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Held at Headquarters, New York, on Wednesday, 24 November 2004, at 3 p.m.

Chairman: Mr. Swe. (Myanmar)

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The meeting was called to order at 3.20 p.m.

Agenda item 75: United Nations Relief and Works Agency for Palestine Refugees in the Near East

(continued) (A/C.4/59/L.10, L.11, L.12/Rev.1 and L.13)

1. **Mr. Zhang** (Secretary of the Committee) said that none of the draft resolutions under the agenda item had programme-budget implications.

2. **The Chairman** invited Committee members to make general statements before the voting.

3. **Mr. Fuenmayor** (Bolivarian Republic of Venezuela) reaffirmed the solidarity of the Bolivarian Republic of Venezuela with the Palestinian people. His delegation would vote in favour of the draft resolutions under the item because it believed that the international community should not abandon its commitment to resolving conflicts and seeking a peaceful and equitable solution to the problem of the Palestinian refugees.

Draft resolution A/C.4/59/L.10: Assistance to Palestine refugees

4. **Mr. Zhang** (Secretary of the Committee) said that Austria, Bangladesh, Belgium, the Bolivarian Republic of Venezuela, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Latvia, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Namibia, the Netherlands, Norway, Poland, Portugal, Romania, Senegal, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland and the United Kingdom wished to become sponsors.

5. *A recorded vote was taken.*

In favour:

Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia,

Germany, Ghana, Greece, Guatemala, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel.

Abstaining:

Albania, Cameroon, Haiti, Honduras, Marshall Islands, Micronesia (Federated States of), Palau, Papua New Guinea, United States of America.

6. *Draft resolution A/C.4/59/L.10 was adopted by 154 votes to 1, with 9 abstentions.**

7. **Mr. Ayafor** (Cameroon) expressed appreciation for the Chairman's efforts to ensure transparency in the negotiations on all the draft resolutions considered under agenda items 75 and 76. A close friend of all the parties involved in the question of Palestine, Cameroon had always supported the provision of assistance by the international community through UNRWA. The renewal of the Agency's mandate was an essentially humanitarian question that should have been dealt with

* The delegation of Guinea subsequently informed the Committee that it had intended to vote in favour of the draft resolution.

in a purely technical resolution that had no legal or political considerations. The failure to achieve that was regrettable. Although his delegation had abstained in the voting, it would continue to give its full support to UNRWA activities for Palestinian refugees.

Draft resolution A/C.4/59/L.11: Persons displaced as a result of the June 1967 and subsequent hostilities

8. **Mr. Zhang** (Secretary of the Committee) said that Bangladesh, Mali, Namibia and Senegal wished to join the sponsors.

9. *A recorded vote was taken.*

In favour:

Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan,

Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, Marshall Islands, Micronesia (Federated States of), United States of America.

Abstaining:

Albania, Cameroon, Haiti, Honduras, Uzbekistan.

10. *Draft resolution A/C.4/59/L.11 was adopted by 151 votes to 4, with 5 abstentions.**

Draft resolution A/C.4/59/L.12/Rev.1: Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

11. **Mr. van Loosdrecht** (Netherlands), speaking on behalf of the European Union, proposed inserting a paragraph 6 bis, which would read:

“Encourages the Agency’s further consideration of the needs and rights of children in its operations, in accordance with the Convention on the Rights of the Child.”

12. **Mr. Ichsan** (Indonesia), speaking on behalf of the sponsors, said that the amendment proposed by the representative of the Netherlands was acceptable.

13. **Mr. van Loosdrecht** (Netherlands), explaining the position of the European Union, expressed support for draft resolution A/C.4/59/L.12/Rev.1. It was the clear conviction of the European Union that gender mainstreaming of the United Nations system, including UNRWA, should be further strengthened with a view to achieving gender equality in all fields and maximum participation of women on equal terms with men. The European Union warmly welcomed the important progress made by UNRWA in that regard. In that connection, it had requested the inclusion of a formulation in the draft resolution on UNRWA registration procedures and criteria, with a view to ensuring the registration of descendants of female refugees married to non-refugees. The European Union regretted that it had not been possible to reach agreement on that issue and hoped that further progress could be achieved at the sixtieth session of the General Assembly.

