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## Special Political and Decolonization Committee (Fourth Committee)

### Summary record of the 20th meeting

Held at Headquarters, New York, on Monday, 1 November 2004, at 2.30 p.m.

*Chairman:* Mr. Swe. . . . . (Myanmar)  
*later:* Mr. Calderón (Vice-Chairman) . . . . . (Ecuador)

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*The meeting was called to order at 2.45 p.m.*

**Agenda item 75: United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)** (A/59/13, A/59/151, A/59/260, A/59/279 and A/59/442)

1. **Mr. Hansen** (Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East), presenting his report covering the period 1 July 2003–30 June 2005 (A/59/13), began by speaking of the UNRWA's regular programme, which provided services to over 4 million Palestinian refugees. The education programme served almost 500,000 pupils at the preparatory level in 658 schools, employed 73 per cent of the total Agency staff and accounted for 60 per cent of its expenditure. The Palestinian people's educational achievements were well-known, and UNRWA prided itself on having contributed to the realization of achievements such as gender parity in the school system. However, while the performance of the students remained good, the quality of the educational environment was deteriorating: the average classroom size was now 41 students, and many schools were operating on a double-shift system. The Agency had had to resort to renting buildings that had not been designed as schools, lacking adequate ventilation and common spaces. On a positive note, the Agency had completed construction of nine new schools and another seven were currently being built. However, an additional burden had been the modernization of the host country curricula, including the introduction of English at the primary level as well as IT courses. Agency schools were obliged to follow those changes, but had still not been able to match the lengthening of the basic education cycle from nine to ten years in the occupied Palestine territory.

2. Spending less than US\$ 15 per refugee per year, UNRWA's health programme had been able to provide the Palestine refugee population with comprehensive health care services, but its doctors were seeing an average of 100 patients a day. There were several other developments that would affect the ability of the Agency to maintain that level of service. Such factors included the changing demographic profile of the Palestine refugee population, with 40 per cent of the population being below the age of 18 and 24 per cent being women of reproductive age, and the dramatic rise in cardiovascular diseases and diabetes. Of particular concern were developments attributable in

great part to the humanitarian crisis in the occupied Palestinian territory, such as the 60 per cent increase in the utilization of general clinic services, and increased incidence of malnutrition and anaemia. The psychological effects of the crisis were an insidious and serious health concern, particularly in children: some sources had found that 90 per cent of the children exhibited traumatic stress-related symptoms.

3. In the case of the Relief and Social Services Department, 84 per cent of its resources were going simply to provide food and cash support to over 61,000 of the most destitute refugee families. While only 17 per cent of the families in total were headed by women, almost half of the special hardship families fell into that category. The Agency's ability to maintain refugee shelters had decreased significantly, since it depended entirely on extrabudgetary contributions, and in the reporting period only 1.2 per cent of the needed repairs had been completed. In the area of social services, the Agency was providing support to a network of 102 community-based organizations that addressed in particular the needs of women, children, youth and disabled persons. In addition, 64 Women's Programme centres provided awareness sessions, legal advice, skills training and day-care, and 38 Community Rehabilitation Centres provided services to the families of some 25,000 refugees with disabilities through a social approach involving the participation of families and the community, and the integration of children into the school system.

4. The self-financing microcredit programme, which provided credit to support small businesses and microenterprises and served to create jobs, empower women economically and alleviate poverty, was now the largest source of credit in the West Bank and the Gaza Strip, and was expanding in Jordan and the Syrian Arab Republic. Of the US\$ 12 million disbursed in the reporting period, 31 per cent of almost 16,000 loans were to women, with the rate of repayment among women who received solidarity-group loans in Gaza being a remarkable 93 per cent.

5. In the area of emergency activities in the occupied Palestinian territory UNRWA was facing enormous hurdles owing to violence, curfews and closures. During the past year, the Agency had provided food to over 1.3 million refugees and the job creation programme had generated over 1,823,000 work days. It had provided temporary accommodation and emergency assistance to the

families whose houses had been destroyed, and had launched several rehousing projects. However, a cause for concern was the building of the wall or fence in the West Bank, which was preventing access to agricultural land, schools and health facilities. The residents of the “seam zone” needed permits to live in their own houses, some of the permits being valid for only three months. The Agency was undertaking a series of surveys to determine how the barrier was affecting refugees and its own operations and how it could adapt its services to the situation.

