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## Special Political and Decolonization Committee (Fourth Committee)

### Summary record of the 23rd meeting

Held at Headquarters, New York, on Wednesday, 10 November 2004, at 9.30 a.m.

*Chairman:* Mr. Calderón (Vice-Chairman) . . . . . (Ecuador)

*later:* Mr. Kyaw Tint Swe (Chairman) . . . . . (Myanmar)

## Contents

Agenda item 76: Report of the Special Committee to Investigate Israeli Practices  
Affecting the Human Rights of the Palestinian People and Other Arabs of the  
Occupied Territories (*continued*)

Organization of work

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*In the absence of Mr. Kyaw Tint Swe (Myanmar), Mr. Calderón (Ecuador), Vice-Chairman, took the Chair.*

*The meeting was called to order at 9.30 a.m.*

**Agenda item 76: Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories** (*continued*) (A/59/338, 339, 343-345 and 381)

1. **Mr. Al-Otaibi** (Kuwait) said that since September 2000, hundreds of young people, women, children and old people had been killed by the Israeli occupation forces, in contravention of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949. Paragraphs 32 and 33 of the Special Committee's report showed that the main problem affecting the Palestinian people was the ongoing construction of the separation wall. In July 2004, at its tenth emergency special session, the General Assembly had adopted a resolution in which it demanded that Israel comply with the International Court of Justice Advisory Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory by ceasing construction of the separation wall and making reparation to Palestinians whose lives had been harmed by it. Israeli practices in the occupied Syrian Golan also violated United Nations resolutions, international humanitarian law and international instruments and must be condemned.

2. Action by the international community, including efforts by the Quartet and by neutral, regional and international parties, Security Council and General Assembly resolutions and the road map, had failed to deter the Israeli Government from pursuing its ongoing attacks on the Palestinian people. Israel had also disregarded its agreements with the Palestinian Authority.

3. His delegation reaffirmed its strong support for the Palestinian people in its struggle for its legitimate right to establish its own independent State, with Jerusalem as its capital, endorsed the need for the Special Committee's mandate to continue until the Israeli occupation ended, endorsed the findings and recommendations in the report and demanded that the Israeli Government commit itself to the implementation of those recommendations.

4. **Mr. Mustafa** (Sudan) said that Israel's disregard for the will of the international community made it essential that the United Nations move immediately to deter it from an aggression that contravened all international instruments and the principles of international humanitarian law. Israel's continued rejection of United Nations resolutions reinforced its misperception that it was a State above the law. Since occupying the Syrian Golan in 1967, Israel had continued to annex Syrian territory and confiscate land belonging to Syrian Arabs. Moreover, it had attempted to destroy their Syrian identity, used all forms of oppression, duress and torture and confiscated their crops and livestock, in clear violation of the economic and social rights established in the Charter of the United Nations, the principles of humanitarian law, the Fourth Geneva Convention, the Hague Conventions and the International Covenant on Economic, Social and Cultural Rights. Israel was also persisting in its challenge to international legitimacy by continuing to construct the separation wall, the Advisory Opinion of the International Court of Justice notwithstanding.

5. Israel's goal of security could be achieved only if it withdrew from all Palestinian, Syrian Golan and Lebanese territories in accordance with Security Council resolutions 242 (1967) and 338 (1973) and allowed the Palestinian people to establish its own independent State, with Jerusalem as its capital.

6. **Mr. Khan** (Bangladesh) said that he was speaking as Yasser Arafat lay dying, still the embodiment of the whole history of his people's misery and oppression on its own territory. Despite decades of humiliation and interference in the daily lives of Palestinians, the occupying Power, undaunted, continued to inflict collective punishments in the form of restrictions, demolitions and confiscations in retaliation for the actions of individuals, and did so on the grounds of security but actually with the goal of destroying the spirit of a nation and its economy.

