



Security Council

Fifty-ninth year

Provisional

5039th meeting

Friday, 17 September 2004, 10.55 a.m.

New York

<i>President:</i>	Mr. Yánñez-Barnuevo	(Spain)
<i>Members:</i>	Algeria	Mr. Baali
	Angola	Mr. Gaspar Martins
	Benin	Mr. Adechi
	Brazil	Mr. Valle
	Chile	Mr. Muñoz
	China	Mr. Zhang Yishan
	France	Mr. De La Sablière
	Germany	Mr. Pleuger
	Pakistan	Mr. Akram
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Konuzin
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mrs. Patterson

Agenda

The situation in the Middle East, including the Palestinian question

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The meeting was called to order at 10.55 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President (*spoke in Spanish*): In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

There being no objection, it is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs. I now call on Mr. Prendergast.

Mr. Prendergast: It has been a bad month in the Middle East. We have seen a marked increase in the number of casualties on both sides, and a resumption of suicide bombings.

Nor is there good news to report in terms of a return to the negotiating table through a start on implementation of the road map. On the contrary, Prime Minister Sharon is reported to have said publicly that Israel is not following the road map and that Israel might stay in the West Bank long after any withdrawal from Gaza. Meanwhile, new decisions have been announced on settlement activity and Palestinian reform remains stalled.

In terms of specific events, the past five weeks were overshadowed by the first major suicide bombing since March this year, as well as by a number of Israeli military operations, incursions and acts of destruction. On 31 August, 16 Israelis were killed and more than 100 injured as a double suicide bombing hit two buses in the southern Israeli city of Beer Sheva. Responsibility for that terror attack was claimed by Hamas, which stated that it was an act of revenge for

Israel's assassinations of its spiritual leader and his successor in the spring.

The Secretary-General has unreservedly and repeatedly condemned such acts of terror. We again call on the Palestinian Authority to bring those implicated in terrorist acts to justice and to fulfil its obligation under the road map, as well as under international law, to do its utmost to prevent such attacks.

In all, 80 Palestinians and 17 Israelis have been killed in the past five weeks; 630 Palestinians and 133 Israelis have been injured. The latest grim toll means that since the eruption of the current intifada in September 2000, 3,633 Palestinians and 966 Israelis have been killed, and 35,400 Palestinians and 6,235 Israelis have been injured.

Israeli military operations continue to result in death and injury to Palestinian civilians. For example, on 30 August, a 9-year-old Palestinian girl was injured when a missile hit her home instead of a car during a targeted killing operation in Gaza City. And on 7 September, a 10-year-old girl from the refugee camp in Khan Younis was hit in the head by a bullet while sitting in her classroom in a United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) school. She underwent major surgery but remains in a coma in critical condition. We again call on the Government of Israel to respect its legal obligations to ensure the safety of Palestinian civilians.

Violence in and around Gaza continued during most of the reporting period. On several occasions, Palestinian militants launched Qassam rockets and mortar shells against Israeli settlements in Gaza, as well as against the town of Sderot inside Israel, causing damage and requiring a number of people to be treated for shock. On 6 September, Israeli helicopter gunships, tanks and warplanes attacked a Hamas training site in Gaza City, killing 14 Palestinians — mostly militants — and injuring 30. Palestinian militants then fired a number of Qassam rockets. On 8 September, Israeli troops, backed by tanks and helicopters, entered the Gaza Strip in the south and the north and continued operating near Beit Hanoun and the Jabaliya refugee camp in the northern Gaza Strip for four days. Eight more Palestinians, including at least two children, were killed and more than 50 were wounded.

On 15 September, 11 Palestinians were killed, among them an 11-year-old girl, in Israeli operations in

Nablus and Jenin in the West Bank. Earlier, at least two Palestinians, one of them a 10-year-old boy, were killed in a two-week-long Israeli operation in and around Nablus, after an Israeli had been killed by a Palestinian attacker near the settlement of Itamar on 13 August. Dozens of Palestinians were wounded in the course of the operation. On 26 August, a 9-year-old girl and her father were injured as a helicopter fired at their house in the Old City of Nablus.