6. The past year had seen a dramatic increase in the scale of military operations in the Gaza Strip. In May 2004, the Israel Defense Forces (IDF) had conducted incursions into densely-populated areas of Rafah, destroying the homes of some 710 families as well as infrastructure, agricultural land and private enterprises. An average of 45 people a day were being made homeless, and since the beginning of the year, Israeli forces had killed an average of 60 people a month. The largest incursion to date occurred following attacks from the Gaza Strip which had killed a number of Israeli citizens, three of whom were children. In the operation named “Days of Penitence” 200 armoured vehicles had entered the towns and refugee camps of the northern Gaza Strip: almost 200 homes were destroyed or damaged, 36,000 Palestinians were under siege; 107 persons died, including 27 children and also including nine UNRWA pupils and two teachers, and 431 persons were injured. In the last two years, three young girls had been killed by IDF gunfire while actually sitting at their school desks. Children, above all, deserved the utmost protection, and were accorded it under human rights law, and it was incumbent on Israel to guarantee their safety and bring perpetrators of crime to justice in accordance with international law, as well as its own legal standards. Meanwhile, air-strikes and extrajudicial killings had continued. In the preceding two weeks, an additional 41 people had been killed, 132 injured and 378 rendered homeless. A 9-year-old girl had been killed on her way to an UNRWA school. The irony was that those lives and communities had to be rebuilt, and the international community, through humanitarian organizations, would bear the material costs. UNRWA simply could not keep up, and its claims for the destruction of its facilities did not even receive an answer from the Government of Israel.

7. UNRWA remained under considerable financial constraint. That was most true of the Emergency Programme, which to date had received pledges for only 45 per cent of its budget. The Agency had launched two initiatives designed to tackle that problem: giving a strong, new thrust to its fund-raising efforts in the Arab world, from a base in Abu Dhabi, and establishing two country support groups, one in Spain and the other in the United States of America. Those associations would work closely with local governments, the private sector and individual donors to raise funds and improve understanding of the Agency’s work. A further development in the past year had been the holding in Geneva, on 7 and 8 June, of the largest conference on the Palestinian refugees in 56 years. The recommendations of the conference would be reflected in the Agency’s Medium Term Plan for 2005–2009 and its budget preparation processes. An agreement had been reached with the University of Geneva to develop data collection and analysis tools that would increase the Agency’s ability to assess and improve its programmes.

8. The Agency continued to face severe operational obstacles in carrying out its humanitarian mandate in the occupied Palestinian territory. Closures and checkpoint delays prevented schools and health services from opening normally, humanitarian supplies could not reach their destination in time, Agency vehicles were fired on, staff members were beaten and humiliated by Israeli soldiers. Since the start of the last *intifada*, 12 staff members had lost their lives. Incursions by the IDF had led to destruction of equipment in UNRWA educational and health care facilities, which had also been seized and used by the IDF as temporary detention and interrogation centres. UNRWA staff had been denied free movement in and out of the Gaza Strip for unspecified reasons, often for extended periods, without explanation. During the reporting period, 34 staff members from the West Bank and Gaza Strip have been detained by the Israeli authorities, and 23 were still in detention. In most cases the Agency was refused access to them and not informed of the reasons for their detention. Restrictions on freedom of movement had also affected containers carrying humanitarian commodities into the Gaza Strip. Since April, the number of stranded containers had ranged between 400 and 600 and the cost since the beginning of the crisis would soon reach US\$ 5 million. All of those restrictions were inconsistent with the 1946 Convention on the

Privileges and Immunities of the United Nations, as well as the Comay-Micheltmore bilateral agreement in which Israel had agreed to “facilitate the task of UNRWA”. In July 2004, the United Nations had declared a Phase IV security situation, which had necessitated the temporary relocation of most of the international staff from UNRWA’s Gaza headquarters to Jerusalem and Amman, with the resultant disruption in the work of the Agency. The future was uncertain, nor only for the Agency but also for the Palestinian refugees, particularly those in the Gaza Strip. If there was not a radical easing of movement for both people and goods, the withdrawal of Israel would probably exacerbate economic stagnation and the donor community would be called upon to bear the burden of the humanitarian crisis.

9. At a time when operational constraints were at an all-time high, he continued to be thankful for the dedication of UNRWA area staff members, who performed their jobs at great personal risk, were paid much less than other United Nations local staff, and were the only United Nations employees in the area not receiving hazard pay. For the past two weeks, 4,000 employees of the Agency in the West Bank had been on strike. Their claims were justified, if the method they had chosen to enforce them was unfortunate. The Member States should lend their support to resolve that situation. On top of all those strains, UNRWA had been coping with a series of unfair accusations by the IDF and Israeli government officials. It was to be hoped that any concerns that the Government of Israel might have could be resolved directly between the Government and the Agency rather than through worldwide campaigns in the press, so that the Agency could continue to work in a spirit of cooperation and mutual respect with all partners in the region.