* The delegation of Guinea subsequently informed the Committee that it had intended to vote in favour of the draft resolution.

14. **Mr. Zhang** (Secretary of the Committee) said that Bangladesh, Mali, Namibia and Senegal wished to join the sponsors.

15. *A recorded vote was taken.*

In favour:

Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America.

Abstaining:

Albania, Cameroon, Haiti, Honduras, Nicaragua, Papua New Guinea.

16. *Draft resolution A/C.4/59/L.12/Rev.1, as orally amended, was adopted by 152 votes to 5, with 6 abstentions.*

Draft resolution A/C.4/59/L.13: Palestine refugees' properties and their revenues

17. **Mr. Zhang** (Secretary of the Committee) said that Austria, Bangladesh, Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Latvia, Lithuania, Luxembourg, Mali, Malta, Namibia, the Netherlands, Norway, Poland, Portugal, Romania, Senegal, Slovakia, Slovenia, South Africa, Spain, Sweden and the United Kingdom wished to join the sponsors.

18. *A recorded vote was taken.*

In favour:

Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian

Federation, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Turkmenistan, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America.

Abstaining:

Albania, Cameroon, Haiti, Honduras, Papua New Guinea, Uzbekistan.

19. *Draft resolution A/C.4/59/L.13 was adopted by 153 votes to 5, with 6 abstentions.*

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/C.4/59/L.14, L.15/Rev.1, L.16/Rev.1, L.17/Rev.1 and L.18)

20. **The Chairman** invited the Committee to take action on the five draft resolutions that were before it.

Draft resolution A/C.4/59/L.14: Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

21. **Mr. Zhang** (Secretary of the Committee) said that Bangladesh, Namibia, Senegal and South Africa had joined the sponsors. As the General Assembly had appropriated the amount of \$254,500 for the Special Committee for the biennium 2004-2005, adoption of the draft resolution would not lead to any requests for additional appropriations.

22. *A recorded vote was taken.*

In favour:

Afghanistan, Algeria, Antigua and Barbuda, Armenia, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bolivia,

Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Ghana, Guinea, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritius, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Paraguay, Qatar, Saudi Arabia, Senegal, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, United Arab Emirates, United Republic of Tanzania, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Australia, Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America.

Abstaining:

Albania, Andorra, Argentina, Austria, Bahamas, Belgium, Bosnia and Herzegovina, Bulgaria, Cameroon, Canada, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakhstan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Vincent and the Grenadines, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tonga, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan.

23. *Draft resolution A/C.4/59/L.14 was adopted by 80 votes to 6, with 74 abstentions.*

Draft resolution A/C.4/59/L.15/Rev.1: Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories

24. **Mr. Zhang** (Secretary of the Committee) said that South Africa had become a sponsor.

25. *A recorded vote was taken.*

In favour:

Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian

Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, Marshall Islands, Micronesia (Federated States of), United States of America.

Abstaining:

Albania, Australia, Cameroon, Haiti, Kenya, Papua New Guinea, Uganda, Uzbekistan.

26. *Draft resolution A/C.4/59/L.15/Rev.1 was adopted by 151 votes to 4, with 8 abstentions.*

27. **Mr. Nimmo** (Australia), reiterating the importance his Government attached to adherence to international humanitarian law and in particular to the Geneva Conventions and relevant customary international law, said that his delegation had traditionally supported resolutions similar to the one just adopted and would have supported it at the current session but for the inclusion of unhelpful and inappropriate language on the advisory opinion of the International Court of Justice on the legal consequences of Israel's security barrier. He recalled that Australia had earlier voted against General Assembly resolution ES-10/14 requesting that advisory opinion and resolution ES-10/15 endorsing the opinion. Australia had felt that a ruling by the International Court of Justice would not help resolve the Israeli-Palestinian dispute but would, as indeed it had done, distract the parties from the urgent need to resume negotiations.

Draft resolution A/C.4/59/L.16/Rev.1: Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan

28. **Mr. Zhang** (Secretary of the Committee) said that South Africa and the Bolivarian Republic of Venezuela had become sponsors.

