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## Special Political and Decolonization Committee (Fourth Committee)

### Summary record of the 22nd meeting

Held at Headquarters, New York, on Tuesday, 3 November 2009, at 3 p.m.

*Chairman:* Mr. Al-Nasser . . . . . (Qatar)

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Agenda item 31: United Nations Relief and Works Agency for Palestine Refugees in the Near East (*continued*)

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*The meeting was called to order at 3.10 p.m.*

**Agenda item 31: United Nations Relief and Works Agency for Palestine Refugees in the Near East**

*(continued)* (A/64/13 and Add.1, A/64/115, 174, 323 and 324; A/C.4/64/7)

1. **Mr. Al-Otaibi** (Kuwait) said that the international community should continue to provide the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) with the support it needed to expand delivery of services in all five of its areas of operation. His country had donated \$34 million in response to UNRWA's December 2008 emergency appeal for Gaza, after having previously pledged \$300 million at the 2007 Paris donors conference and contributed \$14 million to help rebuild the Nahr el-Bared refugee camp in northern Lebanon after it had been destroyed during fighting in 2007. It would continue to fulfil its commitment to an annual contribution of \$1.5 million to the UNRWA budget.

2. Israel's complete disregard for international law and the Fourth Geneva Convention had been demonstrated by its attacks on the Gaza Strip in December 2008 and January 2009. The Israeli authorities continued to obstruct UNRWA humanitarian relief operations. The destruction of Agency-run facilities was a violation of the 1946 Convention on the Privileges and Immunities of the United Nations and the Comay-Michelmores Agreement between the Agency and Israel signed in 1967.

3. **Mr. Apakan** (Turkey) said that, as recent developments had demonstrated, of the reactivation of the Middle East peace process and the engagement of both parties, within the established framework, had become urgent in the absence of any functional political process in the region. The refugee question, one of the core issues, would be part of the final status negotiations.

4. UNRWA and other United Nations agencies were to be commended for their enormous relief effort in the Gaza Strip the previous January. The tragic events at the start of 2009 had devastated Gaza and imposed tremendous hardship on the refugees there. Despite the amount of international aid pledged, very little aid or material had been able to enter Gaza because of the border restrictions. The reconstruction of Gaza and a return to normal life were out of the question until Israel lifted the blockade. As winter approached,

unimpeded access was becoming increasingly urgent: shortages were huge, clinics and schools were in ruins, and the situation was unacceptable.

5. His delegation, as Chair of the Working Group on the Financing of UNRWA, was well aware of the Agency's funding gap and its impact on UNRWA services, not to speak of the added strain on resources and infrastructure caused by the hostilities in Gaza. UNRWA was a lifeline for thousands of Palestine refugees, and the better it was equipped, the better the refugees' prospects. He therefore called on the international community, in the interests of humanity and of regional security and stability, to contribute more. Turkey itself had increased its annual voluntary contribution to UNRWA and responded to the emergency appeals, while maintaining its bilateral assistance programme for Palestine.

6. **Archbishop Migliore** (Observer for the Holy See) said that the very existence of UNRWA, established 60 years earlier as a temporary body, was a reminder that the question of the Palestine refugees remained unresolved. The Holy See, through the work of its Pontifical Mission for Palestine — also founded as a temporary agency in 1949 — was currently providing education, health services, relief, social services and employment programmes to the refugees in the same areas of operation as UNRWA, and was well aware of their plight.

7. Resolving the Israeli-Palestinian conflict remained the key to peace in the Middle East. Regrettably, neither of the parties was willing to engage in the substantive dialogue and conflict resolution that would bring stability and peace to the Holy Land. More than ever before, the international community was needed to facilitate a rapprochement between the parties. Obviously, those brokering the negotiations would have to maintain a balanced approach, avoiding the imposition of preconditions on either side.

8. A lasting solution must include the status of the Holy City of Jerusalem. In the light also of the numerous incidents of violence and the challenges to free movement imposed by the separation wall, there must be internationally guaranteed provisions for permanent, free and unhindered access to the holy places by the faithful of all religions and nationalities.