10. **Mr. Frydenlund** (Norway), Rapporteur of the Working Group on Financing of UNRWA, presented the report of the Working Group (A/59/442), expressing concern at the steadily deteriorating humanitarian situation in the occupied Palestinian territory, at the increasingly difficult conditions under which the Agency was working and at the lack of international response to the calls for emergency relief assistance. The Working Group noted positively the declining funding gap of UNRWA’s regular budget, but emphasized that it was the responsibility of the international community to ensure that its services

were maintained at an acceptable level of quantity and quality. The Working Group called on the international community to act on the outcome of the Geneva conference the previous June, by strengthening partnerships with the Agency and ensuring that funding kept pace with the growth of the refugee population. It called for early and complete fulfilment of pledges and other commitments to UNRWA, in particular the reimbursement of value-added tax and port charges by the Palestinian Authority and the Israeli Government. The Working Group also encouraged UNRWA to continue efforts to widen its donor base, while maintaining strict controls on expenditure. For its part, the United Nations should reimburse as soon as possible the US\$ 5.1 million outstanding with respect to the move of UNRWA headquarters from Vienna to Gaza and Amman.

11. The Working Group expressed alarm at the continuing reduction in Agency programme activities, resulting from funding shortfalls. For example, the number of pupils per classroom and the number of patients per doctor had increased, while activities such as university scholarships and rehabilitation of shelters had diminished. The international community needed to do its utmost to meet the emergency appeal’s requirement of US\$ 209 million for 2004 as soon as possible. For its part, the Government of Israel should enhance its cooperation with the Agency to speed up the delivery of its services. While emergency appeals were a necessary funding instrument, there was a need to strengthen the link between humanitarian emergency budgets and the regular development budget. Notwithstanding the political roots of the refugee question, the problems currently faced by them were humanitarian problems, that must be addressed as a shared international responsibility. The services provided by UNRWA must be viewed as the minimum required to enable the refugees to lead productive lives, and a reduction in those services could have a destabilizing effect on the entire region. For that reason, the Working Group strongly urged all Governments to consider making special contributions sufficient to cover the deficit and build up working capital, in order to enable UNRWA’s services to continue uninterrupted and for the Agency to restore services cut as a result of the austerity measures.

12. **Ms. Nasser** (Observer for Palestine) said that the plight of the Palestinian refugees continued to be as critical an issue with regard to the resolution of the

question of Palestine as it had been in 1948. For 56 years, more than 4 million Palestinian refugees, spanning at least three generations, had suffered the destruction of their homes, their land and their livelihoods. Millions of them continued to live in the 59 refugee camps in Jordan, Lebanon, the Syrian Arab Republic and the occupied Palestinian territory. Like all refugees, the Palestinian refugees had an inalienable right to return to their homes. In 1948 the General Assembly had reaffirmed that right with its resolution 194 (III), and since then the international community had continuously safeguarded it. That had been key to the resilience of the Palestinian refugees and their abiding trust in international law. She recalled the difficult situation of hundreds of thousands of persons displaced from their lands in 1967, whose right to return had been affirmed for the first time by the Security Council in its resolution 237 (1967). As documented in the records of the United Nations Conciliation Commission on Palestine, the Palestinian refugees were the owners of 5.5 million *dunums* of land in Israel and its restitution or fair compensation for it had to be part of any final settlement of the refugee problem. Regrettably, Israel continued to refuse to acknowledge its responsibility and remained entrenched in positions contrary to international law, as had been demonstrated by the exchange of letters of 14 April 2004 with the United States of America, in which the latter country had sought unilaterally to decide the future of the Palestinian refugees.

13. UNRWA was carrying out important work for the refugees. Despite its limited resources, it had continued to operate 900 educational, health and community facilities and to run microcredit programmes to promote economic development and self-reliance among the refugees. It had been compelled to expand its emergency-related programmes in order to provide urgent humanitarian aid, including food, shelter and cash assistance, to prevent the starvation and complete impoverishment of thousands of refugees. However, the socio-economic conditions of the Palestinian refugees remained difficult, characterized by a high rate of unemployment, extreme poverty, overcrowding and inadequate infrastructure. In the camps in Lebanon, the situation was desperate. Another matter of concern was the situation of the more than 50,000 Palestinian refugees in Iraq, and consequently Palestine welcomed the recommendation by the Agency and by the United Nations High Commissioner for Refugees that they should be registered with UNRWA in order to

receive basic services. The crisis that had gripped the occupied Palestinian territory since the start of Israel's military campaign in September 2000 had severely affected the refugees, who constituted more than half of the population and were among its poorest and most vulnerable members. According to the Agency, the attacks against the Jabaliya refugee camp and the surrounding area in northern Gaza had killed at least 170 Palestinians, including children, and wounded 430, in less than three weeks.

