

Check against delivery

STATEMENT BY

HIS EXCELLENCY MR. PAUL BADJI

CHAIRMAN

**COMMITTEE ON THE EXERCISE OF THE INALIENABLE RIGHTS
OF THE PALESTINIAN PEOPLE**

Agenda item 16: Question of Palestine
64th session of the General Assembly

30 November 2009

Mr. President,
Excellencies,
Ladies and Gentlemen,

Allow me, at the outset, to express, on behalf of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, our sincere appreciation to all representatives of Member States, Observers, representatives of intergovernmental organizations, United Nations system entities and civil society who participated this morning in the special meeting of the Committee to observe the International Day of Solidarity with the Palestinian People. The Meeting forcefully reaffirmed the solidarity of the international community and highlighted the broad support for the exercise by the Palestinian people of its inalienable rights.

Mr. President,
Ladies and Gentlemen,

Before I introduce for your consideration the four resolutions drafted by our Committee under this agenda item, I would like to talk about the situation in the Occupied Palestinian Territory and developments in the political process.

Today, the situation can only be described as bleak. It is characterized by a steadily worsening humanitarian situation in the Gaza Strip exacerbated by the Israeli military offensive of last December-January, a lack of progress in efforts to unite the West Bank and the Gaza Strip under the Palestinian Authority and a stagnation of the political process. The continuing blockade of Gaza does not allow to begin the long overdue reconstruction and rehabilitation.

Equally disturbing have been and continue to be Israeli actions in East Jerusalem, incl. land confiscations, house demolitions and evictions of Palestinian residents and settler violence. Elsewhere throughout the West Bank, we have witnessed unrestrained settlement construction, Israeli incursions into Palestinian towns and villages and arrests of Palestinians. Violent actions of radical Israeli settlers against the Palestinian population are of great concern.

Let me address two of the most critical issues and remind Israel of the position of the overwhelming majority of the international community on them, namely settlements and East Jerusalem.

As regards the **settlements**. It is recognized by all, with the exception of Israel, the occupying Power, that settlements in the Occupied West Bank and East Jerusalem are illegal under international law and contravene Israel's obligations under the Road Map. All settlement construction, incl. the so-called "natural growth" must be halted immediately. All outposts must be dismantled. The settlements built on Palestinian land perpetuate conflict, lead to violence and constitute a clear obstacle to ever achieving peace between Israelis and Palestinians, undermining efforts at establishing a State of Palestine that will live in peace and security with Israel.

As regards **East Jerusalem**. The international community does not recognize Israel's unilateral claims that the entire city of Jerusalem is its capital. All actions taken by Israel that alter or purport to alter the status of the City are null and void and illegal under international law. The status of the Holy City is clearly and unequivocally outlined in many Security Council and General Assembly resolutions and Israel must abide by them.

The continuation of these policies by the Israeli Government has prevented any tangible improvements of the situation in the Occupied Territory, casting serious doubts on the genuine intention of the Israeli leadership as regards its stated interest in the resumption of negotiations without preconditions.

Our Committee has been a strong supporter of the two-State solution, where an independent, sovereign State of Palestine will be created within the 1967 borders with East Jerusalem as its capital, living side by side with the State of Israel in peace and security. It considers it as the only feasible solution, through which the Palestinian people would be able to exercise its inalienable national rights. It would also bring peace and security to the Israeli people and give a tremendous boost to economic development and cooperation in the Middle East region.

Achieving this goal, however, would require a new approach by the Israeli Government. The continuation of decades-old policies of settlement expansion, land annexations, exploitation of Palestinian natural resources, controlling, and, in fact, stifling Palestinian lives by erecting a separation wall on their land, by checkpoints, closures and collective punishment, will not lead to peace. These policies have entrenched the status quo, subjugated the Palestinian people, triggered two intifadas and created tensions and conflict in the wider region.

More than 20 years ago, the Palestinian leadership has declared, its acceptance of the two-State solution in accordance with the relevant United Nations resolutions. President Mahmoud Abbas has vowed to achieve this goal through peaceful negotiations. Palestinian negotiators have striven in countless sessions with their Israeli counterparts to implement this mandate, just to be confronted time-and-again with new facts on the ground, new and expanded settlements, outposts, and the separation wall with its detrimental effect on the livelihood of the Palestinians affected by it. In addition, the daily oppressive practices of the occupying Power continue unabated: military raids, arrests, restrictions on movement of persons and goods, settler violence and numerous other coercive measures. The list of illegal acts by Israel can be continued.

