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Chairman: Mr. Al Bayati (Iraq)

Contents

Agenda items 67: Promotion and protection of human rights (*continued*)

- (b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*)
- (c) Human rights situations and reports of special rapporteurs and representatives (*continued*)

Agenda item 60: Social development (*continued*)

- (c) United Nations Literacy Decade: education for all (*continued*)
- (d) Follow-up to the Second World Assembly on Ageing (*continued*)

Agenda item 98: Crime prevention and criminal justice (*continued*)Agenda item 67: Promotion and protection of human rights (*continued*)

- (b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*)
- (c) Human rights situations and reports of special rapporteurs and representatives (*continued*)

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The meeting was called to order at 3.15 p.m.

Agenda item 67: Promotion and protection of human rights *(continued)*

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms *(continued)*

(c) Human rights situations and reports of special rapporteurs and representatives *(continued)*

Draft resolution A/C.3/61/L.13: Consequences of the Israeli invasion for the human rights situation in Lebanon

1. **Mr. Amorós Núñez** (Cuba), introducing the draft resolution on behalf of the sponsors, said that the elimination of conflict and the attainment of peace were crucial for the development of human rights. The Israeli military operations in Lebanon constituted gross and systematic human rights violations and affected the positive achievements that had been made in that country. Just as Lebanon had been preparing to make enormous changes, its people had suddenly found themselves deprived of the most fundamental of all human rights: the right to life.

Agenda item 60: Social development *(continued)*

(c) United Nations Literacy Decade: education for all *(continued)*

Draft resolution A/C.3/61/L.4: United Nations Literacy Decade: education for all

2. **The Chairman** informed the Committee that the draft resolution had no programme budget implications and recalled that it had been orally revised at the time of its introduction.

3. **Ms. Enkhtsetseg** (Mongolia) said that the following delegations had joined in sponsoring the draft resolution: Afghanistan, Albania, Andorra, Angola, Antigua and Barbuda, Armenia, Austria, Azerbaijan, Barbados, Belarus, Belgium, Belize, Benin, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Burundi, Canada, China, Colombia, Congo, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Georgia,

Germany, Ghana, Greece, Guyana, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Jamaica, Japan, Kenya, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Malawi, Malaysia, Mali, Malta, Mauritania, Moldova, Morocco, Mozambique, Namibia, Nepal, Netherlands, Niger, Nigeria, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Saudi Arabia, Sierra Leone, Slovenia, South Africa, Spain, Sri Lanka, Swaziland, Sweden, Switzerland, Timor-Leste, Turkey, Uganda, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Viet Nam and Zambia.

4. Paragraph 9 of the draft resolution should be revised to read: “*Invites* Member States, the relevant intergovernmental and non-governmental organizations to take an active part in the preparation and organization of high-level regional conferences scheduled to be held in 2007-2008 in Qatar, Azerbaijan, Mali, Costa Rica and in Asia and the Pacific aimed at marshalling high political commitment, building an effective partnership among all the stakeholders and mobilizing resources needed for achieving the goals of the United Nations Literacy Decade and its International Plan of Action”. In the third preambular paragraph, the phrase before “critical role” should be replaced by “*Reaffirming* the emphasis placed by the 2005 World Summit Outcome² on”. The following phrase should be inserted at the end of paragraph 10: “including through programmes that promote low-cost and effective literacy provision”.

5. *Draft resolution A/C.3/61/L.4, as orally revised, was adopted.*

(d) Follow-up to the Second World Assembly on Ageing *(continued)*

Draft resolution A/C.3/61/L.6: Follow-up to the Second World Assembly on Ageing

6. **The Chairman** announced that the draft resolution had no programme budget implications.

7. **Ms. Hoosen** (South Africa), speaking on behalf of the sponsors, said that the following delegations had joined in sponsoring the draft resolution: Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Japan,

Kazakhstan, Latvia, Lithuania, Luxembourg, Malta, Mexico, Moldova, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, Russian Federation, San Marino, Slovakia, Spain, Sweden, Turkey, United Kingdom and United States of America.