7. Israel, as a signatory to the Fourth Geneva Convention, was obligated to guarantee the basic human rights of the people under its occupation, but unfortunately, as the Special Committee's report demonstrated, it was trampling upon those rights with impunity, and the destructions, deaths, loss of income and deprivation of food and medical treatment had transformed an already dire situation into a veritable humanitarian catastrophe. Moreover, despite international condemnation, it had continued to build a

separation wall inside Palestinian territory, the aim being to infringe Palestinian territorial integrity and transform Palestinian towns into open-air prisons. The wall was simply a pretext for annexation in the name of self-defence. It would undermine future negotiations on a viable two-State solution under the road map, and should be dismantled.

8. The past year had witnessed an unprecedented Israeli assault — well documented in the world press and in television images — on what was left of Palestinians' quality of life. Its policy in the past year of targeted assassination of Palestinian leaders and activists and extrajudicial killing of individuals was a clear violation of international law and contrary to the norms of civilized human behaviour. The need for security could never justify such measures and the United Nations must condemn them with one voice.

9. His delegation reiterated its unwavering endorsement of the inalienable right of the Palestinian people to a sovereign and independent homeland and demanded the full and immediate withdrawal of Israeli forces from the Palestinian self-rule area to the positions held prior to September 2000. Security and stability for both Israelis and Palestinians could best be achieved through the political process set out in the road map. Israel must be called upon to exercise restraint so that the Palestinian Authority, on its side, could take the necessary steps. The international community should work actively to maintain the momentum of the peace process.

10. **Ms. El Alaoui** (Morocco) said that conditions in Palestine had deteriorated during the past four years as a result of a cycle of violence and counter-violence caused by Israeli practices that were in contravention of the Fourth Geneva Convention, the International Covenants, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Such practices consisted of, inter alia, killings, including of children, rocket and bomb attacks, confiscation of land, destruction of agricultural land, houses and places of worship, an overwhelming number of checkpoints that made Palestinians' daily lives a nightmare and extremely harsh conditions of detention for Palestinian prisoners. Moreover, the building of the separation wall amounted to a gradual process of annexation of Palestinian land and water resources. Israel had an obligation to comply with the Advisory Opinion of the International Court of Justice and cease construction of that wall.

11. The human rights situation in the occupied Syrian Golan had also worsened, as a result of Israel's destruction of Syrian villages, construction of new Jewish settlements and expansion of existing ones, confiscation of land, and reduction of the agricultural land area, part of which was being used as minefields, military zones or training grounds. Israel was also preventing the Arab population from using its water resources, which had been diverted to Jewish settlements in the Golan. Her Government reiterated its willingness to support peace efforts in the region, the establishment of a Palestinian State, with Jerusalem as its capital, and the return of the Golan to Syria and the remaining occupied Lebanese territories to Lebanon so as to secure peace for all countries in the region, including Israel.

12. **Mr. Camara** (Senegal) said that the Special Committee was to be commended for its perseverance in relying on witness reports to fulfil its mandate, despite the occupying Power's refusal to cooperate. The report gave an account of serious human rights violations resulting from the systematic restrictions imposed by Israel on the Palestinians in defiance of all international norms as well as collective and individual punishment and degrading treatment that violated the Fourth Geneva Convention and its Additional Protocols. For the Palestinian people as a whole, the occupation meant constant military incursions, demolition of buildings and public infrastructure, devastation of farmland, rapes and killings, forced displacement of populations and annexation of land. The Palestinians had become refugees in their own country, deprived of their basic rights and unable to live normal lives in peace and security.

13. The human rights situation in the occupied Syrian Golan was deteriorating steadily, with the occupying Power pursuing a policy of annexation, expropriation and diversion of water resources. Unemployment rates were high and Israel's educational policy threatened the Syrian population's national identity. This burial of nuclear waste close to the border with Syria was also cause for concern.

