



# General Assembly

Distr.: General  
1 October 2009

Original: English

---

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

### Summary record of the 317th meeting

Held at Headquarters, New York, on Thursday, 17 September 2009, at 11 a.m.

*Chairman:* Mr. Paul Badji ..... (Senegal)

## Contents

Adoption of the agenda

Update on developments since the previous meeting of the Committee

Election of a Vice-Chairman of the Committee

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

Report of the Chairman on the United Nations Asian and Pacific Meeting on the Question of Palestine, Jakarta, 8 and 9 June 2009, and the United Nations International Meeting on the Question of Palestine, Geneva, 22 and 23 July 2009

Accreditation of civil society organizations to the Committee

Other matters

---

This record is subject to correction. Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

Any corrections to the record of this meeting and of other meetings will be issued in a corrigendum.



*The meeting was called to order at 11.15 a.m.*

### **Adoption of the agenda**

1. *The agenda was adopted.*

### **Update on developments since the previous meeting of the Committee**

2. **The Chairman** said that on 4 June 2009, the President of the United States of America, Barack Obama, had delivered a speech in Cairo in which he had outlined his country's policies towards the Muslim world. During that speech, which had been well received by the international community, President Obama had reiterated his commitment to the creation of a Palestinian State and to settlement of the Arab-Israeli conflict.

3. On 8 and 9 June 2009, the Committee had held the United Nations Asian and Pacific Meeting on the Question of Palestine in Jakarta, followed, on 10 June, by the United Nations Public Forum in support of the Palestinian people.

4. On 26 June 2009 in Trieste, the Quartet had called on Israel and the Palestinians to implement with their obligations under the Road Map and on Israel to freeze all settlement activity. It had stressed that unilateral actions taken by either party could not prejudice the outcome of negotiations and would not be recognized by the international community.

5. The fourth United Nations International Meeting on the Question of Palestine had been held in Geneva on 22 and 23 July 2009. Its theme had been the responsibility of the international community to uphold international law and to ensure the protection of civilians in the Occupied Palestinian Territory in the wake of the war in Gaza. That meeting had been followed on 24 July by consultations with civil society organizations.

6. On 27 July 2009, the Security Council had held an open meeting as follow-up to the monthly briefing of the Secretariat on the situation in the Middle East, including the Palestinian question. On 19 August 2009, the Security Council had heard a briefing by Mr. Oscar Fernandez-Taranco, Assistant Secretary-General for Political Affairs.

7. The situation in Gaza remained a major cause for concern. Over the previous three months, Israel had opened crossings only arbitrarily and had allowed only

basic supplies to enter. The international community had pressed for a freeze on settlement activities, an idea which Israel had yet to accept. Indeed, the Government of Israel had recently decided to continue settlement expansion in the West Bank.

8. On 15 September 2009, the United Nations Fact Finding Mission on the Gaza Conflict established by the Human Rights Council and chaired by Justice Richard Goldstone had submitted an exhaustive report (A/HRC/12/48). In the following months, it would be appropriate for the Committee to address a number of the issues raised therein.

### **Election of a Vice-Chairman of the Committee**

9. **The Chairman** said that Mr. Moreno Fernández (Cuba), former Permanent Representative of Cuba and Vice-Chairman of the Committee, had left New York to take up a new assignment. Mr. Núñez Mosquera, the new Permanent Representative of Cuba, had been nominated for the office of Vice-Chairman.

10. *Mr. Núñez Mosquera (Cuba) was elected Vice-Chairman by acclamation.*

11. **Mr. Núñez Mosquera** (Cuba), Vice-Chairman, said that the Government and people of Cuba had long been steadfast in their support of the inalienable rights of the Palestinian people. His election took place at a time when those rights were increasingly under attack, and he would work tirelessly to defend the objectives of the Committee.

12. **Mr. Jomaa** (Tunisia) congratulated the representative of Cuba on his election and said that the Committee could count on the firm support of his delegation.