29. **Mr. van Loosdrecht** (Netherlands), speaking on behalf of the European Union, proposed changing "violation" to "breach" in the fifth preambular paragraph.

30. **Mr. López Clemente** (Cuba), speaking on behalf of the sponsors, said that the oral amendment was acceptable to them.

31. *A recorded vote was taken.*

In favour:

Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Australia, Israel, Marshall Islands, Micronesia (Federated States of), United States of America.

Abstaining:

Albania, Cameroon, Dominican Republic, Haiti, Kenya, Nicaragua, Tonga, Uganda, Uzbekistan.

32. *Draft resolution A/C.4/59/L.16/Rev.1, as orally amended, was adopted by 149 votes to 5, with 9 abstentions.*

33. **Ms. Grant** (Canada) said that her delegation had voted in favour of the draft resolution because Canada did not recognize permanent Israeli control over territories occupied since June 1967, and also because it opposed the expansion of settlements, including natural growth and outposts, and supported their dismantlement in accordance with the road map. However, her delegation had reservations about the inclusion of selective references to the advisory opinion of the International Court of Justice — both in the draft resolution just adopted and in most of the other draft resolutions under agenda item 76 — without a balancing reference to Israel's security concerns or without reflecting the non-binding nature of the advisory opinion.

Draft resolution A/C.4/59/L.17/Rev.1: Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem

34. **Mr. Zhang** (Secretary of the Committee) said that South Africa had become a sponsor.

35. **Mr. van Loosdrecht** (Netherlands), speaking on behalf of the European Union, proposed a number of amendments to draft resolution A/C.4/59/L.17/Rev.1. The eighth preambular paragraph should read:

“Recalling the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child, and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem,”.

36. A new preambular paragraph should be inserted after the twelfth preambular paragraph:

“Reaffirming also that all States have the right and the duty to take actions in conformity with international law and international humanitarian law to counter deadly acts of violence against their civilian population in order to protect the lives of their citizens,”.

The new preambular paragraph reproduced the language of the sixteenth preambular paragraph of

General Assembly resolution ES-10/15 of 20 July 2004.

37. The words “and indiscriminate” should be deleted from the fourteenth preambular paragraph, which should begin:

“*Concerned* about the continuing systematic violation of the human rights of the Palestinian people by Israel, the occupying Power, including as a result of the excessive use of force, the use of collective punishment, ...”.

38. The sixteenth preambular paragraph should be moved from the preamble to become paragraph 3 bis of the operative portion of the draft resolution and should read:

“3 bis. *Expresses grave concern* at the use of suicide-bombing attacks against Israeli civilians, resulting in extensive loss of life and injury;”.

39. The words “and indiscriminate” should be deleted from paragraph 3, and the phrase “and calls on Israel to” should be deleted from paragraph 6. In paragraph 7, the words “of 20 July 2004 and resolution ES-10/13 of 21 October 2003,” should be inserted after “resolution ES-10/15” and the word “accordingly” should be deleted.

40. **Mr. López Clemente** (Cuba), speaking on behalf of the sponsors, said that those amendments were acceptable to them.

41. *A recorded vote was taken.*

In favour:

Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Comoros, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's

Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Australia, Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America.

Abstaining:

Albania, Cameroon, Canada, Costa Rica, Dominican Republic, El Salvador, Guatemala, Haiti, Honduras, Kenya, Nicaragua, Papua New Guinea, Tonga, Uganda, Uzbekistan.

42. *Draft resolution A/C.4/59/L.17/Rev.1, as orally amended, was adopted by 142 votes to 6, with 15 abstentions.*

43. **Ms. Grant** (Canada) said that her delegation had decided to abstain despite its serious concerns with the disproportionate use of force in the occupied Palestinian territories and especially in the refugee camps. While Canada had welcomed the useful addition of language on the right to self-defence and of a reference to the suicide-bombing attacks against Israeli civilians, it had profoundly regretted the absence of condemnation of such horrific acts. The failure to condemn terrorism outweighed any benefit derived from acknowledging it, and established a double standard. Canada deplored the violence and the casualties suffered by both Palestinians and Israelis,

and believed that references to acts by only one side and a disproportionate emphasis on measures taken by Israel could never advance the prospects for peace. Also, regarding the reference in the penultimate preambular paragraph to the need for an international monitoring presence, Canada considered it implicit that any such presence must have the consent of both parties.