8. In paragraph 3, the words “including caregivers” should be inserted after “community-based organizations.” In paragraph 6, the words “*Calls upon*” should be replaced by “*Encourages*”. The following phrase should be inserted after “in 2002” in paragraph 9: “as well as policy recommendations for further implementation of the Madrid International Plan of Action on Ageing”. In the same paragraph, the words “including best practices” should be inserted after “appraisal” and the words “for Social Development” should be inserted after “Commission”. Lastly, in paragraph 11, the words “and to mark the commemoration” should be replaced by “including information on the commemoration”.

9. *Draft resolution A/C.3/61/L.6, as orally revised, was adopted.*

Agenda item 98: Crime prevention and criminal justice (continued)

Draft resolution A/C.3/61/L.2: Strengthening the United Nations Crime Prevention and Criminal Justice Programme and the role of the Commission on Crime Prevention and Criminal Justice as its governing body

10. **The Chairman** informed the Committee that the draft resolution was being referred to the Fifth Committee in accordance with General Assembly resolution 45/248 B.

Draft resolution A/C.3/61/L.3: International cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims

11. **Mr. Khane** (Secretary of the Committee), presenting a statement of programme budget implications in accordance with rule 153 of the rules of procedure of the General Assembly, said that under paragraph 6 of the draft resolution, the General Assembly would request the United Nations Office on Drugs and Crime, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the Office, to provide to

Member States, upon request, technical assistance and advice in implementing the provisions of the operational manual. Were the General Assembly to adopt the draft resolution, implementation of paragraph 6 would entail the provision of technical assistance and hence give rise to financial implications. He drew the Committee’s attention to paragraph 67 of the first report of the Advisory Committee on Administrative and Budgetary Questions on the proposed programme budget for the biennium 2000-2001 (A/54/7), which indicated that the use of the phrase “within existing resources” or similar language in resolutions had a negative impact on the implementation of activities. Efforts should therefore be made to avoid the use of the phrase in resolutions and decisions.

12. *Draft resolution A/C.3/61/L.3 was adopted.*

Draft resolution A/C.3/61/L.7/Rev.1: Improving the coordination of efforts against trafficking in persons

13. **Mr. Khane** (Secretary of the Committee), presenting a statement of programme budget implications in accordance with rule 153 of the rules of procedure of the General Assembly, said that, were the General Assembly to adopt draft resolution A/C.3/61/L.7/Rev.1, an estimated \$1.49 million would be required from extrabudgetary resources to provide for the coordination of the activities of the inter-agency coordination group on trafficking in persons, the holding of biannual coordination meetings, the preparation, printing and distribution of the biennial report *Trafficking in persons: global patterns* and the maintenance of the database and website on trafficking in persons. The proposals on strengthening the capacities of the United Nations Office on Drugs and Crime for the coordination of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime would be considered in the context of the report to be submitted by the Secretary-General to the Assembly at its sixty-third session. Therefore, the adoption of the draft resolution would not have any implications for the programme budget for the biennium 2006-2007.

14. **Mr. Dapkiunas** (Belarus), introducing the draft resolution, said that Angola, Benin, Indonesia, Islamic Republic of Iran, Liberia, Libyan Arab Jamahiriya, Mexico, Senegal, Sierra Leone and Thailand had become sponsors. The draft resolution established a simple, results-oriented mechanism for better

coordinating efforts, preventing waste of time and resources and promoting greater openness and transparency. His delegation hoped that the United Nations Office on Drugs and Crime (UNODC), the International Organization for Migration (IOM), the United Nations Children's Fund (UNICEF), the International Criminal Police Organization (Interpol) and other international agencies would promptly put that mechanism to good use. There was a need for a global effort by both developed and developing countries, whether countries of origin, destination or transit, to help eradicate all forms of slavery.

15. **Mr. Wigwe** (Nigeria) said that his Government had enacted a law to combat trafficking in persons, a serious crime that inhibited the social, cultural and technological development of countries from which trafficked persons originated. It was concerned at the increase in such trafficking and the exposure of victims to various forms of exploitation and, in too many cases, loss of life. As most victims came from the developing world, particularly sub-Saharan Africa, the draft resolution should receive the Committee's full support, and result in more concerted efforts by the international community. He hoped that the draft resolution would be adopted without a vote.