14. Israel's construction of a separation wall in the Occupied Palestinian Territory continued to inflict damage on the Palestinian population and restrict its movements. That disastrous policy could undermine a future settlement of the question of Palestine. His delegation advocated a return to the road map and urged the Quartet, and the international community as

a whole, to continue to work to bring the parties back to the negotiating table on that basis.

15. His delegation endorsed the recommendations in the report and urged the Special Committee and all those who worked with it to continue to mobilize public opinion in favour of a peace process that was in the interests of all countries of the region, including Israel.

16. **Mr. Ghafari** (United States of America) observed that, while his Government shared the concerns expressed about the hardships facing the Palestinian people, it should be noted that the resolutions before the Committee viewed the complexities of the Israeli-Palestinian conflict through a crude prism that cast light on just one victim. Of the five draft resolutions, only one made any reference to the terrorist acts perpetrated against Israeli civilians and all the resolutions were silent on the vaunted suicide bombings by Palestinians. One resolution condemning Israeli settlements made no mention of Israel's intention to withdraw its settlements from Gaza and parts of the West Bank, an initiative recently encouraged by the Quartet, of which the United Nations was a part. Also, most of the draft resolutions injudiciously sought to implement an advisory opinion of the International Court of Justice through the General Assembly. The General Assembly was being asked in the draft resolutions to accept the Palestinian perception of events as the sole reality. His delegation urged Member States to consider carefully the consequences of endorsing one-sided resolutions that could undermine constructive mediation by the Quartet and the international community.

17. In his delegation's view, the Special Committee's mandate was, in the absence of a parallel committee investigating Palestinian Authority practices, distorted. Moreover, it duplicated the work of the Commission on Human Rights and its Special Rapporteur on the situation of human rights in the Palestinian territories occupied by Israel since 1967. His delegation urged Member States to retire a committee that was a cold-war dinosaur and look instead for ways to reinvigorate the United Nations as a balanced partner committed to the road map and its two-State vision, which was favoured by the President of the United States and shared by most members of the Fourth Committee.

18. **Mr. López Clemente** (Cuba), referring to the shameless determination of one delegation to eliminate

the Special Committee, said that the latter's work had become more necessary than ever.

19. The world continued to witness the unprecedented escalation of violence and aggression in the occupied territories. International efforts to resolve the situation had failed as a result of Israel's lack of cooperation and its total disregard for General Assembly and Security Council resolutions. Moreover, the Security Council was virtually paralysed whenever it sought to deal with that conflict, because of the double standards and use of the veto by one of its permanent members and because, unfortunately, it did not give due weight to the views of the majority of Member States.

20. The escalating aggression by the Israeli army over the past year had resulted in a growing number of deaths and injuries among civilians on both sides, although the casualties were far heavier among the Palestinians. Moreover, the Palestinian economy was on the verge of collapse. The severe administrative restrictions imposed by Israel prevented Palestinians from having access to their place of work and hence to a source of livelihood for their families.

21. The international failure to act effectively had only encouraged those in Israel who were opposed to a peaceful, just and lasting solution of the Middle East conflict. The very latest conventional weaponry was being used against the Palestinian population of the occupied territories, and the Israeli army's unequal combat with a civilian population that was defending its inalienable right to exist as an independent State laid bare Israel's wholesale violation of Palestinians' human rights and of international law.

22. The Special Committee's report gave a detailed picture of the countless ways in which Israel was violating the rights of the populations of the occupied Arab territories in all areas of life. In addition, Israel was continuing its construction of a separation wall in the Occupied Palestinian Territory, which amounted to a virtual annexation of the most fertile land and a further infringement of Palestinian territorial integrity, already seriously affected by the proliferation of Israeli settlements. The wall must be dismantled.

23. His delegation firmly supported the inalienable right of the Palestinian people to establish a sovereign, independent State with East Jerusalem as its capital. It demanded the unconditional return of all the Arab territories occupied by Israel since 1967 and hoped to

see the attainment of a just and lasting peace for all the peoples of the Middle East, without exception.