14. In 2003, the use of indiscriminate use of force by the occupying Power had caused thousands of defenceless persons, including children, women and the elderly, to flee for their lives. Nowhere were the Palestinians safe from Israel's assaults, as was demonstrated by the tragic examples of children killed by Israeli bullets while they were at home or in UNRWA's schools. Those children not only lived the entirety of their short lives with their rights denied and forced to live under the most deprived conditions, but then suffered a cruel death at the hands of the occupying Power. The killings constituted a flagrant violation of the inalienable right to human life and the international community should protect refugees and the rest of the Palestinian civilian population against these war crimes. The occupying Power was continuing to use brutal methods of collective punishment to terrorize and humiliate the refugees. Not only had homes been demolished, but water, electricity and sewage systems had been destroyed and agricultural land flattened. Such indiscriminate destruction of property constituted a war crime under Article 147 of the Fourth Geneva Convention. In the Jabaliya refugee camp alone, more than 90 homes had been destroyed and more than 100 damaged, affecting some 1,500 people. The buildings destroyed in the attacks included UNRWA schools. The particular case of Rafah had prompted the Security Council to adopt resolution 1544 (2004), calling on Israel to respect its obligations under international humanitarian law, and insisting, in particular, not to undertake demolition of homes contrary to that law. Of course, the occupying Power had violated the resolution: in the month of May alone, 298 buildings had been destroyed in Rafah, leaving more than 3,800 people homeless.

15. Israel's imposition of closures and restrictions on movement of persons and goods, in violation of international law, also continued to hamper refugees' access to their work, schools, health care, food supplies

and clean water. Socio-economic conditions continued their downward spiral as a result of malnutrition and disease. In addition, the unlawful construction of the wall in the occupied Palestinian territory had isolated and impoverished hundreds of families. UNRWA had mobilized its staff and resources and had launched appeals for funding to provide emergency assistance to the refugees. Nevertheless, it was extremely difficult for the Agency to keep up with the devastation caused by the occupying forces. While the rebuilding was not yet even concluded in Jenin, millions of dollars were now needed to rebuild the homes damaged in Rafah, Jabaliya and other camps. The health facilities of the Agency, in particular its emergency and rehabilitation services, were overburdened owing to the ever-increasing number of maimed and injured. UNRWA's cooperation with the World Health Organization and other United Nations agencies and with the International Committee of the Red Cross and the Palestine Red Crescent Society had been decisive in coping with the increasing demands for medical care.

16. In blatant violation of international law, the occupying forces continued intentionally to hamper UNRWA's humanitarian work, by means of stringent restrictions on movement of its staff through the occupied Palestinian territory, which at times forced the Agency to suspend programmes including the distribution of emergency food aid, and disrupted its education, health and social services, with increased costs as a result. The Agency's vehicles continued to be subjected to prolonged delays and invasive searches, and even came under fire from the occupying forces. Ambulances had repeatedly been prevented from transporting patients. The Agency's staff continued to be subjected to verbal and physical abuse, including beatings at Israeli checkpoints, and continued to face many difficulties in reaching their jobs and returning to their homes, sometimes even finding it impossible to do so. The occupying Power continued to arrest and detain UNRWA staff, the majority held without charge. Not even the Commissioner-General had escaped the harassment, having been prevented from attending the annual meeting of the Advisory Commission in Amman.

17. The occupying forces also continued to attack UNRWA hospitals, schools and training centres. In addition to endangering the lives of the Agency's staff and of civilians, including schoolchildren, those attacks

had caused extensive damage to the Agency's property. Even worse, the violence committed by the occupying Power had caused the deaths of agency staff: since 11 September 2000, a total of 11 UNRWA staff members had been killed by Israel and many more wounded. The most recent killing had been that of an UNRWA schoolteacher, who lost his life during the military assaults on northern Gaza on 10 October. The international staff of the Agency's headquarters in Gaza, including the Commissioner-General, had been relocated owing to the increasing risks to which they were exposed, causing serious disruption of operations. In addition, Israel and some of its allies had made false accusations against the Agency to intimidate its staff and undermine its work. One example comprised the allegations of misuse of ambulances, which threatened to harm the integrity of the Agency and diverted attention from the more urgent tasks at hand.

18. In the light of that situation, it was imperative to reaffirm that UNRWA, like all other United Nations agencies and humanitarian organizations, was entitled under the law to carry out its mandate without harassment or obstruction. Israel should immediately lift all restrictions on the movement of the Agency's staff and supplies, ensure their safety and compensate the Agency for any damage caused to its property. The enormous strain placed on the Agency's financial situation should also be of particular concern to the donor community. The international community must hold the occupying Power accountable for its actions and must demand compliance with its legal obligations. The delegation of Palestine wished to express its deep appreciation to the host countries that had for so long shared in the burden of caring for the refugees, and encouraged their continued cooperation with the Agency. It also wished to express its gratitude to the donor community for its generous contributions, in particular its response to the emergency appeals. The refugees feared that the Agency's financial problems might reflect a declining commitment on the part of the international community to the refugees. In that regard, Palestine welcomed the outcome of the Geneva conference, which could contribute to increasing support for UNRWA and the refugees.