9. **Mr. Edrees** (Egypt), speaking on behalf of the Movement of Non-Aligned Countries, said that it

supported the continuing efforts of UNRWA to fulfil its mandate to provide basic services to the Palestine refugees in the Occupied Palestinian Territory and the host countries. Peace in the Middle East depended on resolving the refugee problem, yet Israel continued denying the rights of the Palestine refugees and its responsibility for their suffering. Under its illegal occupation, violations of international human rights law and humanitarian law and of the many United Nations resolutions on the subject were systematic. Israel had even gone so far as to target UNRWA personnel and obstruct their activities.

10. The Movement was gravely concerned about the extremely difficult living conditions in the Occupied Palestinian Territory, including East Jerusalem, and particularly in the refugee camps in the Gaza Strip, where thousands had died or been injured during the Israeli military aggression, and where the Israeli blockade was preventing the urgently needed reconstruction of civilian infrastructure. The Secretary-General's proposal for the commencement of United Nations-led civilian reconstruction activities and the completion of numerous suspended UNRWA projects must be implemented. Moreover, Israel should be made to pay compensation for the extensive damage it had caused to United Nations facilities in Gaza, in breach of the inviolability of United Nations premises, as documented by both the Board of Inquiry and the Fact-finding Mission. Israel's continuing punitive measures in Gaza had exacerbated the entire humanitarian situation, fuelled the cycle of violence, threatened international peace and security and hampered the resumption of the peace process between the two sides.

11. It was axiomatic that the chronically underfunded budget of UNRWA and the emergencies it was dealing with required increased contributions from the international community.

12. **Mr. Heller** (Mexico), speaking on behalf of the Rio Group and the Caribbean Community (CARICOM), observed that the fact that UNRWA had exceeded its initial three-year mandate 20 times over was a bitter reminder that the occupation of Palestine and the question of refugees remained unresolved, as did the entire Middle East conflict. Nevertheless, the Agency's enormous contribution to the education and development of 4.6 million Palestine refugees was an achievement worth commemorating. Besides providing basic necessities and education, it had often achieved the highest standards in all its areas of operation in

spite of its difficult working conditions. Its work among children, providing free elementary and preparatory education, had been especially critical, for it had helped shape the current Palestinian society and prepared generations of Palestinians for the establishment of their own State and institutions, while its services had helped build the needed self-reliance.

13. It was a matter of grave concern, however, that the situation in both the West Bank and the Gaza Strip had worsened as a result of Israel's restrictions on movement and its military offensive in Gaza in 2009. Israel must allow full access for UNRWA staff and the goods they needed for their humanitarian, development and reconstruction activities, in accordance with the agreements to which it was a party. Israel should, moreover, make appropriate reparations for its attacks on UNRWA premises in Gaza during the military offensive. He urged Member States to support the UNRWA appeals for funding for the rebuilding of Gaza and relief assistance, and also for the reconstruction of the Nahr el-Bared camp in Lebanon.

14. The Rio Group had long supported UNRWA in its vital mission. Unfortunately, the response to the Agency's emergency appeals had been inadequate, and its chronically underfunded core budget prevented it from delivering its services properly. An expanded international donor community must mobilize the resources needed. At the same time, recognition should be given to the support provided over the years by the countries which were hosting Palestine refugees: Jordan, Lebanon and the Syrian Arab Republic. The ongoing reform of UNRWA should improve the effectiveness of its services, as should the planned development of a medium-term strategy for 2010-2015 linked with the biennial budgets.

15. The Rio Group reaffirmed its solidarity with the Palestinian people in their quest for the full enjoyment of their inalienable rights, including the right to an independent State of their own, living side by side with Israel within secure and recognized borders. It would support all efforts to resolve the Israeli-Palestinian conflict peacefully.

16. **Mr. Resnick** (Israel) observed that for 60 years UNRWA had been extending vital humanitarian assistance to Palestinian refugees and in so doing had greatly helped to improve the lives of many needy people, who had been tragically kept in a position of need by political forces largely beyond their own

control. Israel supported the Agency's important mission.

17. His delegation wished to underscore Israel's continued commitment to the understandings expressed in the 1967 Comay-Michelmores Exchange of Letters between Israel and UNRWA. It would do its utmost to facilitate UNRWA operations, subject to the safeguarding of its own security. It intended especially to maintain the close coordination that existed between UNRWA and Israeli officials in the field, as attested to by the Commissioner-General herself. Her comments reflected the real situation on the ground, in contrast with the impression given by some of the politicized statements heard in the Committee.