24. **Mr. Maleki** (Iran) said that the Israeli military campaign against the Palestinian people had resulted in horrific human losses, brought misery and destruction and created a grave humanitarian crisis. Extrajudicial killings continued in the context of State terrorism by Israel aimed at holding on to the territory it had occupied and keeping the Palestinian people oppressed.

25. Israel's refusal to allow the Special Committee to visit the occupied territories had deprived the Committee of access to information on the Palestinians' living conditions. A clear picture of Israel's brutality and inhumane practices over the past year had nevertheless emerged: thousands of Palestinians, most of them civilians, including children, killed or injured; a policy of assassination without consideration for innocent bystanders; unprecedented levels of confiscation and destruction of farmland and homes; disruption of families and communities and their access to land, jobs, education and basic services; detention of thousands of Palestinians, including children and women, and their subjection to torture and inhumane treatment; increasing use of curfews; creation of social and economic conditions that made the Palestinians in the occupied territories the most impoverished people in the world; expansion of illegal Jewish settlements in parallel to the construction of the separation wall; and refusal to freeze or dismantle settlements erected since March 2001. The Israeli army had also continued its regular military raids into the occupied territories, using disproportionate and indiscriminate force against civilians.

26. The separation wall was becoming a major source of injustice for the Palestinian people; it was a violation of their rights and had a serious impact on all aspects of the Palestinian question. In its Advisory Opinion, the International Court of Justice (ICJ) had declared the construction of the wall to be contrary to international law, and the international community must spare no effort in compelling Israel to abide by such law. The United Nations must consider what further action was required to bring that illegal situation to an end, taking due account of the Advisory Opinion.

27. The Israeli occupation lay at the core of the tragic long-lasting conflict in the Middle East. The

international community as a whole and the United Nations in particular had a responsibility to focus all their attention on putting an end to the inhumane practices of the Israeli regime and protecting defenceless Palestinian civilians in the occupied territories. Israeli military operations must cease and the occupying Power must abide fully by the Fourth Geneva Convention. The Special Committee, as an integral part of the United Nations, had an important role to play in the investigation of Israeli practices affecting the human rights of the Palestinian people and other Arabs of the occupied territories so that they could be brought to the attention of Member States and the international community.

28. **Mr. Song Se Il** (Democratic People's Republic of Korea) said that Israeli practices in the occupied Palestinian and Arab territories had been of great concern to the international community for decades. The construction of a separation wall on the pretext of preventing terror was an unjust act which violated Palestinian territory and the Palestinian people's right to live there and was aimed at unilaterally imposing a border in the occupied territories.

29. The Middle East would never know peace so long as Israel maintained its policy of occupation and oppression. Israel was able to commit inhuman crimes against the Palestinian and Arab peoples with impunity because of the active backing it received from certain countries. The legitimate rights of the Palestinian people and all Arabs to self-determination, human rights and restoration of their territory must be guaranteed in order to settle the problems of the Middle East.

30. Israel must abandon its campaign of State terror justified as "retaliation", unconditionally withdraw its armed forces from the occupied Palestinian Territory and halt the expansion of Jewish settlements, which resulted in the expulsion of the Palestinian population, the destruction of infrastructure and the plundering of cultural heritage. In accordance with the ICJ Advisory Opinion and resolution ES-10/15, Israel must cease further construction, dismantle the existing wall and make reparation for all the damage caused. Other countries should also respect the Advisory Opinion and stop encouraging Israeli violence.

31. His delegation reiterated its full solidarity with the struggle of the Palestinian people to settle the question of Palestine fairly in accordance with General

Assembly resolutions and international law. It reaffirmed that people's right to return to its homeland and establish an independent State with Jerusalem as its capital and expressed its support for the struggle of all Arab peoples for a solution to the Middle East question.