19. **Mr. Assaf** (Lebanon) expressed strong satisfaction at the content of paragraph 35 of the Commissioner-General's report. The question of the Palestinian refugees was a humanitarian, political and legal problem, related to the occupation and to

international peace and security. According to General Assembly resolution 194 (III) and Security Council resolution 237 (1967), the question of the Palestinian refugees was also related to the principles of international law, especially those of justice and equity. However, the injustices were evident. A million people had had to abandon their land in the middle of the twentieth century and flee to neighbouring countries. At the present time there were four million refugees, a third of whom lived in 59 camps run by UNRWA. Israel, by contrast, was recruiting settlers from all over the world to occupy Palestinian territory. At the present time there were already 400,000 of them living in the 200 existing settlements.

20. The financial situation of UNRWA was a matter for grave concern. If its General Fund, of some US\$ 300 million, were divided up over the four million refugees, that would give each refugee 20 cents a day. Meanwhile, the Israeli settlers were enjoying the property of the Palestinians, such as the 5.5 million *dunums* of land that they owned. Israel was criticizing UNRWA and its programmes, mistreating its staff, bombarding the schools set up by the Agency and killing teachers and pupils. In paragraph 151 of his report, the Commissioner-General spoke of criminal acts carried out by Israel and told how an Israeli soldier placed an illegal substance in an UNRWA vehicle and then pretended that his dog had found it. As was said in paragraph 186, Israel was reimbursing neither port charges nor VAT to the Agency, while the Palestinian Authority, whose economic situation was much more precarious, was in fact doing so.

21. The question of the refugees was one of great importance to Lebanon, and its Government supported the right of the Palestinians to return to their homes for three reasons: firstly, the refugees themselves in the south of Lebanon were resolved not to stay there indefinitely and insisted that they had to return to their land; secondly, the refusal of the Palestinian refugees to settle in the country was covered in the constitution of Lebanon, and thirdly, if the refugees were to remain in Lebanon that would subject the country to a heavy economic burden and a severe demographic imbalance. The presence of UNRWA was no more than a temporary solution to the problem and the only permanent solution was to allow the refugees to return to their country. It was not Lebanon's intention to eliminate the State of Israel, as some Israelis alleged; what his country wished was peaceful coexistence

based upon mutual recognition, as had been proposed in the Beirut peace initiative, provided that Israel withdrew from the occupied territories and the refugees could return to their homes. That was the only way to guarantee peace in the region.

22. **Mr. Al Naqbi** (United Arab Emirates) expressed his concern at the deterioration in the social and humanitarian conditions under which more than four million Palestinian refugees were living in the occupied territories and in the neighbouring countries, as a consequence of Israel's aggressive policy comprising excessive use of force, destruction of properties, impositions of curfews and internal and external closures in the West Bank and the Gaza Strip. The situation had deteriorated further with the construction of the wall, which had ruined wide areas of farmland, destroyed their natural resources and caused the displacement of thousands of Palestinians. In addition, restrictions on movement of the Palestinian population and disruption of educational programmes had affected their businesses and increased levels of poverty and illiteracy, especially among the refugees, who had suffered for decades from the denial of successive Israeli governments of their right to return to their homeland. The actions of Israel also adversely affected the work of UNRWA in the Gaza Strip and the West Bank, where dozens of its staff members had been killed or injured. Many of the Agency's buildings had been attacked and destroyed and basic services such as the provision of shelter to refugees had been suspended.

23. The United Arab Emirates condemned the acts committed by the Government of Israel in violation of the 1949 Fourth Geneva Convention and other international instruments, and reiterated that a just, lasting and comprehensive solution to the question of Palestine had to be based on unconditional repatriation of the refugees and compensation for their financial and moral losses, as stipulated in General Assembly resolutions 181 (II) and 194 (III). It also affirmed the responsibility of the international community, the United Nations and the Quartet to find a solution to the problem. The Security Council should adopt the measures necessary to put an end to Israel's constant attacks on the refugee camps and ensure the safety of UNRWA's staff and premises, in conformity with the 1946 Convention on the Privileges and Immunities of the United Nations and the 1967 Comay-Michelmores agreement. There was a need to improve the working

conditions of the local staff, increase their salaries and grant them hazard pay. The decline in the Agency's financial resources had diminished its ability to carry out its regular programmes and the new emergency and relief assistance programmes. Consequently, the United Arab Emirates, which undertook to continue its political, financial and moral support to UNRWA, urged donors to double their contributions, so that the Agency could meet the urgent needs of the Palestinian refugees and provide food and relief assistance in the occupied territories and the neighbouring countries.