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

13. **Mr. Mansour** (Observer for Palestine) said that he welcomed the thorough and detailed report which the Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, Mr. Robert Serry, had delivered to the Security Council that morning. Israel had not yet acted to end the inhuman, immoral and illegal blockade of the Gaza Strip, where 1.5 million civilians continued to live in tragic circumstances. In the West Bank, including East Jerusalem, Israel had shown no sign of

meeting its obligations or complying with international humanitarian law, in particular with regard to the construction and expansion of illegal settlements and had recently announced the construction of an additional 455 units in the West Bank and hundreds of units in East Jerusalem. Such conduct constituted a challenge to the entire international community. The situation in the Occupied Palestinian Territory was extremely dangerous and potentially explosive and the actions of Israel's right-wing Government could provoke a religious confrontation between Israeli extremists and Palestinians with unpredictable results.

14. At the political level, negotiations on all final status issues should resume with a view to the birth of a Palestinian State based on the 1967 borders, with East Jerusalem as its capital. It was essential for the international community to insist that Israel put an end to its settlement activities, which were an obstacle to such negotiations. All Members of the Security Council were agreed on that principle. He hoped that President Obama's statement before the General Assembly would lead to a collective effort to bring Israel into compliance; if not, the international community must take practical steps to achieve that aim.

15. The tragic situation in Gaza should be addressed immediately, without waiting for all issues surrounding the siege to be resolved. Over two years previously, Israel had approved construction projects worth some US\$ 94 billion, organized by the United Nations Relief and Works Agency (UNRWA) and the United Nations Development Programme (UNDP). Those initiatives enjoyed global consensus, but despite calls from the Secretary-General and the Special Coordinator for the Middle East Peace Process, Israel had yet to allow the entry of construction materials.

16. The issue of accountability should also be addressed. Israel had failed to compensate UNRWA for the property destroyed during the invasion of Gaza. The United Nations Fact Finding Mission on the Gaza Conflict had recommended in its report (A/HRC/12/48) that the Human Rights Council should request the Secretary-General to bring its report concerning human rights in Palestine and other occupied Arab territories to the attention of the Security Council under article 99 of the Charter of the United Nations and that the Security Council should establish an independent committee of experts in international humanitarian and human rights law to monitor and report on any domestic legal or other proceedings undertaken by the

Government of Israel and to investigate human rights violations in the Gaza conflict. In the absence of such an investigation, the Fact Finding Mission had recommended that the Security Council, acting under Chapter VII of the Charter, should refer the situation to the Prosecutor of the International Criminal Court and had called for the holding of a conference of the High Contracting Parties to the Fourth Geneva Convention of 1949.

17. At all those levels, urgent action would be needed in order to ensure that the actions of the extremist Government of Israel and the settlers did not ignite a holy war between the two communities.

18. **Mr. Whitley** (United Nations Relief and Works Agency for Palestine Refugees in the Near East) said that in the nine months since the end of Israeli military operations in Gaza, UNRWA had made no progress in implementing the provisions of Security Council resolution 1860 (2009) with regard to the humanitarian situation and facilitation of the work of the United Nations. As the Observer for Palestine had noted, the priority projects which the Secretary-General and the United Nations Special Coordinator for the Middle East Peace Process had proposed to the Government of Israel in 2005 and to which large amounts of donor funding had been committed could not move forward owing to a lack of building materials. Like other organizations working in that area, UNRWA depended for many of its basic needs on goods smuggled through tunnels into Gaza. Unfortunately, such smuggling strengthened Hamas and had a negative effect on the political and economic situation. The 53 UNRWA premises that had been damaged during the conflict had yet to be repaired and although the Secretary-General had indicated that Israel was willing to provide compensation for the damage to property and goods, there had been no progress on that issue.

19. The humanitarian situation of the residents of Gaza continued to deteriorate and its people were becoming increasingly despondent and dependent on international aid. It was urgent to bring that untenable situation to an end. The de facto authorities in Gaza were strengthening their influence and exerting their authority in sometimes arbitrary ways that complicated the work of the United Nations. UNRWA therefore welcomed the report of the Fact Finding Mission and hoped that its recommendations would be implemented swiftly and fully.