This was not the objective, when the international community wholeheartedly supported the Madrid peace process that started in 1991. That was not meant by supporting the confidence-building measures introduced by the Oslo Agreements of 1993 and follow-up accords. And this was not what the Annapolis conference participants had in mind when they supported the resumption of the permanent status negotiations. The lack of cooperation on the part of the Israeli Government runs counter to the spirit and letter of the Road Map of the Quartet and leaves no room for applying the Arab Peace Initiative.

Mr. President,
Ladies and Gentlemen,

Our Committee has consistently supported efforts by the parties and the international community aimed at bringing about a peaceful solution of the question of Palestine. In view of the ever-widening disconnect between the objective of the process, namely the establishment of a Palestinian State in the borders of 1967, and the reality on the ground, the annual programme of work of the Committee focused on the urgency of bringing about the two-State solution. Serious and honest, good-faith negotiations on all permanent status issues is what is needed to kick-start the process. At the same time, actions on the ground have to change dramatically. Settlement expansion has to stop, extremists need to be held accountable, the rule of law must prevail. The blockade of Gaza has to be lifted. Palestinian economic activity needs to be assisted through lifting the burden of restrictions on movement of people and goods. This would build trust into the process, producing growing support of Palestinian and Israeli public opinion, thus allowing the parties to arrive at decisions that may seem very difficult or remote now.

The Committee's position is that the continuing illegal occupation of the Palestinian Territory remains the root cause of the conflict. While this situation continues, we will not stop to remind Israel, the occupying Power, that it is bound by well-defined obligations enshrined in international humanitarian law. The international community has to ensure that all of its members adhere to these principles. Impunity for gross violations has to end. The General Assembly has recently held an important discussion of these issues while considering the Goldstone report. Our Committee encourages the parties and the international community to implement the recommendations contained therein. Responsibility and accountability have to be established and a reoccurrence of the of devastation caused by Israel during the war in Gaza and the human tragedy it brought to the civilian population in Gaza has to be prevented. The best way forward would be a negotiated solution that will end the occupation, ensure the exercise by the Palestinian people of its inalienable rights and guarantee security for the State of Israel. This settlement must be based on international law, the relevant United Nations resolutions, and the principles outlined in the Road Map and the Arab Peace Initiative.

On a number of occasions our Committee has voiced its concern about the intra-Palestinian divisions blocking national reconciliation and the reunification of the West Bank and Gaza under the Palestinian Authority. It supports all efforts, in particular those by Egypt, aimed at restoring Palestinian national unity as a necessity on the path towards a permanent settlement of the question of Palestine.

Our Committee firmly believes that the United Nations should continue to maintain its permanent responsibility towards the question of Palestine until it is effectively resolved in all its aspects in accordance with international law and legitimacy. The Committee calls on the Security Council to act decisively in implementation of its own resolutions with respect to the question of Palestine, in particular resolutions 242 and 338. The Committee is also hopeful that, as the principal United Nations organ responsible for the maintenance of international peace and security, the Council will live up to its obligations under the United Nations Charter. The Committee for its part will continue to fulfil its General Assembly mandate aimed at helping the Palestinian people realize its inalienable rights.

Mr. President,
Ladies and Gentlemen,

In this context, I would like to introduce to the Assembly the four draft resolution approved by the Committee and circulated under this agenda item, namely **A/64/L.20, A/64/L.21, A/64/L.22 and A/64/L.23.**

The first three drafts are related to the work of the **Committee on the Exercise of the Inalienable Rights of the Palestinian People**, the **Division for Palestinian Rights of the Secretariat**, and the **Special information programme on the question of Palestine of the Department of Public Information**. They reaffirm the important mandates entrusted to these entities by the General Assembly. As in the past, the Committee intends to make sure that resources available to it are employed in a cost-effective manner for all mandated activities. The three drafts have been updated.

The fourth draft entitled "**Peaceful settlement of the question of Palestine**", reiterates the position of the General Assembly with regard to the essential elements of such a settlement and includes references to the developments of the past year. This draft, inter alia, reaffirms our full support for the Middle East peace process based on the relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative, the Quartet's Road Map and the existing agreements between Israel and the Palestinians.

The four draft resolutions, that I have just introduced, outline positions, mandates and programmes that are of special importance, particularly at the present crucial juncture. I would like to call on the General Assembly to vote in favour of these resolutions and support the important goals contained therein.

Thank you.

* * *