24. **Mr. Mekdad** (Syrian Arab Republic) thanked the Commissioner-General for his personal efforts to alleviate the suffering of millions of Palestinians to whom Israel was denying the right to return to their homes. More than 55 years had gone by since the occurrence of one of the greatest disasters to afflict the Middle East, and still there was no hope that the tragedy of the Palestinian people would end and that they would recover their legitimate rights. The international community looked on impassively at murder and injustice, which encouraged Israel to intensify its brutal campaign against Palestinian civilians. Israel's actions were making the situation worse in the occupied territories and the recent attacks had turned the refugee camps into battle fields invaded by planes and tanks which caused death, chaos and destruction. The report of UNRWA described the suffering inflicted on the Palestinian people due to the construction of the wall, the closures and the destruction of dwellings and farmland. As if that was not enough, Israel had attacked UNRWA's premises and ambulances, had occupied its schools, using them as detention centres, and had mistreated the Agency's staff. Demonstrating its disdain for international legitimacy, Israel had prevented the Commissioner-General from travelling to Amman to take part in the meetings of the Advisory Commission. Not even schoolchildren had been able to escape from the Israeli terror. In the reporting period, 17 of UNRWA's pupils had been killed, two of them actually in the classroom, and 33 had been wounded. Since October 2000, a total of 95 pupils had been killed and 1,100 had been wounded.

25. The Syrian Arab Republic provided assistance to the refugees living in its territory and treated them as Syrian citizens without any discrimination, despite the considerable financial burden that that entailed. In consequence, it was pleased to observe that some of

the services provided were referred to in the Commissioner-General's report, in particular in paragraphs, 39, 72, 81, 85, 92 and 229 to 247. The costs incurred by the Syrian Arab Republic in support to the Palestinian refugees amounted to US\$ 103 million. It needed to be stressed that the international community was responsible for the problem. It was important that UNRWA should continue its work under the leadership of the Commissioner-General and should widen its donor base in order to be able to fulfil its mandate and comply with the recommendations of the Geneva conference. The Agency should improve its services and extend them to all the refugees in the five zones where it was working, without distinction. The international community should respond to the emergency appeals, so that the Palestinian refugees or the host countries did not have to take on the shortfall in the Agency's funding. Another matter for concern was the fact that UNRWA staff did not receive hazard pay despite the difficult conditions under which they were working. It was to be hoped that they could receive this benefit on an equal footing with other United Nations officials.

26. In 1948, the General Assembly had approved resolution 194 (III), paragraph 11 of which established the right of the Palestinian refugees to return to their homes, a right which the Assembly had reaffirmed on numerous occasions. In other resolutions it was considered that the refugee problem was due to the fact that the refugees were being denied their inalienable rights enshrined in the United Nations Charter and the Universal Declaration of Human Rights. Thus, in those resolutions the right of the Palestinian refugees to return to their country was unequivocally linked with the right to free determination. Israel's aggressive and provocative behaviour, the brutal use of military force against UNRWA's facilities and the killing of more than 3,439 Palestinians since September 2000 demonstrated without any doubt that Israel did not desire a just and comprehensive peace in the region which would guarantee the right of the refugees to return to their homes. It was now time for the international community to exert pressure on Israel to end its occupation of the Palestinian territories and apply the resolutions in question.

27. **Mr. Hassan** (Jordan) recalled that his country had been sheltering Palestinian refugees in its territory since 1948 and that currently 1,750,000 of them were



recorded by UNRWA as being in Jordan. The Government allocated more than US\$ 400 million of its budget to health and infrastructure services, social services and security for the refugees in order to improve their living conditions. In addition, it attempted to provide other services that UNRWA could not supply owing to its financial crisis. The question of the Palestinian refugees had to be tackled with a global approach, without discrimination on the basis of the country they were living in. His Government remained determined to find a solution to the problem on the basis of General Assembly resolution 194 (III), which established the right to return to their homes and to receive compensation, the Arab peace initiative and Article 8 of the Jordan-Palestine peace agreement, which provided that the question of the Palestinian refugees had to be solved in conformity with the principles of international law. UNRWA had to continue its work until a just and definitive settlement of the question was achieved. To that end, Jordan hoped that the mandate of the Agency would be extended and that consultations would continue with the donor countries in order to reach agreement on funding its Medium Term Plan.

28. Israel was continuing its aggression against the Palestinian people. In recent weeks numerous atrocities had taken place in Gaza and the refugee camps. Israel continued to impose restrictions, was constructing a wall inside the occupied territories and was defying the principles of the Fourth Geneva Convention. What it was doing had a sole objective: to destroy Palestinian society and prevent the creation of a Palestinian State. The Government of Israel should halt all violence in the occupied territories, cease destroying infrastructure and dwellings and put an end to extrajudicial executions and collective punishments. In summary, it had to stop infringing international law and both parties had to respect and fully apply the Road Map. Israel must facilitate the work of UNRWA staff in the Palestinian territories and permit them to carry out their functions and provide humanitarian assistance to the refugees.