18. Nevertheless, there had been unfortunate instances in which UNRWA officials had exceeded the Agency's humanitarian mission and had become involved in activities of a controversial political nature that could not be considered part of a legitimate advocacy role. Such forays into the political domain undermined the Agency's neutrality.

19. Recognizing the importance of strengthening the Palestinian economy and Palestinian capacity-building, Israel had taken many steps to improve the West Bank economy, despite the security risks posed by Palestinian terrorist activity. Those steps, in conjunction with increased foreign investment — which had grown by as much as 600 per cent since 2008 according to official Palestinian sources — and financial support from the international community, had resulted in an unprecedented growth rate of 7 per cent, as well as heightened consumer and social activity in the West Bank. Trade with Israel showed a strong positive trend, as did employment figures and the tourism industry. That multidimensional economic recovery in the West Bank was a true source of encouragement, and it should be reflected in the Committee's resolutions on UNRWA.

20. In the Gaza Strip, Hamas maintained its control while continuing to call openly for Israel's destruction and engage in brazen weapon smuggling and terrorism, flouting the Quartet road map principles. Between 2001 and 2009, close to 9,000 rockets — with sufficient range to reach over 1 million Israelis — had been launched from Gaza against Israeli towns, most of them after Israel's 2005 withdrawal. Hamas continued to place its weapons in the midst of its civilian population and near United Nations facilities, thus

deliberately endangering them; it had, moreover, threatened United Nations staff, including UNRWA personnel, and tried to obstruct their work. It was well known that Hamas had confiscated food shipments that had been intended for UNRWA and had tried to intervene in what was being taught in UNRWA schools. Nevertheless, there was not a word about Hamas and its actions in the one-sided, politicized draft resolutions submitted under the agenda item, just as those simple facts had been conspicuously absent from many of the vitriolic statements the Committee had heard.

21. Looking ahead, Israel, like all interested parties, wished to resolve the complex refugee problem, one of the permanent-status issues in the conflict. His delegation admitted to perplexity, however, upon hearing the Palestinian delegation's appeal for redoubled efforts to promote the resumption of the peace process, given the Palestinian Authority's unyielding refusal to resume talks with Israel despite Israel's repeated calls for it to do so. Clearly and unequivocally, his Government now called upon the Palestinian Authority to resume the bilateral peace talks without delay. It was not a time for excuses and invective, it was a time to talk peace.

22. Furthermore, there were many tangible steps that could be taken in parallel with the political track. The daily life of both Palestinians and Israelis had been disrupted for too long by political deadlock and ossified political stances. The time was ripe for creative thinking on ways of advancing the peace process both politically and on the ground.

23. In that regard, Israel lauded the goal, proclaimed in the UNRWA medium-term strategy, of ensuring the best possible human development standards for the Agency's beneficiaries. Israel agreed that achieving full individual potential and full involvement as active and productive participants in social, economic and cultural life were critical factors in creating the necessary conditions for a political solution and lasting peace. Bold visions of peace, if they were to be realized, required bold and imaginative policies. The hope was that a shared vision of a peaceful future for both Palestinians and Israelis would usher in a new phase of tolerance, mutual understanding, common dignity and peace.

24. **Mr. Badji** (Senegal) said that the arduous quest of the Palestine refugees to return to their homeland had no parallel in contemporary history. Their

courageous odyssey in the face of humiliation and privation was legally unjustifiable and morally unacceptable. Their refugee status had been handed down from one generation to another, longer than in the case of any other group of refugees. Hence the ongoing mandate of UNRWA to dispense basic services to close to 5 million Palestine refugees, so as to alleviate the unspeakable suffering caused by Israel's unlawful activities. Moreover, Israel was not making the Agency's work any easier owing to the illegal restrictions it imposed daily. UNRWA had to be allowed to provide its services under the best possible conditions.