16. **Ms. Banzon-Abalos** (Philippines) said that developing and implementing a holistic approach to combating trafficking in persons demanded a commitment to enhanced global cooperation in that sphere. The draft resolution would strengthen that commitment. She urged States to ensure that, in the fight against trafficking, the humanity of victims was never forgotten.

17. *Draft resolution A/C.3/61/L.7/Rev.1 was adopted.*

18. **Ms. Shestack** (United States of America), speaking in explanation of position, said that in line with its Trafficking Victims Protection Act of 2000, her Government considered trafficking in persons to be synonymous with modern-day slavery. In that connection, she recalled the resolution adopted by the Commission on the Status of Women at its forty-ninth session highlighting the demand aspect of human trafficking (resolution 49/2).

19. **Ms. Rawls** (Palau) said that her delegation commended the sponsors of the resolution but was concerned about plans to base the inter-agency coordination group in Vienna. Many smaller and developing States such as her own did not have the

means or the capacity to maintain representation in that city. That would affect their access to the group and the exchange of views which the resolution encouraged. Her delegation would therefore welcome arrangements to facilitate its participation in the group.

20. **Mr. Fieschi** (France) said that his delegation had joined the consensus on the resolution and was in favour of improving the coordination of efforts against trafficking in persons. Nevertheless, in view of the work of the States parties to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, the adoption of the resolution seemed premature.

21. **Mr. Suárez** (Colombia) said that while his delegation had not sponsored the resolution, it had participated in various meetings on the subject and attached great importance to the fight against trafficking in persons. His Government had just adopted a national anti-trafficking strategy which involved the participation of the State, civil society and international bodies such as the United Nations Office on Drugs and Crime. Any decision aimed at enhancing multilateral and international cooperation to fight that scourge was important.

22. **Mr. Alakhder** (Libyan Arab Jamahiriya) said that the adoption of the resolution was a milestone in efforts to combat crimes against humanity and human dignity, which posed a threat to the fundamental freedoms of humankind.

Agenda item 67: Promotion and protection of human rights (*continued*) (A/61/36, 97, 220 and 280)

(b) **Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms** (*continued*) (A/61/211, 267, 281, 287, 289, 306, 311, 312, 324, 325, 338, 340, 348, 352, 353, 384, 464, 465, 476, 506 and 513)

(c) **Human rights situations and reports of special rapporteurs and representatives** (*continued*) (A/61/276, 349, 360, 369, 374, 469, 470, 475, 489, 504 and 526)

23. **The Chairman** invited the Committee to continue its general discussion of agenda items 67 (b) and (c).

24. **Mr. Dugard** (Special Rapporteur on the situation of human rights in the Palestinian territories occupied by Israel since 1967), introducing his report (A/61/470), said that the serious violations of human rights and international humanitarian law committed by Israel in the occupied Palestinian territories had worsened over the past year. Gaza had been subjected to a protracted assault since 25 June 2006, when a group of Palestinian militants had attacked an Israeli military base near the Israeli-Egyptian border, killing two Palestinians and two Israelis. In retreating, the militants had captured Israeli Corporal Gilad Shalit and had demanded the release of Palestinian women and children being held in Israeli jails in return for his release. That act, and the continued launching of Qassam rockets into Israel, had unleashed a savage response from the Israeli Government which had taken several forms, including repeated military incursions into Gaza, in which militants and civilians had been killed, houses destroyed and agricultural land bulldozed. To date, some 280 people had been killed, including 60 children, and over 900 injured. At least half those victims had been civilians. Israeli forces had also subjected Gaza to relentless bombardments and sonic booms, inflicting a reign of terror on Gaza's population. Poverty in Gaza had reached levels such that three quarters of the population were unable to feed themselves without assistance, mainly as a result of the Israeli siege.

25. While the Israeli Government justified its actions as a security operation designed to put an end to the firing of Qassam rockets into Israel and as pressure aimed at securing the release of Corporal Shalit, those actions had been excessive. Israeli forces had attacked civilian targets directly and destroyed property randomly, with no military justification. The population was facing a humanitarian crisis as a result of the destruction of power plants, water supplies, bridges and schools, the restrictions imposed on imports of medical supplies and foodstuffs and the closure of Gaza's borders. In short, Israel had subjected the people of Gaza to collective punishment, in clear violation of article 33 of the Fourth Geneva Convention.