32. **Mr. Dabbashi** (Libyan Arab Jamahiriya) said that occupation such as that endured for the past half century by the Palestinian people was the worst form of human rights violation. Paragraphs 30 to 86 of the Special Committee's report (A/59/381) provided plentiful evidence of Israeli violations of Palestinians' human rights. He acknowledged the valuable work done by journalists in uncovering the daily suffering endured by Palestinians and invited the media and humanitarian organizations to take action to expose similar practices by Israel in the occupied Syrian Golan. It was essential to put an end to the destruction of Palestinians' livelihood and infrastructure. That could be achieved only if the Israeli authorities were compelled to respect United Nations resolutions and international law. His delegation questioned the Security Council's ability to fulfil its responsibility in that regard or to take any action with regard to Israel, which had always been treated as a State above the law.

33. **Mr. Mansour** (Yemen) said that Palestinians' deteriorating living conditions were being aggravated by the construction of the separation wall. He referred to the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), which highlighted Israel's disregard for international resolutions and instruments, to the detriment of the Palestinian people. His Government condemned Israel's policy of killing and destruction, its continued occupation of the Syrian Golan and its expansion of settlement construction and called on the international community to put pressure on Israel to comply with international resolutions, since bloodshed and destruction could only lead to increased violence.

34. **Mr. Al-Zayani** (Bahrain) said that the Special Committee's report demonstrated how Israel continued to violate Palestinians' human rights, in defiance of, inter alia, the Charter of the United Nations and General Assembly resolution 2625 (XXV), which set forth the principle that States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State.

35. Israel's construction of the separation wall around East Jerusalem violated Security Council resolution 476 (1980), which had been adopted in an attempt to thwart legislative steps initiated in the Israeli Knesset with the aim of changing the character and status of Jerusalem, and Security Council resolution 478 (1980), which had determined that all legislative and administrative measures and actions taken by Israel which altered or purported to alter the character and status of Jerusalem, and in particular the "basic law" on Jerusalem, were null and void.

36. Israel was also ignoring the Advisory Opinion of the International Court of Justice of 9 July 2004 and General Assembly resolution ES-10/13 of 21 October 2003, which demanded that Israel stop and reverse the construction of the wall in the Occupied Palestinian Territory. The wall barred the access of Palestinian refugees to UNRWA services, as had happened in the town of Qalqilya. The report of the Secretary-General on assistance to the Palestinian people (A/59/121-E/2004/88) noted that the construction by Israel of the barrier on Palestinian land in the West Bank introduced a new adverse element to Palestinian living conditions and freedom of movement and that the impact of the barrier on Palestinian lives and the territorial integrity of a future Palestinian State were pivotal to the very idea of the two-State solution, enshrined by Security Council resolution 1397 (2002).

37. Paragraph 24 of the report of the Economic and Social Council on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan (A/59/89-E/2004/21) noted that, with a total length — both planned and built — of 638 km, the barrier's design incorporated 975 km<sup>2</sup> (16.6 per cent) of occupied land on the side towards Israel, constituting the occupied territory inhabited by 320,000 settlers. Paragraph 17 noted that Israeli settlements in the occupied Palestinian territory, deemed illegal by the international community, continued to fuel the conflict, with detrimental repercussions on the living conditions of the Palestinians. In the West Bank, Israel had more than 136 settlements with 236,000 settlers. In the Gaza Strip, 17 settlements housed some 7,000 settlers. About 180,000 settlers lived in occupied East Jerusalem.

38. Israel was continuing its annexation of the Syrian Golan, in violation of Security Council resolution 497

(1981), which decided that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights was null and void and without international legal effect. According to a report by the Syrian Ministry of Foreign Affairs, the number of Jewish settlements in the Syrian Golan had doubled to 44. Furthermore, the Israeli occupation forces had confiscated 350 dunums of village land and announced the construction of nine new settlements, which would nearly double the settler population. Concerns had also been raised about the dumping of nuclear waste and the laying of landmines in the occupied Syrian Golan and about Israel's violations of the human rights of Syrian Arabs living there.