25. Most of the UNRWA budget came from voluntary contributions, and that arrangement needed rethinking in view of the Agency's chronic shortage of financial resources. Donors should ensure regular, predictable and adequate funding for UNRWA programmes, out of solidarity with the Palestine refugees. For more than 60 years — a painful reminder that the United Nations had failed to solve the refugee problem — UNRWA staff had, sometimes at the cost of their lives, worked devotedly and unselfishly to help mitigate the sufferings of millions of Palestine refugees, just as the countries which were hosting Palestine refugee communities had been generously cooperating with UNRWA.

26. **Mr. Kleib** (Indonesia) said that the work of UNRWA helped alleviate the suffering of Palestinians by providing not only emergency assistance but also health care, education and employment. Its investment in education was one of its greatest legacies, but that alone was not sufficient. Indeed, the success of UNRWA over the past 60 years could be interpreted as a collective failure to resolve the political question that had led to the refugee crisis in the first place. The international community, and particularly the United Nations Security Council, should have been doing more to resolve the issue.

27. People in the West Bank and the Gaza Strip continued to suffer socio-economic hardships. Obstacles and blockades continued to deny the Palestinian people access to their resources, and mobility restrictions imposed by Israel affected them both economically and socially. Israel's determination to continue constructing illegal settlements, building the separation wall and restricting the rights of the Palestinian people was the greatest obstacle to the establishment of a physically viable, sovereign and

independent Palestinian State, and thus to the achievement of peace itself. The international community should therefore raise its voice and work together to bring such practices to an end.

28. **Mr. Ramadan** (Lebanon) said that the services provided by UNRWA seemed to indicate that, in addition to being abroad because of a fear of persecution in their own country, as the standard definitions of the term provided, refugees were people who had been stripped of their human dignity, human rights and ability to serve themselves and their communities. Palestine refugees had been living in such circumstances since 1948, and, while the funding shortfall of UNRWA was a primary concern, a focus must be maintained on the right of the refugees to return as a prerequisite for a comprehensive and just peace in the Middle East. Israel should also be required to fulfil its obligations under international humanitarian and human rights law.

29. Lebanon fully supported UNRWA and the essential role it played in easing the suffering of the Palestine refugees. During the Israeli war on Gaza launched in December 2008, UNRWA had led the international community's response, its staff risking their own lives to bring humanitarian relief. Later, the Agency had moved rapidly to restore its regular services and had even provided post-conflict recovery and rehabilitation. In addition to causing destruction and human casualties in the course of that war, the Israelis had deliberately targeted United Nations premises in Gaza. The principle of the collective responsibility of the international community towards the refugees and the financing of UNRWA did not contradict the general principle of State responsibility for internationally wrongful acts. Israel should therefore bear the financial responsibility for any damage incurred by UNRWA during those attacks, as documented by the Board of Inquiry established by the Secretary-General.

30. Lebanon strongly condemned the continued Israeli blockade on the Gaza Strip and the continuous disruption of access for humanitarian aid to the West Bank. Such crimes severely restricted UNRWA's efforts.

31. Lebanon was a host country to many of the refugees, as well as being a member of the Working Group on the Financing of UNRWA. His delegation therefore welcomed the Agency's commitment to

reform and strengthen its management structures and processes and commended the six-year Medium Term Strategy, based on four human development goals for the Palestine Refugees. The international community should ensure that the Palestine refugees have healthy and decent living conditions in their interim locations. The Lebanese Government spared no effort in that regard and had in recent years eased the restrictions faced by Palestinians for obtaining certain jobs.

32. UNRWA remained a partner to the Lebanese people and Government in providing for the needs of the Palestine refugees in Lebanon. Of particular note was its work to reconstruct the Nahr el-Bared Camp in northern Lebanon, with the valuable support of donors, following the terrorist attacks of 2007. Overall, UNRWA served as a reminder of the humanitarian cause of the Palestine refugees and helped maintain focus on their right of return as an essential step on the road to a just peace.

33. **Mr. Ryuno** (Japan) said that his country had pledged \$200 million at the March 2009 International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza, a quarter of which had already been disbursed. In addition to providing food aid, it had contributed to maternal and child health projects and had launched the “Corridor for Peace and Prosperity” initiative. On 19 November 2009, the International Day of Solidarity with the Palestinian People, the United Nations Information Centre in Tokyo would hold a workshop to commemorate the sixtieth anniversary of the founding of UNRWA.