29. *Mr. Calderón (Ecuador), Vice-Chairman, took the chair.*

30. **Mr. Abu Zeid** (Egypt) said that, when considering the work of UNRWA, there was a need to take into account the general deterioration in the situation which had occurred in the occupied territories and the refugee camps over the past four years. The

hopes of the Palestinians to return to their homes under conditions of safety had been dashed and assistance from UNRWA had diminished owing to the scarcity of its resources. The report of the Commissioner-General presented a sombre picture of the economic and humanitarian conditions of the Palestinian people in the Gaza Strip and the West Bank and of the refugees both inside and outside the occupied territories. The suffering of the Palestinians, especially women, children and the elderly, increased as Israeli military operations intensified. Although a count had not yet been made of the number of dead and wounded, nor of the extent of the destruction caused by the “Days of Penitence” operation, this suffering had become part of the daily life of the inhabitants of the Gaza Strip, the West Bank and the refugee camps.

31. The socio-economic and humanitarian situation of the Palestinian people had seriously worsened: more than 70 per cent of the Palestinians lived below the poverty line, 25 per cent were unemployed and the number of displaced persons was increasing as a result of the continuous assaults by Israel; according to UNRWA, the balance of the “Days of Penitence” operation was 36,000 Palestinians under siege, 107 killed, four of them children under the age of eight, 431 wounded, 675 displaced and 91 houses destroyed. In addition, the restrictions imposed by the Israeli authorities had diminished the capacity of the Agency to provide assistance in the refugee camps. Egypt took the view that the withdrawal of Israel from the Gaza Strip had to be absolute, in accordance with the Road Map, and must be followed by its withdrawal from the West Bank. Egypt also called on Israel to comply with the Advisory Opinion of the International Court of Justice which stated that the construction of the wall within the Palestinian territories was illegal and stressed the need to halt the building and dismantle the parts already built. A further area of concern was the reduction in the Agency’s resources, due to the fact that donors’ attention had focused on other crises elsewhere in the world, which had to a large extent prevented UNRWA from carrying out its development projects and responding to the humanitarian emergencies. For that reason, the measures taken by Jordan, the Syrian Arab Republic and Lebanon to attend to the basic needs of the Palestinian refugees were to be applauded.

32. **Mr. Kabtani** (Tunisia) after thanking the donor and host countries for their help to the Palestinian

refugees, stressed the importance of the work being carried out on the ground by UNRWA, which deserved to receive support proportionate to the needs of the refugees, until the latter could exercise their inalienable rights within the framework of a just and lasting solution to the question of Palestine. Tunisia urged the international community to give greater support to the Agency, in the light of the growing number of refugees and the deterioration in their living conditions owing to Israel's ever more intense policy of destruction, which had caused a human catastrophe and diminished UNRWA's capacity to carry out its work. Tunisia called for all restrictions imposed on the Agency's staff to be suspended and stressed that a just and lasting solution had to take account of the legitimate right of the Palestinian refugees to return to their homes or to receive fair compensation, in accordance with the provisions in the relevant resolutions. Only thus would it be possible to lay the foundations for peace and security in the region.

33. **Mr. Semadeni** (Switzerland) said that the situation of the occupied Palestinian territory, characterized by an extremely difficult political context, an alarming economic, social and humanitarian situation after four years of armed confrontations, endemic unemployment and growing poverty, resulted from numerous factors, in particular the violations of international humanitarian law. The causes of the crisis had to be sought in the restrictions on freedom of movement, the imposition of closures and curfews, the demolition of houses and infrastructure and extrajudicial executions by the Israeli army. Switzerland recognized the fundamental right of Israel to defend its population against terrorist attacks, which nothing could justify, but it had to exercise that right in compliance with international humanitarian law.

34. UNRWA was confronted with many operational challenges. Switzerland considered that its premises should be regarded as protected locations and urged the Israeli and Palestinian authorities to respect the Fourth Geneva Convention and the occupying Power to guarantee safe and unrestricted access by the humanitarian organizations providing aid to the civilian population of the occupied Palestinian territory. In order to carry out its mandate, UNRWA needed adequate resources, and in consequence it remained dependent on international solidarity. Switzerland acknowledged the important contributions

of the countries of the Middle East that had taken in refugees, and encouraged them to provide active support to the Agency, in particular improving the living conditions of the refugees both materially and from the legal point of view. Switzerland also stressed the importance of the Geneva conference, during which numerous spheres had been discussed where the linkage between the donors, the host countries and UNRWA could increase the rapidity of the Agency's interventions and the effectiveness of its activities on behalf of the refugees.