39. A just and comprehensive peace in the Middle East required the full implementation of the relevant agreements, including those of the 1991 Madrid Conference, and of Security Council resolutions 242 (1967) and 338 (1973), and a commitment to the principle of land for peace and the road map. It was essential that the Palestinian people be able to exercise its inalienable rights, including the right to establish a sovereign, independent State on its national soil, with Jerusalem as its capital.

40. **Mr. Van den berg** (Netherlands), speaking on behalf of the European Union, the candidate countries Bulgaria, Croatia, Romania and Turkey and the stabilization and association process countries Bosnia and Herzegovina, Serbia and Montenegro and the former Yugoslav Republic of Macedonia, expressed solidarity with the Palestinian people and encouraged the Palestinian leadership to show responsibility in ensuring the regular functioning of Palestinian institutions, since it was essential that a legitimate leadership continue to pursue resolutely the path towards peace in the Middle East.

41. He expressed grave concern at the recent unprecedented cycle of retaliatory violence in Israel and the occupied territories, reiterated the European Union's full and unconditional condemnation of all forms of terrorism, including rocket attacks into Israel, and called upon the Palestinian Authority to take firm action against the planners and perpetrators of such acts. Although the European Union recognized that Israel had the right to protect its citizens, it stressed that the exercise of that right must take place within the boundaries of international law. In that context, the European Union also condemned the disproportionate nature of Israeli military actions in the Gaza Strip, in

which many innocent civilians, including children, had been killed or injured. It called once again on Israel fully to respect the Fourth Geneva Convention and reminded Israel of its obligation to ensure full and secure access for diplomatic missions and humanitarian organizations. Having heard, among others, the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied by Israel since 1967, it called on Israel to respect humanitarian and human rights law and comply with its obligations.

42. Both parties must put an end to the spiral of violence and implement their obligations. The only way to achieve lasting peace was through the resumption of security cooperation and direct negotiations, as called for in the road map. The European Union remained committed to the two-State solution laid out in the road map and agreed between the parties, which would result in a viable, contiguous, sovereign and independent Palestinian State existing side by side in peace with an Israel living within recognized and secure borders.

43. The European Union would view an Israeli withdrawal from the Gaza Strip and part of the northern West Bank as a significant step towards implementation of the road map, provided that it was a full and complete withdrawal and was implemented in accordance with the five conditions laid down by the European Council in March 2004: it must take place in the context of the road map; it must be a step towards a two-State solution; it must not involve a transfer of settlement activity to the West Bank; there must be an organized and negotiated handover of responsibility to the Palestinian Authority; and Israel must facilitate the rehabilitation and reconstruction of Gaza. Withdrawal must not be an attempt to replace the road map and the two-State solution, and he recalled that settlement activity was contrary to the road map.

44. The European Union was gravely concerned at the continued severe restrictions imposed on the freedom of movement of persons and goods, called on Israel to lift the blockade on the occupied territories and, in line with Security Council resolution 1435 (2002), reiterated that Israel must undertake an expeditious withdrawal of occupying forces from Palestinian cities and return to positions held prior to September 2000. It acknowledged the Advisory Opinion of the International Court of Justice and demanded that Israel stop and reverse the construction

of the wall in the Occupied Palestinian Territory, including in and around Jerusalem, which was in departure from the Armistice Line of 1949 and in contradiction with international law and also undermined Palestinians' trust in the road map and could prejudice the final borders of a future Palestinian State.

45. The European Union urged the Government of Israel to implement its obligations under the road map, including dismantling settlement outposts erected since March 2001, and to impose a settlement freeze; the lack of action in that regard was cause for concern. It also called on the Government to take all possible steps, consistent with Israel's legitimate security needs, to ease the current humanitarian and economic plight of the Palestinian people. Lastly, it reaffirmed its commitment to a just, comprehensive and lasting settlement of the Arab-Israeli conflict based on Security Council resolutions 242 (1967) and 338 (1973) and would remain engaged with all parties to help ensure that progress towards that goal was achieved.