Israel carried out targeted assassinations during the reporting period, killing five Palestinians and injuring seven in an explosion that was set off in the house of a Hamas activist in Gaza city on 18 August. On 13 September, an Israeli helicopter strike killed three Palestinian militants as they travelled in their car in the Jenin area. We, again, have repeatedly stated that extrajudicial killings are illegal. We call on the Government of Israel to cease such acts immediately.

As we have also made clear previously, the widespread destruction of Palestinian property by Israeli forces raises concerns about collective punishment, and it fuels more violence and bloodshed. Between 11 August and 14 September, Israeli forces demolished 63 houses and several multi-storey buildings, leaving hundreds of Palestinians homeless. On 31 August, a 14-year-old Palestinian boy was killed during one of the frequent incursions to demolish houses in the Rafah refugee camp. Another 14-year-old was killed in an incursion on 2 September, and around 20 Palestinians were wounded.

Worryingly, ambulances and medical teams operating in the occupied Palestinian territory continue to be delayed and subjected to searches — and sometimes even physical assault — by Israeli forces. For instance, on 31 August, an ambulance of the Palestinian Medical Relief Society was fired on while waiting at the Abu Houli checkpoint in the Gaza Strip, resulting in the injury of the ambulance driver as well as of one member of the five-strong medical team.

United Nations agencies are affected by Israeli restrictions on movement. During an especially strict closure of the Erez crossing, begun on 31 August, UNRWA Commissioner-General Peter Hansen was unable to leave the Gaza Strip for the West Bank. That was a violation of Israel's obligation under international law and as a United Nations Member State to guarantee United Nations personnel freedom of movement. Since March, United Nations national staff

have not been permitted to cross Erez in vehicles, even though crossing Erez on foot has been determined to be unsafe. We call on Israel to allow national staff to pass the crossing in a safe manner, as international staff do.

But it is Palestinian civilians who suffer by far the most under the severe movement restrictions that Israel imposes. As has often been its practice in recent years, Israel instituted a complete closure on the entire occupied Palestinian territory from 9 September onwards, ahead of the Jewish holidays. That closure, which is expected to remain in place at least until late September, has brought life in the West Bank and Gaza Strip to a virtual standstill and is effectively undermining all efforts to resuscitate the ailing Palestinian economy. In addition, the Palestinian school year, which began on 1 September, has already been severely disrupted by checkpoints, curfews and other restrictions on movement.

The Israeli policy of confiscating and/or levelling Palestinian land has continued. In the past month, several hundred more dunums of olive groves and fruit trees and other agricultural land in the West Bank and Gaza were seized and uprooted by Israeli forces in the context of military operations and for the construction of Israel's barrier. We are still awaiting further details to be published on the exact routing of the parts of the barrier that remain to be constructed in the West Bank. Israel is currently revising long sections of the barrier route in accordance with a ruling of the Israeli High Court of Justice. The Israeli High Court, while hearing a number a petitions on the routing of the barrier, has also instructed the Government to respond to the advisory opinion rendered by the International Court of Justice on 9 July, and that may have a further impact on the route of the barrier.

Meanwhile, however, Israel continues to construct the barrier to the east of Jerusalem. In addition, there have been reports that construction will be speeded up to the south of Jerusalem. We call on Israel to abide by its legal obligations, as expressed in the advisory opinion of the International Court of Justice and in the General Assembly resolution of 20 July, which took note of the opinion and demanded that Israel comply with its legal obligations, cease construction work, dismantle the wall and compensate the affected population. The Secretariat is currently working on detailed terms of reference for the establishment of a registry of damages, as requested by the General Assembly. The Secretary-General hopes to

present his plans to the Assembly by the end of this month.