35. **Archbishop Migliore** (Observer for the Holy See) said that amid an unending cycle of violence and terrorism, military action and reactions which did nothing but beget more violence, UNRWA and many other agencies were providing services to the refugees which in normal circumstances would be the responsibility of local authorities. The Holy See was keenly aware of the difficulties facing UNRWA, since for 55 years the Pontifical Mission for Palestine and its collaborator Catholic agencies throughout Europe and the United States of America had been serving the same population, so adversely affected by the "undeclared war", by addressing the problems of unemployment through rehabilitation programmes which at the same time strengthened local institutions, and by providing them with access to educational and medical services.

36. The solution to the multifaceted problem had to include the question of Jerusalem. The Holy See renewed its call for guaranteed provisions to ensure the freedom of worship of its inhabitants, as well as permanent, free and unhindered access to the holy places for the faithful of all religions and nationalities, in conformity with General Assembly resolution ES-10/2. Jerusalem was the common patrimony of the believing world and consequently whoever had custody of it was accountable for it to the international community. Owing to the current violent situation, many pilgrims were avoiding the Holy City, imposing further economic difficulties on the population. The Road Map had not yet succeeded in bringing peace to the region. It was painful that the place that many people called the Holy Land was divided and dominated by destruction and death. The family of nations needed to challenge all the actors concerned to resume negotiations. Only with a just and lasting peace – not imposed but secured through

negotiation – would the legitimate aspirations of all the peoples of that land be fulfilled.

37. **Mr Kanaan** (Observer for the Organization of the Islamic Conference) stressed the alarming deterioration in the situation in the occupied Palestinian territory as a result of the military operations waged by the Israeli occupying forces and the restrictions on movement imposed not only on the Palestinians, but also on the vehicles and staff of UNRWA, including the Commissioner-General himself. Such practices had had a serious impact on the Palestinian economy, and these had been exacerbated by the widespread destruction of infrastructures and public and private buildings, in violation of the principles of international law and the United Nations Charter.

38. Displaying its deliberate disregard for the lives of Palestinian civilians, and under the silence of the international community, Israel continued to target children, even in United Nations schools in the Gaza strip. Since September, four children under the age of 14 had been killed by the occupying forces, two of them while they were in the classrooms of an UNRWA school. Israeli bulldozers were destroying thousands of homes in the West Bank and the Gaza Strip, intensifying hardships and undermining hope for future reconciliation. The Israeli Center for Human Rights in the Occupied Territories (B'Tselem) had called on Israel's attorney-general to declare that the IDF's plan to demolish hundreds of houses in Rafah was illegal and had stressed that approval of such a plan would grant a legal stamp of approval of human rights violations. In that regard, UNRWA was highly to be commended for its undertaking of the Jenin Rehabilitation Project, thanks to a donation of US\$ 27 million from the Red Crescent Society of the United Arab Emirates. Equally commendable was the agreement reached among the Agency, the same Society and the Palestinian National Authority, on building 400 homes to replace those destroyed by Israel in Rafah.

39. In defiance of the Advisory Opinion of the International Court of Justice and General Assembly resolution ES-10/15, Israel was continuing to build a wall in the West Bank and in and around Jerusalem. The wall had already begun to have adverse effects on many people's access to land, services and livelihoods, and had led to the further impoverishment and isolation of families of refugees and created new obstacles to the

delivery of essential UNRWA services to them. Those acts of the IDF were immoral and illegal and contravened international humanitarian law, in particular the Fourth Geneva Convention and relevant United Nations resolutions.

40. The level of response of the international community to the 2004 appeals had stagnated. UNRWA had been able to operate for five decades largely due to the generous assistance of the donors and the support of the host countries and the Palestinian National Authority. The international community should continue its support to the work of UNRWA in view of its precarious financial situation and the severe humanitarian crisis in the occupied Palestinian territory. It was to be hoped that the commitments made in Geneva would materialize as soon as possible and that the Agency would benefit from the establishment of a post in Abu Dhabi to extend the its fund-raising reach into the wider Arab world. The Organization of the Islamic Conference welcomed the announcement made after the Arab-International Forum on the Rehabilitation and Development of the Occupied Palestinian Territory, held in Beirut, of the establishment of a starting fund of US\$ 25 million to provide direct assistance to the Palestinian people in Gaza. The Islamic Development Bank was one of the contributors to that fund.

41. Succeeding summits and ministerial conferences of the Organization of the Islamic Conference had reaffirmed the continuing responsibility of UNRWA toward the refugees until such time as the Israeli occupations of Palestinian and Arab territories came to an end and the right of the refugees to return to their homeland was recognized, as provided for in General Assembly resolution 194 (III) and in the Universal Declaration of Human Rights. The obvious way out of the catastrophic situation, a way which Israel continued to avoid, was a resumption of the peace process. The international community should compel Israel to put an end to its military campaign and return to the negotiating table so that the road to peace might be opened, the sufferings of the Palestinian peoples alleviated and their aspirations for the establishment of an independent State fulfilled.

*The meeting rose at 5.30 p.m.*