34. The refugee issue was a core issue of the Middle East peace process and his country would continue to provide refugee assistance as part of its three-pillar approach to achieving a two-State solution based on reaching out to Israel and the Palestinian Authority, providing assistance to the Palestinians, and supporting confidence-building between the two parties. The deteriorating humanitarian situation in the Gaza Strip was a matter of ongoing concern, and he urged Israel to ease restrictions there. He commended UNRWA’s ongoing organizational development plan and expected further measures for streamlining the budget to emerge from the Advisory Commission meeting and the Hosts and Donors meeting scheduled for November 2009.

35. **Mr. Ali** (Sudan) said that, in addition to targeting Palestinian infrastructure in its December 2008-January 2009 war against Gaza, Israel had also bombed

United Nations facilities and UNRWA schools and put UNRWA staff at risk. In the West Bank, Israeli roadblocks, house demolitions and settler attacks continued to impede UNRWA in the performance of its duties. The Agency’s \$120 million 2009 deficit was making it difficult to recruit and retain qualified staff just as the expectations of donors, the host countries and the refugees were growing more demanding. Nevertheless, the Agency was still managing to improve its efficiency through its organizational development plan and was performing its tasks admirably in the face of all obstacles, in particular the limitations imposed by the Israeli blockade of the Gaza Strip. He called on the General Assembly to supply more funds for the Agency in the United Nations regular budget.

36. **Mr. Huang** Hongjiang (China) said that his Government was deeply concerned about the continued deterioration of the humanitarian situation in the Occupied Palestinian Territory, especially in the Gaza Strip, and called on Israel to open checkpoints in Gaza to allow the unobstructed entry of commercial goods and humanitarian relief supplies. It also called on Israel to cease the construction of settlements and the separation wall in the West Bank, and to lift restrictions on the movement of the Palestinian people. The international community should increase economic and social development assistance to Palestine, and donors should honour their assistance commitments as soon as possible.

37. His Government was also concerned about the challenges facing UNRWA, including the lack of financial resources and threats to the safety of its personnel. It condemned the attack carried out by Israel at the beginning of 2009 against UNRWA facilities. It commended the reforms carried out by UNRWA to improve its capacity, and called on the parties concerned to increase their support for UNRWA and ensure the safety of Agency personnel and property.

38. China would continue to provide aid to UNRWA within the limits of its capabilities. It had made yearly donations to UNRWA since 1981, and it would be making another \$80,000 donation to the Agency in 2009 to demonstrate its concern for the Palestinian refugees and its support for the work of UNRWA. His Government supported efforts by the Palestinians and Israel designed to achieve a two-State solution on the basis of relevant United Nations resolutions, the Arab peace initiative and the principle of land for peace and

to bring about a lasting and equitable solution to the Palestinian question.

39. **Mr. El-Moujahid** (Morocco) said that, as it completed its sixth decade of operation in the Occupied Palestinian Territory and the neighbouring countries, UNRWA was as important as ever to the over 4.5 million refugees that it now served. Its staff continued to perform their vital functions with great self-sacrifice in the face of the constraints imposed by the inhumane practices of the occupation authorities. It was more critical than ever to supply the Agency with the funds it needed to carry out the tasks entrusted to it.

40. His country had contributed \$15 million to reconstruction in Gaza, in addition to food and medical aid, and was a major contributor to the Al Quds Committee, of which His Majesty King Mohammed VI was Chairman. Morocco would continue to stand by the Palestinians in their steadfast opposition to efforts to suppress the Islamic religious and cultural identity of their Holy City.

41. **Mr. Musa** (Malaysia) said that the root cause of the suffering of the Palestinian refugees was the unlawful Israeli occupation of Palestinian territory. Both the Secretary-General's Board of Inquiry and the United Nations Fact-Finding Mission on the Gaza Conflict, set up by the Human Rights Council and headed by Justice Richard Goldstone, had uncovered ample evidence of Israeli violations, including breaches of the inviolability of United Nations premises and personnel, for which Israel should pay reparations.

42. A year after the war on Gaza, the situation there remained desperate, and immediate steps should be taken to ensure the free flow of humanitarian aid in accordance with Security Council resolution 1860 (2009). In view of the emergency situation in Gaza, his country had made additional contributions to UNRWA's Gaza Ramadan Appeal over and above its regular annual contribution to the Agency, and he urged other Member States to increase their contributions.