It has been said many times — but it is no less true for being repeated — that only a negotiated settlement between Israelis and Palestinians can ultimately put an end to the conflict, halt the violence and stop the suffering of both peoples. In the absence of any political dialogue between the two parties, the Quartet's road map for peace is the only realistic and viable path out of the current hopeless situation and back towards the resumption of dialogue and negotiations. The Council endorsed the road map in resolution 1515 (2003). The Secretary-General remains convinced that implementation of the road map is the only way forward. However, both parties continue to fail to meet their minimum obligations under it.

On 17 August, the Government of Israel released tenders for the construction of 1,001 new housing units in West Bank settlements. Only a few days later, media reports indicated that the Israeli Government had also approved the rezoning of land to allow for the construction of a further 533 housing units. This recent drive of the Israeli Government to expand settlements in the occupied Palestinian territory, together with that Government's continued failure to remove all settlement outposts erected since March 2001, stands in clear contradiction to Israel's road map obligation to freeze all settlement activity, including natural growth, as well to the report of the Sharm el-Sheikh Fact-Finding Committee: the Mitchell report. We call on Israel to meet its obligations under international law and under the road map.

For its part, the Palestinian Authority has failed to make progress on its obligation to take immediate action on the ground to end the violence and combat terror and to institute meaningful measures of reform. Progress on the implementation of reform continues to be slow and uncertain — which, as we have been saying persistently, can be explained only by a lack of political will to advance along that road.

In a speech he delivered before the Palestinian Legislative Council on 18 August, President Arafat acknowledged past mistakes and reiterated the Palestinian Authority's commitment to reform, pledging that more support would be given to the security organizations and to Prime Minister Abu Ala. Such statements are welcome. They need to be translated into tangible action. We reiterate our call on

President Arafat to institute tangible reform of the security services. The existing system should be consolidated into three main services, to be supervised by a professional leadership under the authority of an effective interior minister. The interior minister should, in turn, report to an empowered Prime Minister. Real progress cannot be postponed any longer.

It is important for the Council to note that reform is a priority item on the domestic agenda of the Palestinians themselves. The Palestinian Legislative Council announced that it would suspend its sessions from 7 September to 7 October in protest against President Arafat's refusal to sign 12 laws passed by the Council.

Yet it is encouraging to see that, despite the difficult circumstances and limitations on freedom of movement, the voter registration process began on 4 September under the auspices of the Central Elections Commission, as the international community had persistently demanded. However, much work remains to be done to ensure that the local elections, which are slated to begin in 36 out of 128 cities and municipalities on 9 December and to be staged over a period of one year, meet minimum international standards and can be deemed free and fair by the Palestinian people and the international community. Even more important, we hope that Palestinian national elections will follow soon. At the same time, it is regrettable that the Israeli authorities closed three registration centres and detained five Palestinian Commission staff on 13 September. That action is an unacceptable interference with the registration process in East Jerusalem, and we call on Israel to facilitate, rather than hinder, voter registration.

The Israeli initiative to withdraw all armed forces from Gaza and from parts of the West Bank and to evacuate all settlements in the Gaza Strip, as well as four settlements in the northern West Bank, has considerable backing in Israel. According to the polls, public support for the plan remains steady at about 60 per cent, despite vocal opposition from segments of the settler community. Practical preparations for the implementation of the initiative are progressing. On 31 August, Prime Minister Sharon underlined his commitment to implement the initiative and outlined a detailed timetable for the legislative process arising from the plan, which has already begun. On 14 September, the security cabinet approved the legislative package for the implementation of the

disengagement plan, including principles for the evacuation of settlements and compensation for settlement residents. The Government also approved advance compensation for those settlers relocating voluntarily, and is slated to discuss — on 24 October, before the Government plans to present it to the Knesset on 3 November — the wider legislation pertaining to the initiative.

We have consistently made clear the extreme importance of the context within which the Israeli withdrawal takes place. At the outset of this briefing, I noted the absence of any progress towards a return to the negotiating table or towards implementation of the road map. We were accordingly extremely concerned by recent remarks by Prime Minister Sharon to the effect that Israel is not following the road map and that Israel might stay in the West Bank long after any withdrawal from Gaza.