46. Speaking on a point of order and noting that discussions on the draft resolutions under items 75 and 76 were still ongoing, he requested that action on the draft resolutions be rescheduled.

47. **Mr. Ruiz Rosas** (Peru), speaking on behalf of the Andean Community, said that although the United Nations had been dealing with the situation in the Middle East, in particular the Israeli-Palestinian conflict, for over half a century, that situation remained critical. The countries of the Andean Community continued to support the international community's efforts to achieve a just and lasting settlement and therefore endorsed the road map presented by the Quartet and adopted by the Security Council in its resolution 1515 (2003). Any settlement must also be based on existing Security Council resolutions and be consistent with international law. The Andean Community was committed to the two-State solution, in which Palestine and Israel would exist side by side in peace within secure, internationally recognized borders. Negotiations were the only means of bringing about a lasting, peaceful and just settlement in accordance with international law and the parties must persevere in that effort and resume negotiations.

48. **Mr. Kanafi** (Israel) emphasized that, as a democratic State, Israel was open to discussion of the

human rights situation in the West Bank and Gaza Strip. Indeed, in any given year, the region was examined by foreign government ministries, United Nations bodies and special rapporteurs and non-governmental organizations of international stature. However, he wished to draw the Committee's attention to the waste and redundancy of the work of the Special Committee, a body whose very title indicated that any conclusions it reached be prejudged. That the Special Committee's work was at best a work of fiction and at worst a farce was attested to by the fact that only about 45 per cent of the Fourth Committee's membership voted, in a resolution passed by inertia year after year, to renew its mandate. There were budgetary considerations as well: the Special Committee had a larger programme budget for the biennium 2004-2005 than the Commission on Human Rights, yet the Special Committee's mandate covered only one State whereas the Commission's covered 20 States. Moreover, in the case of those other States, human rights violations by all parties were examined, while the Special Committee investigated one side only. Surely no one contended that the Palestinian Authority was innocent of its numerous well-documented human rights violations.

49. As the Secretary-General had indicated in his report on United Nations reform, a critical look must be taken at all United Nations activities; if it was found that they were not relevant to the implementation of the Millennium Declaration, Member States must be willing to let them go. The work of the Special Committee was in no way relevant to the Millennium Development Goals, nor did it serve in any conceivable manner the agenda of the United Nations as a member of the Quartet and a sponsor of the road map process to end terror and violence and renew dialogue in the Middle East. The Fourth Committee should begin to realize its potential to streamline its consideration of Middle East issues, with a view to promoting fiscal and organizational reform and ensuring that funds were diverted to causes that promoted the purposes of the United Nations.

50. *Mr. Kyaw Tint Swe (Myanmar) took the Chair.*

51. **Mr. Kanaan** (Observer for the Organization of the Islamic Conference) said that it was essential that the Special Committee retain its mandate for as long as the Israeli occupation of Palestine and the Syrian Golan continued and until a just and comprehensive solution to the question of Palestine was achieved. The



Special Committee's report amply demonstrated the extent to which Israeli occupation forces continued to act illegally in the occupied territories. There was also the case of British peace activist Angela Zelter, who had been denied entry to the Palestinian territories by the Israeli Government on the grounds that she was a security risk. Moreover, for the fourth week of Ramadan, Israel had barred thousands of Palestinians from going to Jerusalem to attend Friday prayers at the Al-Aqsa Mosque.

52. Israel's continuing construction of the separation wall was a challenge to the International Court of Justice and the General Assembly. The report of the Special Rapporteur of the Commission on Human Rights (A/59/256) detailed Israeli violations of human rights and of the principles of international law, while reports by the Israeli Information Centre for Human Rights in the Occupied Territories (B'Tselem) described the severe restrictions imposed by Israel on Palestinians' freedom of movement in the seam area and the West Bank.