**Report of the Chairman on the United Nations Asian and Pacific Meeting on the Question of Palestine, Jakarta, 8 and 9 June 2009, and the United Nations International Meeting on the Question of Palestine, Geneva, 22 and 23 July 2009** (CPR/APQP/2009/1 and 18; CPR/FORUM/2009/6 and 16)

20. **The Chairman** drew attention to the programme and concluding statement of the United Nations Asian and Pacific Meeting on the Question of Palestine, held in Jakarta on 8 and 9 June 2009 (CPR/APQP/2009/1 and 18, respectively). He thanked the Government of Indonesia for hosting the Meeting, which had been attended by representatives of 67 governments, the Holy See and Palestine, various intergovernmental and United Nations bodies, civil society organizations and the press and had been followed by the United Nations Public Forum in Support of the Palestinian People, held in the same city on 10 June 2009. He, the Permanent Representatives of the Lao People's Democratic Republic and Malaysia and the Permanent Observer for Palestine had represented the Committee and, while in Jakarta, had met with the Deputy Minister for Foreign Affairs and the President of the House of Representatives of Indonesia. The Meeting had focused on a number of permanent-status issues, including the question of Jerusalem, and a group of Israeli peace advocates had spoken as experts.

21. He also drew attention to the programme and concluding statement of the United Nations International Meeting on the Question of Palestine, held at the United Nations Office in Geneva on 22 and 23 July 2009 (CPR/FORUM/2009/9 and 16, respectively). The Meeting, the purpose of which had been to gather international support for international humanitarian law in the wake of the Gaza conflict, had been attended by representatives of 66 governments, various intergovernmental and United Nations bodies and civil society organizations. The Committee had been represented by the members of its Bureau, who had met with representatives of the Swiss Federal Department of Foreign Affairs, the International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies, as well as the Secretary General of the Inter-Parliamentary Union and the United Nations High Commissioner for Human Rights, in order to discuss the application of international humanitarian law to the Israeli-Palestinian conflict.

22. Presentations had been made by experts from, inter alia, Israel and Palestine. On 24 July, following the Meeting, consultations with representatives of some 30 civil society organizations had focused on the role of civil society in persuading governments, in their dealings with Israel, to respect their obligation under international law to ensure respect for the Geneva Conventions and to support the work of the Committee. In the concluding statement of the organizers, the participants had "called upon all Governments to live up to their legal commitments entered into by ratifying the Geneva Conventions and other legal instruments and to apply them to the realization of their political goals, namely the implementation of the international consensus on the two-State solution" and had "urged regional organizations to respect their own guidelines on promoting compliance with international humanitarian law and the human rights clauses of the agreements that they ha[d] concluded".

23. In accordance with past practice, the summary records of the Jakarta and Geneva meetings would be issued by the Division for Palestinian Rights and posted on its website.

24. **Mr. Natalegawa** (Indonesia) thanked the Committee for accepting his Government's invitation to hold the Asian and Pacific Meeting on the Question of Palestine in Jakarta. His Government stood ready to work with the Committee to further the Palestinian interests.

**Accreditation of civil society organizations to the Committee**

25. **The Chairman** drew attention to Working Paper No. 4, which contained applications for accreditation to the Committee submitted by six non-governmental organizations, of which two had requested observer status. After reviewing the applications, the Bureau had concluded that the six organizations fulfilled the criteria for accreditation and had recommended that they should be accredited. He therefore took it that the Committee wished to approve the applications.

26. *It was so decided.*

**Other matters***2009 training programme for Palestinian professional staff*

27. **The Chairman** informed the Committee that two members of the Ministry of Foreign Affairs of the Palestinian Authority would be participating in the Committee's 2009 training programme for Palestinian professional staff and would be working with the Division for Palestinian Rights during the current session of the General Assembly.

*Resolutions and decisions of the General Assembly and the Security Council relating to the question of Palestine*

28. **The Chairman** said that the Secretariat had informed the Bureau of the Committee that in future, the annual publication of the Division for Palestinian Rights entitled "Resolutions and decisions of the General Assembly and the Security Council relating to the question of Palestine" would be available only in electronic form; it could be consulted on the Division's website or requested by e-mail.

*High-level commemoration of the sixtieth anniversary of the United Nations Relief and Works Agency for Palestine Refugees in the Near East*

29. **Mr. Whitley** (United Nations Relief and Works Agency for Palestine Refugees in the Near East) invited delegations to participate at the highest possible level in the high-level commemoration of the sixtieth anniversary of UNRWA, to be held in New York on 24 September 2009. The event, which would mark the Agency's first high-level meeting at United Nations Headquarters during a session of the General Assembly, would include a ministerial-level breakfast, followed by a meeting at which the Secretary-General, the President of the General Assembly, the President of the Palestinian Authority and the Commissioner-General of UNRWA would make statements.

*The meeting rose at 12.30 p.m.*