As we have said numerous times before, the Quartet believes that the Israeli withdrawal initiative provides an opportunity to create a new momentum for progress towards peace, but that can be achieved only if the four fundamental requirements the Quartet set out in its 4 May statement are met. First, the Israeli withdrawal must be full and complete; secondly, it must lead to an end of the occupation of the Gaza Strip and it must be accompanied by similar steps in the West Bank; thirdly, it must take place within the framework of the road map and the two-State vision; and fourthly, it must be fully coordinated with the Palestinian Authority and the Quartet. Those requirements are the very same elements that lay the basis for successful implementation of the road map.

The Quartet principals are due to consult informally next week here at the United Nations in order to discuss the withdrawal initiative and to review developments on the ground. A few days ago, the Quartet envoys met to prepare for that meeting. The Ad Hoc Liaison Committee, which is the main donor coordination body, has decided to delay its meeting scheduled for later this month, but remains in close consultations over how the donor community can assist the parties to turn the Israeli withdrawal initiative into a significant step forward and how to enable it to contribute to a sustained recovery of the Palestinian economy and begin the long-awaited process of nation-building.

The revitalization of the Palestinian economy is an indispensable element on the path towards peace and remains the chief concern of the donor community at this extremely critical stage. Forty-seven per cent of the Palestinian population currently live in poverty. Unemployment among Palestinians stands at 34.3 per cent, according to the Palestinian Bureau of Statistics. At present, the UNRWA and the World Food Programme are providing regular food aid to almost 1.5 million beneficiaries — 39 per cent of the total Palestinian population in the occupied territory — and UNRWA is now supplying 10 times more food than it was before September 2000. In the absence of access to other employment opportunities, the Palestinian Authority employs 41 per cent of all waged workers, each with a large number of dependent relatives. Even with the currently large-scale external support for the Palestinian Authority, the Authority faces budget problems and may be unable to continue paying wages soon. The consequence would be a complete economic collapse throughout the Palestinian areas.

As regards the situation on the Blue Line, a number of Israeli air violations have taken place. After an initial period of calm following last month's briefing, two air violations were recorded on 30 August. On 8 and 9 September, a total of 13 air violations took place. We reiterate our call on Israel to cease these violations and we remind all parties that one violation cannot and does not justify another.

If I may turn briefly to Security Council resolution 1559 (2004), I would like to report that the Secretary-General has taken note of the request to him to report on implementation of the resolution. I would like to inform the Council that contacts and consultations have started to that end. The Secretary-General expects to report back to the Council within the 30-day timescale set out in resolution 1559 (2004).

I regret to report that no progress has been achieved on the Syrian-Israeli track. Tension increased in the aftermath of the double suicide bombing in Beer Sheva on 31 August, but we hope that neither side will be tempted into any action that might raise the risk of instability throughout the region. On a more positive note, President Assad was reported in the media again to have expressed interest in renewing negotiations with Israel. It remains of utmost importance that Israel and Syria resume their suspended peace negotiations, so as to implement resolutions 242 (1967) and

338 (1973). Our objective must remain a just, lasting and comprehensive settlement in the Middle East.

In conclusion, let me say that, as has too often been the case in recent months, there is little positive and much discouraging to note and report. The continuing void in terms of an active peace process is especially troubling. As we all know, nature abhors a vacuum. Absence of hope for a peaceful settlement leads to despair, strengthens extremists and is a sure recipe for continuing violence and instability. Nevertheless, the Israeli withdrawal initiative, if — and I repeat, if — moved forward in the right way,

could lead Israelis and Palestinians back to the negotiating table. If it does, it could become a turning point and ultimately also lead to progress on the Syrian and Lebanese tracks. For that to happen, the parties will no doubt need much encouragement and support from the international community.

The President (*spoke in Spanish*): In accordance with the understanding reached in the Council's prior consultations, I should now like to invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 11.20 a.m.