53. In continuing to impose its jurisdiction on the occupied Syrian Golan, Israel was ignoring Security Council resolution 497 (1981) and General Assembly resolutions deciding that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights was null and void and without international legal effect. His delegation condemned Israeli practices of settlement construction and expansion, confiscation of agricultural land and water resources, arbitrary arrests and detentions and undermining of Syrian Arabs' national identity. It supported Lebanon's efforts to liberate those parts of its territory that remained under Israeli occupation.

54. It was essential that the international community, especially the Quartet, put pressure on Israel to return to the negotiating table and revive the peace process on the basis of the road map and the decisions of the international community. A just and comprehensive peace required the full implementation of the relevant agreements and Israel's complete withdrawal from all the occupied territories. The Palestinian people must be able to exercise its inalienable rights, including its right to establish a sovereign independent State on its national soil, with Jerusalem as its capital, its right of return and its right of self-determination.

55. **Ms. Nasser** (Observer for Palestine), speaking in exercise of the right of reply to the statement made by

the representative of Israel, expressed appreciation to all those delegations that had voiced concern about the health of President Arafat and had reaffirmed their solidarity with the Palestinian people at a difficult time.

56. The remarks by the representative of Israel revealed the depths of Israel's disrespect for the efforts of the international community to uphold international law in the face of constant breaches of international standards. It was regrettable that that representative continued to belittle the General Assembly's attempts to address the issue. The Special Committee had been established by the General Assembly, not the delegation of Palestine, in 1968, following Israel's occupation of Palestinian and Arab territories during the 1967 war. Its mandate had still not been fulfilled and it continued to have an important role to play.

57. With regard to the resources allegedly wasted on the Special Committee, she wondered how much money the United Nations might have saved if Israel had complied with international law and the relevant United Nations resolutions instead of persisting in four decades of occupation. Occurrences in the occupied territories had been reported not only by Palestinians but also by United Nations agencies and intergovernmental and non-governmental organizations and were the result of Israel's belligerent military occupation and subjugation of the Palestinian people for nearly 40 years.

58. The Special Committee was not singling out Israel for special attention, Israel had singled itself out as an occupier, a violator of human rights and an oppressor. It had entrenched itself in the occupied territories and blocked all attempts at a peaceful settlement. The United Nations must continue to address that situation until a peaceful and just solution to the conflict was achieved. She called on delegations to reject attacks on the Special Committee and to uphold their convictions and international law. Lastly, with regard to the point of order raised by the representative of the Netherlands, she supported the rescheduling of action on the draft resolutions under items 75 and 76 to allow time for further discussions that would garner increased support for those important resolutions.

59. **Mr. Assaf** (Lebanon), speaking in exercise of the right of reply to the statement made by the representative of Israel, said that that representative

had attempted to deflect attention from the real issue by raising financial concerns. His delegation was also concerned about spending by the United Nations, but the Special Committee had been established in response to Israeli violations of the human rights of Palestinians and Syrians in the occupied territories. If the occupation ended and human rights violations stopped, the Special Committee would become redundant. Moreover, if Israel truly cared about United Nations resources, its forces would refrain from attacks on UNRWA, which had cost the Agency millions of dollars that it needed to fulfil its mandate. The representative of Israel was trying to put the cart before the horse: if Israel stopped violating the rights of the peoples of the occupied territories, the Special Committee would cease to be necessary and resources would no longer have to be allocated to it.

### **Organization of work**

*Proposed programme of work and timetable of the  
Special Political and Decolonization Committee  
(Fourth Committee) (A/C.4/59/CRP.1)*

60. **The Chairman** drew the Committee's attention to the proposed programme of work and timetable for the Committee at its sixtieth session in 2005, as contained in document A/C.4/59/CRP.1. He recalled that the proposed programme of work and timetable must be adopted before the end of the Committee's current session.

*The meeting rose at noon.*