinian and Afghan teams, the members of the visiting team had met with Afghan government officials, civil society representatives and artists. The visit had strengthened relations between the two countries and had raised Afghan awareness of the Palestinian people's plight. He hoped that the Palestinian team would have other occasions to serve as ambassadors of their country in Afghanistan and elsewhere.

31. **Ms. Abdelhady-Nasser** (Observer for the State of Palestine) said that it had been a proud moment for the State of Palestine to engage in the friendly match with Afghanistan and to receive such solidarity and friendship from its Afghan brethren, who had also endured grievous injustices. The Palestinian national team had qualified for the Asian Games on one occasion and hoped to do so again. Palestinian inclusion in sporting events made it possible for Palestinian youth and athletes to engage with the international community.

Other matters

32. *At the invitation of the Chair, Mr. Wildman (Israel-Palestine NGO Working Group) took a place at the Committee table.*

33. **Mr. Wildman** (Co-Chair of the Israel Palestine NGO Working Group) said that his Working Group consisted of members from different churches that had been engaging with the United Nations since its inception and that were working to address human rights violations and promote a just and lasting peace in Israel

and Palestine. As representatives of churches, they understood the importance of international law in upholding human rights. Moreover, their churches had engaged with the question of Palestine since 1948, working to provide humanitarian assistance on the ground and advocate for the right of return and other rights of Palestine refugees to be upheld.

34. Recent actions taken by the Working Group included an ecumenical advocacy day in Washington, D.C. to address urgent issues, including the question of Palestine, and a gathering to address the question of Jerusalem as a shared city for three faiths and as a capital for two States. Upcoming events included the “Christ at the Checkpoint” conference, which would examine how churches might challenge the hurtful theology of Christian Zionism that had been espoused by some Christian brethren.

35. With regard to legislative action, churches in the United States issued monthly action alerts related to the question of Palestine and also conducted monthly congressional visits. Many of the alerts, congressional briefings and other activities focused on the rights of Palestinian children detained and denied due process in Israeli military courts as well as Palestine refugee children being denied services. The Working Group had also been engaging with the United States Government in a bid to restore humanitarian funding for Palestine refugees.

36. Churches in the Israel-Palestine Working Group had joined a coalition opposing anti-boycott legislation at various levels of government, as such laws constituted an attack on acts of conscience and on free speech. The Group had also written letters decrying threats to demolish Khan al-Ahmar, opposing weapons sales to the Middle East, drawing attention to the urgent need to lift the blockade on the Gaza Strip and rejecting the transfer of the United States Embassy to Jerusalem.

37. Each church denomination regularly sent delegations to the Middle East region, in close collaboration with Palestinian and Israeli human rights groups.

38. In terms of corporate accountability, the Group met regularly as religious investors with companies operating in the settlements to challenge their involvement and complicity with the illegal military occupation of Palestinian territory. In that regard, he commended the United Nations Office of the High Commissioner for Human Rights for its work on the database on companies, a critical tool to induce companies to abide by their human rights obligations. Churches had been part of the non-violent boycott, divestment and sanctions campaign for years.

39. His personal involvement in the question of Palestine had begun in the aftermath of the massacre of Palestine refugees at the Sabra and Shatila refugee camps in Lebanon 36 years earlier. Following that slaughter, the General Assembly had adopted a resolution calling for a boycott and an arms embargo against Israel. Tragically, that call for non-violent action remained pertinent, and arms embargo was presently more necessary than ever, and it should encompass arms sales by Israel to other Member States.

40. The Oslo Accords concluded 25 years earlier had halted progress towards a just peace instead of accelerating it, with Palestinian dispossession proceeding apace and Israeli settlements expanding exponentially in the intervening years. The advocacy efforts of churches, human rights organizations and other actors would be an integral part of the United Nations-led effort to protect and promote Palestinian rights. Justice so long delayed was indeed justice denied, but it was not justice destroyed. In order for justice to prevail a more determined collective effort was essential.

41. *Mr. Wildman (Israel-Palestine NGO Working Group) withdrew.*

42. **Mr. Kegli** (Turkey) said that, in recent months, the Committee had addressed the decision by a Member State to move its embassy to Jerusalem, in contravention of international law; the enactment of the Jewish “nation-State” law, which disregarded the basic rights of the Palestinian people; and the attempts by a Member State to discredit and weaken UNRWA and to challenge the refugee status of the Palestinians. The international community could not condone such systematic efforts to undermine the inalienable rights of the Palestinian people.

43. Thanks to the work of UNRWA, hundreds of thousands of Palestinian children had attended school that morning. The Agency’s services were vital to regional stability and development and to a just and lasting peace. As Chair of the UNRWA Advisory Commission and the Working Group on the financing of UNRWA, Turkey was proud to support the Agency’s work, which embodied the international community’s solidarity with the oppressed Palestinian people. The international community must now work harder to ensure the continued operation of UNRWA. That imperative would be addressed at a meeting to be co-chaired by his delegation during the General Assembly’s forthcoming session. He hoped that all Member States would participate in the deliberations.

44. **Mr. Matjila** (South Africa) said that 70 years on, the United Nations and its Member States were failing

to take responsibility for the historic decision to create two independent States, Israel and Palestine, living side by side in peace. Annual meetings on the conflict amounted to bandaging a wound instead of healing it. All the same, South Africa appreciated the generous contributions of individual Member States to keep UNRWA afloat, thereby performing the task incumbent upon the Organization as a whole, namely, keeping the hope of a free Palestine alive. Moreover, the corollary of a free Palestine was a demilitarized Israel, enabling both countries and their neighbours to pursue sustainable economic development unencumbered by the spectre of conflict. While the Committee was often misunderstood as a Palestinian committee, its efforts to free Palestine would also be beneficial to Israel and the entire region. Ultimately, the freedom of both countries was inextricably linked.

45. The events unfolding in Palestine were tragic. Their gravity should revitalize international action to prevent Palestinian-Israeli relations from deteriorating further. No oppressed people could yield to oppression indefinitely; such prolonged oppression would have disastrous repercussions within and outside the region. It was therefore imperative for the international community to enable Israelis and Palestinians to resume negotiations, with the full understanding that that was the best solution for both parties and for regional and global security overall. For its part, South Africa would remain steadfast in its support of the peace process.

The meeting rose at 11.45 a.m.