26. In the West Bank and East Jerusalem, the Israeli Government was continuing to build a 700-kilometre security wall, 80 per cent of which was in Palestinian territory. It now acknowledged openly that the wall served the political purpose of incorporating some

190,000 settlers into Israel itself, in complete disregard of the 9 July 2004 Advisory Opinion of the International Court of Justice (ICJ) stating that the wall was illegal. The wall's humanitarian impact was severe, in that it prevented Palestinians living in the "closed zone" between the Green Line and the wall from having free access to schools, hospitals and places of employment in the West Bank, while those living alongside the wall in the West Bank could not gain access to their farms in the "closed zone" without permits from Israel, which were often refused arbitrarily. Many Palestinian farmers had thus been forced to abandon their land, becoming a new category of internally displaced persons. The staggering increase in the number of checkpoints and roadblocks had fragmented the West Bank and, in many cases, their purpose was not to enhance security but to make Palestinians continually aware of Israeli power. Israel was extending its control over the Jordan Valley. The wall being built in south Hebron separated Palestinian homes from grazing and agricultural lands, while in East Jerusalem it attached more Palestinian land to Israel.

27. Violence towards Palestinians and their property continued, as military incursions, targeted assassinations, arbitrary arrests and house demolitions continued to characterize the Israeli occupation. There were also more than 10,000 Palestinians in Israeli jails.

28. While not as severe as in Gaza, a serious humanitarian crisis prevailed in the West Bank as a result largely of the suspension of funding for the Palestinian Authority since Hamas had been elected to office. As the occupied Palestinian territories had been heavily dependent on foreign funding since 1994, the suspension of funding had had a severe impact on Palestinian society. In effect, the Palestinian people had been subjected to economic sanctions, the first time that an occupied people had been treated in that way.

29. Thus, the Israeli Government flouted international law with impunity, while the Palestinian people was severely punished for having elected democratically a regime that was unacceptable to Israel, the United States and the European Union. As a member of the Quartet, which had in effect condoned the economic measures taken against the Palestinian people, the United Nations, and hence Member States, bore some of the blame for the humanitarian crisis.

30. The litany of violations of human rights and humanitarian law was difficult to reconcile with Israel's stated commitment to the rule of law and could not be justified in terms of the war on terror. Israel was an occupying Power in an age in which military occupation of territory was no longer acceptable and it wielded its power arbitrarily, showing little compassion for those it occupied and denying them the right of self-determination.

31. **Ms. Rasheed** (Observer for Palestine) said that the Palestinian people were being subjected to economic sanctions while Israel continued to flout countless Security Council and General Assembly resolutions and the ICJ Advisory Opinion. She would therefore welcome the Special Rapporteur's views on how the United Nations could reconcile its role as a member of the Quartet, which had recently imposed conditions on the Palestinian people that increased their suffering and hardship, with its role as an organization intended to protect the human rights of all peoples. She also wished to know what action the United Nations could take during the critical period currently faced by the Palestinian people and what the international community should do if the United Nations failed to take appropriate measures.

32. **Ms. Pato** (Togo) said that it seemed that certain human rights violations were considered acceptable, while others were not. He wondered what the international community's position would have been had the situation described by the Special Rapporteur arisen in a developing country. He asked the Special Rapporteur whether he had any specific suggestions to make for securing an end to Israeli bombings and resolving the current crisis.

33. **Ms. Yetken** (United States of America) said that any resolution on the civilian impact of the ongoing Israeli-Palestinian conflict must include a condemnation of Palestinian acts of terror, including the numerous rocket attacks launched from Gaza into Israel following the Israeli withdrawal. Referring to the Special Rapporteur's report, she stressed that it was her Government's policy to support the Road Map, which imposed obligations on both parties and was the only international peace plan endorsed by them. Concerning the situation in Gaza, her Government had joined with its Quartet partners in calling on the parties fully to implement their obligations on movement and access.