43. **Ms. Ross** (United States of America) said that her country was the largest donor to UNRWA, having provided almost \$120 million each to both the Agency's core services and its emergency activities in the West Bank and Gaza, and an additional \$30 million to assist persons displaced by the fighting at the Nahr el-Bared camp. It had also provided \$426 million for

humanitarian assistance and democracy promotion in the West Bank and Gaza through the United States Agency for International Development and \$350 million in direct budget assistance to the Palestinian Authority. UNRWA played an important role in promoting the stability and moderation that would be essential for a two-State solution. But the Agency's financial shortfalls threatened to undermine its education and health services, which were already overtaxed. She urged donor States to redouble their funding efforts.

44. **Mr. Das** (India) said that UNRWA was suffering from funding shortfalls at a time when the demands being made on it were increasing, in particular in Gaza. His country had made a special contribution of \$1 million in response to the Agency's January 2009 flash appeal for Gaza and had pledged to increase its annual contribution by \$1 million, over and above the assistance it was already providing to the Palestinian Authority and to other humanitarian assistance efforts. A lasting solution to the problem of Palestine refugees could only come when there was a comprehensive solution to the long-standing Middle East conflict. Until that day it was incumbent upon all to support UNRWA in efforts to expand its capacity to provide assistance.

45. **Mr. Windsor** (Australia) said that his country had donated more than \$75 million in assistance to the Palestinian Territories, including \$41 million in 2009, of which \$32 million had been provided through UNRWA. He urged Israel to do all it could to allow the free flow of humanitarian aid and to ensure the safety of UNRWA staff, and he condemned Hamas for actions that had deliberately endangered civilian lives. The prospects for Palestinian refugees across the region would be greatly enhanced by a just and enduring peace predicated on a two-State solution.

46. **Ms. Koning AbuZayd** (Commissioner-General, United Nations Relief and Works Agency for Palestine Refugees in the Near East) said that, since it was her last appearance before the Committee in the capacity of Commissioner-General of UNRWA, she had been especially pleased to hear statements by so many Member States, including a strong first statement by the members of the Rio Group. There appeared to be a broad consensus on the challenges posed by the aftermath of the Gaza conflict and the continuation of the blockade. The refugee issue should be addressed sooner rather than later in the peace process.

47. She commended the Working Group on the Financing of UNRWA, which had been ably led by Turkey, for raising awareness of the direness of the Agency's financial situation, which she hoped would also be appreciated by the Fifth Committee. The violations documented by the Board of Inquiry and the Goldstone report should not be allowed to pass with impunity.

48. She was heartened by the many expressions of renewed political support, including from Israel, on the occasion of the sixtieth anniversary of UNRWA's founding, and was touched by the personal tributes paid to her as she approached the end of her term as Commissioner-General.

49. **Ms. Abdelhady-Nasser** (Observer for Palestine), speaking in exercise of the right of reply, said that she was perplexed by Israel's expressed support for UNRWA in the light of its daily obstruction of Agency operations, the damage it had done to UNWRA facilities, the taxes it levied on the Agency, and the other violations of the 1967 Comay-Michelmore Agreement and the Convention on the Privileges and Immunities of the United Nations that had been documented by the Board of Inquiry and the Goldstone report. Apparently, the "excellent coordination" to which the representative of Israel had alluded included firing on an UNRWA convoy and bombing UNRWA schools and facilities. The claim that Israel was "barred" from the high-level event commemorating the sixtieth anniversary of UNRWA was yet one more false allegation fabricated against the Agency. It was Israel that had rejected an invitation to speak at the event because it did not accept conditions that had been offered in a spirit of compromise.

50. There was nothing unclear about her delegation's position on the peace process. It was firm in its support for a just, lasting and comprehensive peace that resolved all core issues on the basis of the relevant United Nations resolutions, the Madrid terms of reference, the Land for Peace principle, the Arab Peace Initiative and the road map to Mideast peace. By contrast, Israel wanted the peace process to take place in a vacuum that would allow it to continue to inflict more suffering on the Palestinian population and impose more facts on the ground with its unlawful colonization campaign.

*The meeting rose at 5.25 p.m.*