



General Assembly Security Council

Distr.: General
19 December 2012

Original: English

General Assembly
Sixty-seventh session
Agenda item 36
The situation in the Middle East

Security Council
Sixty-seventh year

Identical letters dated 18 December 2012 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

In full display of its blatant contempt for international law and for the clear position of the international community, Israel, the occupying Power, persists with its unlawful settlement activities in the occupied land of the State of Palestine, including in and around East Jerusalem, gravely undermining the contiguity, integrity and unity of the Palestinian land and jeopardizing the viability of the two-State solution on the basis of the pre-1967 borders.

We condemn the occupying Power's declarations that it is pushing forward with plans to build hundreds more settlement units to which thousands of Israeli settlers would be transferred. Yesterday, 17 December, Israel officially announced its approval for the construction of 1,500 units in the illegal settlement of "Ramat Shlomo", 800 units in the illegal settlement of "Gilo", and 187 units in the illegal settlement of "Givat Ze'ev". In all, the recent provocative declarations made by the Israeli Government in this regard involve plans for the construction of over 6,000 new illegal settlement units throughout the Occupied Palestinian Territory, including East Jerusalem.

We have drawn attention to this serious matter in recent letters on 3, 5 and 13 December 2012, in which we detailed the Israeli Government's declared intentions to construct 3,000 settlement units in an area east of Occupied East Jerusalem, commonly referred to as the "E1" area, as well as in other settlements throughout Palestine. As stated previously, if the occupying Power is to go ahead with this provocative, destructive and illegal plan, it would effectively sever and isolate the City from the cities of Ramallah and Bethlehem and would thwart realization of the two-State solution.

Israel is not hiding the fact that recent provocative declarations and its pursuit of such illegal plans are in "retaliation" to the international community's reaffirmation of its support for the right of the Palestinian people to self-determination and support for the two-State solution, as reflected in the overwhelming support of Member States for General Assembly resolution 67/19, by which the Assembly decided to accord Palestine non-member observer State status. The international community must not tolerate such contempt by Israel for the rule of law and for the United Nations.



We reiterate that Israel's settlement construction and all other colonization activities in the Palestinian Territory occupied since 1967, including East Jerusalem, constitute grave breaches under article 49 (6) of the Fourth Geneva Convention, and thus constitute war crimes, as further determined in accordance with article 85 (4) of the first additional Protocol to the Geneva Conventions and article 8 (2) (b) (viii) of the Rome Statute of the International Criminal Court.

The Palestinian leadership reiterates its calls on the international community to uphold the legal obligations and responsibility to act to bring a halt to Israel's illegal settlement campaign, which continues to be so flagrantly and intensely waged, unabated and without any repercussions. A firm message must be sent and serious measures be undertaken to compel Israel to immediately annul all plans for further settlement construction, including the so-called "E-1" plan.

The Palestinian leadership remains committed to peace and has reaffirmed its commitment to and readiness to resume peace negotiations; however, the Palestinian leadership has also stated that it is prepared to pursue all means available to it to save the two-State solution based on the pre-1967 borders. This matter has become most urgent as Israel, the occupying Power, continues on this path to effectively destroy it and to drag us all farther away from the possibility of peace.

The Security Council cannot remain on the sidelines. While the Council has adopted very clear and strong positions in rejection of illegal Israeli settlement activities in numerous past resolutions, which remain wholly valid, it is high time that the Council pronounce itself in rejection of Israel's illegal settlement campaign at this crucial moment. We thus continue reiterate our calls on the Security Council to uphold its responsibilities under the Charter of the United Nations and to act immediately to address this ongoing breach of international law, which undeniably constitutes a threat to regional and international peace and security. A clear message must be sent without delay to Israel, the occupying Power, that all of its illegal policies, including the construction and expansion of illegal settlements, must be ceased or that it will be held accountable for the consequences that arise, including the failure to revive peace efforts aimed at the achievement of a just, lasting and comprehensive solution.

The present letter is in follow-up to our previous 447 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 13 December 2012 (A/ES-10/575-S/2012/925), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the General Assembly, under agenda item 36, and of the Security Council.

(Signed) **Riyad Mansour**
Ambassador
Permanent Observer of the State of Palestine
to the United Nations