34. Her Government took a different view of several issues raised in the report: the United States did not consider the ICJ Advisory Opinion to have made a useful contribution to the parties' efforts to resolve their differences and felt that the security wall should not be construed as predetermining final status issues between them. It disagreed with the suggestion that the Road Map was out of date and needed revision. What was important was not the dates suggested for attaining individual steps, but the parties' commitment to the steps and to the process leading to a two-State solution through dialogue and the parallel implementation of obligations. The Quartet had recently reaffirmed that commitment and welcomed the prospect of a meeting between Prime Minister Ehud Olmert and President Mahmoud Abbas in the near future.

35. **Mr. Israeli** (Israel) said that the mandate of the Special Rapporteur, which called for examining only one side of the issue, undermined honest dialogue and politicized his report. The report ignored the context of events, oversimplified the situation and was characterized by omissions and distortions. It ignored the fact that Israeli checkpoints were targets of Palestinian terrorism and that was what led to border closures which, in turn, led to the difficult humanitarian situation in which the Palestinians were living. The Palestinian leadership had stated unambiguously that their aim was bloodshed. Meanwhile, the Road Map accepted by the Quartet and the United Nations offered the best hope for a settlement.

36. **Mr. Huimasalo** (Finland), speaking on behalf of the European Union, asked what were the most meaningful measures that could be taken by both parties to the conflict. He also requested details of the operation of the Temporary International Mechanism created to facilitate needs-based assistance to Palestine and asked whether the Special Rapporteur had any recommendations for its functioning.

37. **Mr. Ramadan** (Lebanon) said that there was nothing new in the Special Rapporteur's report and that the story was the same every year. The Israeli occupation was the root cause of the problems in the occupied Palestinian territories. In the current year, many civilians had been killed, in particular, by cluster bombs dropped by Israeli forces. Two months after the end of the conflict in Lebanon, such devices were killing an average of four Lebanese civilians a day. He asked whether, in the opinion of the Special

Rapporteur, those acts were gross and systematic violations of human rights.

38. **Mr. Dugard** (Special Rapporteur on the situation of human rights in the Palestinian territories occupied by Israel since 1967) said that it was difficult to reconcile the United Nations role in the Quartet with its international commitments. The Quartet had condoned economic measures against the Palestinian people, which was not the same as condoning economic measures against a government. As a member of the Quartet, the United Nations had failed to follow its normal procedures in imposing economic sanctions. The Security Council should look into the matter, as there was growing concern that the Quartet was subject to the influence of certain Powers.

39. The most significant measure that the two parties could take would be to resume talks. He was not opposed to a two-State solution, but felt that the Road Map did not inspire confidence because it was under the control of the Quartet, which had not proved impartial. The issue should be returned to the Security Council as soon as possible.

40. The Temporary International Mechanism was helpful to the Palestinian people and was functioning well. It was necessary to ensure that medical supplies got through Israeli checkpoints into Gaza. Palestinian medical authorities had indicated during the summer that supplies were not being received. Funding to the Palestinian Authority had been discontinued and since the Palestinian Authority controlled health care in the Palestinian territories, that had an impact on health funding.

41. Israeli human rights violations were indeed systematic. His mandate was limited to investigating violations committed by Israelis, not Palestinians, although in the past the Special Rapporteur's reports had referred to abuses committed by the Palestinian Authority. It would be helpful if Corporal Gilad Shalit was released and Palestinian prisoners were released in exchange. The Israeli argument that checkpoints were targeted by Palestinian terrorists was not a convincing one. It would also be helpful if all parties stopped using the word "terrorism", which was not conducive to finding a political solution. The Sixth Committee had been unable to define terrorism and many people who had gained reputations as statesmen had, earlier on in their careers, been called terrorists. Israel's use of the term risked painting the Israeli authorities into a

corner, because once people were labelled terrorists, it was difficult to negotiate with them. The Road Map was indeed the only solution, but it did not give sufficient consideration to issues of human rights and self-determination.