Draft resolution A/C.4/59/L.18: The occupied Syrian Golan

44. **Mr. Zhang** (Secretary of the Committee) said that the sponsors had been joined by Bangladesh, Namibia, Senegal, South Africa and the Bolivarian Republic of Venezuela.

45. *A recorded vote was taken.*

In favour:

Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden,

Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel.

Abstaining:

Albania, Cameroon, Dominican Republic, Haiti, Kenya, Marshall Islands, Micronesia (Federated States of), Tonga, United States of America.

46. *Draft resolution A/C.4/59/L.18 was adopted by 152 votes to 1, with 9 abstentions.*

47. **Mr. Fuenmayor** (Bolivarian Republic of Venezuela) said that his delegation had become a sponsor of the draft resolution just adopted because it believed that the international community should not abandon its commitment to resolving conflicts and defending the territorial integrity of all Member States. His Government would support all resolutions upholding the principle of the peaceful and equitable settlement of disputes.

48. **The Chairman** invited general statements on all the draft resolutions adopted.

49. **Mr. Azor** (Haiti) said that his Government was a strong proponent of the sacred right of peoples to self-determination and of the peace process in the Middle East. However, it deemed that recent political changes in the region had created a new order that was likely to give a new dynamic to the whole process. His delegation had therefore abstained from voting on all the draft resolutions under agenda items 75 and 76.

50. **Mr. Mekdad** (Syrian Arab Republic), thanking all who had voted in favour of the draft resolutions on the question of Palestine and especially the one relating to the occupied Syrian Golan, urged the small number of delegations which had abstained on the latter to join the majority in supporting it in the plenary Assembly. By the draft resolutions just adopted, the international community had condemned the occupation of territory by force and sent a powerful message to Israel on that score. It had made it clear that Israel's attempt to annex the Syrian Golan and its racist and expansionist

practices there were devoid of any legal basis. The adoption of all the draft resolutions had enhanced the importance of the Fourth Committee, which should be recognized as the international community's "eye" on the region, and the Committee must continue to monitor Israel's violations of human rights and international humanitarian law until it abandoned its practices. The Syrian Arab Republic, together with other Arab States, had proffered the Arab Peace Initiative, which would have allowed for a resumption of the peace talks, but Israel's only response had been indifference and procrastination.

51. **Ms. Nasser** (Observer for Palestine) observed that the overwhelming support of the Committee for the draft resolutions just adopted reflected the international community's unwavering commitment to fundamental principles of international law as they applied to the ongoing plight of the Palestine refugees and the Palestinians under Israeli occupation. The assistance provided by UNRWA to the refugees remained absolutely essential, given their tragic situation. Her delegation was gratified by the overwhelming reaffirmation of the refugees' right of return, a prerequisite for a peaceful resolution of the conflict.

52. The systematic human rights violations by Israel in the territories under its control had caused great suffering and deepened the divide between the two peoples. If the occupying Power complied with all applicable international law, as called for in the draft resolutions adopted under item 76, that would constitute a genuine change leading to a final, just and peaceful resolution. Her delegation expressed gratitude to the international community for its principled positions and support.

53. **The Chairman**, reviewing the Committee's work during the current segment of the fifty-ninth session, observed that the Committee had adopted 24 draft resolutions and four draft decisions under the wide variety of agenda items assigned to it, and made wide-ranging recommendations on decolonization matters, the peaceful uses of outer space, the effects of atomic radiation, peacekeeping, the question of information and the conflict in the Middle East. The Committee's discussions on the new item 22 (Assistance in mine action) had regrettably not produced a draft resolution, and it would have to return to the issue at the next session.

54. He thanked all who had assisted him in moving the crucial work of the Committee forward. With the conclusion of its deliberations on items 75 and 76, the Committee had completed its work for that period of the fifty-ninth session of the General Assembly.

The meeting rose at 4.45 p.m.