42. **Ms. Halabi** (Syrian Arab Republic) said that the principal cause of the problems in the Palestinian territories was the Israeli occupation, which was supported by a super-Power. The Palestinian and Lebanese peoples were the object of State terrorism. The Israeli blockade was total and human rights, including the rights of women, were being violated under the occupation.

43. **Mr. Saeed** (Sudan) said that the report painted a tragic picture of human rights violations. A super-Power was using its vote in the Security Council to block resolutions that would put a stop to the violations being committed by Israel. Thus, there was a selectivity in the way in which countries were cited for human rights violations that threatened the credibility of the United Nations. The General Assembly had requested a report on Israel's separation wall. The wall was being built, but no report had been produced. It was hard to see what measures could be taken if the occupying Power was being protected by another Power and the recommendations and proposals of the Security Council and the General Assembly were not being implemented.

44. **Mr. Amorós Núñez** (Cuba) said that the situation in the occupied Palestinian territories was a clear example of double standards in human rights. A hypocritical silence on the Palestinian situation was typical among many of those who spoke up most often about human rights violations elsewhere. It was clear why the super-Power in question supported Israel; occupation was a component of its foreign policy. It was the aggressors who must be condemned, not the victims.

45. **Mr. Hayee** (Pakistan) asked whether, given the Security Council's inability to act, the General Assembly could step in to fill the gap.

46. **Ms. Gendi** (Egypt) congratulated the Special Rapporteur on his strenuous efforts to address the intolerable human rights situation in the occupied Palestinian territories. She wondered why the entire international community was not making a concerted effort to end the Israeli occupation and protect the human rights of Palestinian women and children. Not

only had there been an unmistakable slackening of international political will, but human rights criteria were being applied differently from region to region. She agreed with the representative of the Sudan that United Nations credibility was at stake. Neither the in-depth study on violence against women (A/61/122/Add.1) nor that on children (A/61/299) prepared by independent experts appointed by the United Nations had made any reference to such violence perpetrated under foreign occupation.

47. Increased political will was needed to end the Israeli occupation, demolish the separation wall and start working towards a two-State solution in which Israelis and Palestinians could live side by side in peace, thereby bringing peace to the entire Middle East region, for years the indirect victim of that unjust conflict. International partners must be induced to reactivate the Road Map and assume their responsibilities. She asked the Special Rapporteur what he felt should be the next step towards a settlement of the conflict.

48. **Mr. Westmoreland** (Malaysia) commended the Special Rapporteur on his principled position in favour of human rights and a political solution that would allow Palestinians to exercise their right of self-determination free from human rights violations. He felt that the Special Rapporteur could be forgiven for appearing biased and having a political agenda and encouraged him to continue to discharge his mandate objectively until a just, lasting and comprehensive solution was found enabling Israel and Palestine to co-exist peacefully.

49. **Ms. Hasteie** (Islamic Republic of Iran) asked whether the Special Rapporteur had given any thought to seeking an expansion of his mandate to allow greater use to be made of his vast expertise and whether there was any possibility of his accompanying the High Commissioner for Human Rights on her forthcoming mission to the Middle East.

50. **Mr. Al-Moqhim** (Saudi Arabia) said that the Special Rapporteur's report had portrayed honestly the plight of the Palestinian people as a result of Israel's persistent policy of blockades and human rights violations. The Arab States had demonstrated their goodwill consistently at every level, as attested by many important initiatives, not least the Arab Peace Initiative, based on a Saudi initiative, adopted by the League of Arab States Summit in Beirut in March

2002. In view of the current situation, the international community needed to define "terrorism" and uphold peoples' defence of their rights. Given the obstacles and difficulties faced by the Palestinian people, he would like to know what the Special Rapporteur saw as the solution, in the light of the many international resolutions adopted in support of the Palestinian people's exercise of their rights.

51. **Mr. Alakhder** (Libyan Arab Jamahiriya) said that the Special Rapporteur's presentation had shown him to be the epitome of honesty, a virtue hard to find in the twenty-first century. His delegation wished to associate itself with the statements made by the representatives of the Sudan, Egypt and Lebanon.

52. **Ms. Abdelhak** (Algeria) said that the Special Rapporteur's report had painted a picture of flagrant human rights violations against the Palestinian people, as well as breaches of international humanitarian law, war crimes and crimes against humanity committed by Israel. There had been no follow-up to the strongly worded resolutions adopted by the Security Council in 2002 at its tenth emergency special session on illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory.

53. **Ms. Rasheed** (Observer for Palestine) said that the Israeli delegation's practice of attacking the work of United Nations officials should not be allowed to continue in the Third Committee. The representative of Israel must remember that the Special Rapporteur's mandate was restricted to the situation in the occupied Palestinian territories and that Israel was the occupying Power. The Israeli Government had inflicted untold suffering on the Palestinian people and if it objected to the Special Rapporteur's work, it should end its violations. Had Israel not been occupying Palestine, there would be no need for a Special Rapporteur.

54. **Mr. Dugard** (Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967), replying to the representative of Iran, said that he did not consider it helpful for his mandate to be expanded or for the same person to investigate violations by Israelis and Palestinians. Should a decision be taken to investigate violations by the Palestinian Authority, another special rapporteur would have to be appointed.

55. He hoped that the High Commissioner's forthcoming mission to the occupied territories would succeed where he had failed. He was not so deluded as

to think that his mission had been successful and he would not accompany the High Commissioner on her mission, lest it be tainted by his presence.

56. Regrettably, the dialogue in the Third Committee and in the Commission on Human Rights had been used over the years as an opportunity for "Israel-bashing". The dispute should not be seen as one between the Arab States and Cuba on the one hand and Israel on the other, often backed by the United States and the European Union. The situation in the Palestinian territories was a matter of concern to all Member States, which led him to wonder what the silent majority thought and whether they shared the views of the Arab States. The international community as a whole was concerned at the treatment meted out to the Palestinian people and the credibility of the entire human rights movement was at stake in Palestine. A similar situation in South Africa had long since been resolved, the Northern Ireland question appeared to be on course for a solution and it was to be hoped that the Israel-Palestine conflict would also be settled in the near future.

57. He could not endorse the rebuke levelled at the representative of Israel by the Observer for Palestine. Freedom of speech being the order of the day, he accepted any criticisms that that representative might wish to make. However, he felt that other delegations should participate more actively in the debate, with a view to finding a solution. As for what he saw as the solution, he was not an expert on international politics, his mandate being restricted to human rights. His criticism of the Quartet had stemmed from its failure to pay adequate attention to human rights concerns. He appealed to members of the international community, acting through the General Assembly, to bring pressure to bear on the Security Council to become more involved in the issue and to assume its responsibility for finding a solution.

58. **Mr. Cumberbatch** (Cuba) said that Cubans did not go in for Israel-bashing but that, because they had themselves suffered under conquest and occupation, they felt enormous solidarity with the Palestinian people, the same solidarity that they had shown when apartheid forces had invaded Angola and impeded the self-determination of Namibia. His Government's firmly held convictions had not changed since January 1959.

59. **Ms. Hastaie** (Islamic Republic of Iran) said that the Special Rapporteur had misinterpreted her question regarding a possible expansion of his mandate. She had merely wished to know whether the limitations of his mandate, to which he had referred, undermined his effectiveness and whether its expansion would afford him a better grasp of the international community's concerns.

60. **Mr. Dugard** (Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967) said that he was relieved to hear that clarification. What did place serious limitations on his mandate was the Israeli Government's refusal to cooperate with him. While he acknowledged that Israel had placed no obstacles in the way of his visits to the region, it had only itself to blame when it accused him of partiality and bias. He had never been able to speak to any Israeli Government officials, although he had addressed the Knesset and had communicated at length with Israeli non-governmental organizations. Conversely, he had been able to speak freely to both the Palestinian Authority and the Palestinian people. The problem was not his mandate, but his inability to speak to the authorities of one of the parties.

61. In conclusion, he commended the delegation of Cuba for regularly airing its misgivings even though, unlike the Arab States that frequently did so, it had no clear, demonstrable interest in the issue. He would like to see other States make a similar contribution to what was, in effect, a global threat to world peace. He urged the silent majority to impress upon their Governments the need to be more vocal in the debate on that issue.

The meeting rose at 5.40 p.m.